



SIXTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

FIRST SESSION

TUESDAY 15 MAY 2018

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(Formed by Hon. Pravind Kumar Jugnauth)

Hon. Pravind Kumar Jugnauth	Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development
Hon. Ivan Leslie Collendavelloo, GCSK, SC	Deputy Prime Minister, Minister of Energy and Public Utilities
Hon. Sir Anerood Jugnauth, GCSK, KCMG, QC	Minister Mentor, Minister of Defence, Minister for Rodrigues
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Hon. Nandcoomar Bodha, GCSK	Minister of Public Infrastructure and Land Transport
Hon. Mrs Leela Devi Dookun-Luchoomun	Minister of Education and Human Resources, Tertiary Education and Scientific Research
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Dr. the Hon. Mohammad Anwar Husnoo	Minister of Health and Quality of Life
Hon. Prithvirajsing Roopun	Minister of Arts and Culture
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Hon. Soomilduth Bholah	Minister of Business, Enterprise and Cooperatives

Hon. Marie Roland Alain Wong Yen Cheong, MSK	Minister of Social Integration and Economic Empowerment
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Hon. Dharmendar Sesungkur	Minister of Financial Services and Good Governance
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MAURITIUS

Sixth National Assembly

FIRST SESSION

Debate No. 07 of 2018

Sitting of Tuesday 15 May 2018

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

The National Anthem was played

(Madam Speaker in the Chair)

PAPERS LAID

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

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

The District Council of Rivière du Rempart (Fees for Building and Land Use Permit and other fees at the level of Land Use and Planning Department) Regulations 2018. (Government Notice No. 50 of 2018)

B. **Ministry of Education and Human Resources, Tertiary Education Education and Scientific Research**

The Annual Reports of the University of Technology, Mauritius for years 2000 – 2009.

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

The Annual Report of the Office of Public Sector Governance for the fiscal year 2016-2017.

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

The Annual Report of the Sugar Industry Labour Welfare Fund for the 18-month period 01 January 2016 to 30 June 2017.

ORAL ANSWERS TO QUESTIONS**NATIONAL DRUG CONTROL MASTER PLAN & CANNABIDIOL PRODUCTS**

The Leader of the Opposition (Mr X. L. Duval) (*by Private Notice*) asked the Prime Minister, Minister of Home Affairs, External Communication and National Development Unit, Minister of Finance and Economic Development whether, in regard to the proposed elaboration of a National Drug Control Master Plan, he will -

- (a) state, if in cases of possession of cannabis for personal use, it is proposed to -
 - (i) abolish custodial sentences;
 - (ii) provide for non-inclusion thereof on the Certificate of Character, and
 - (iii) authorise medical cannabis (cannabidiol), in line with the recommendations of the World Health Organisation, and
- (b) for the benefit of the House, obtain, for the period January 2014 to 31 December 2017, information as to the number of -
 - (i) persons arrested, provisionally charged and convicted for possession of cannabis for personal use, and
 - (ii) cases in which the Courts have applied the provisions of section 34(2) of the Dangerous Drugs Act.

The Prime Minister: Madam Speaker, it is pertinent at the very outset to inform the House that Cabinet had, on 25 September 2015, agreed to the setting up of a Committee to look into the problem of drugs amongst the youth and the mounting of an aggressive sensitisation campaign against drug abuse. The Committee recommended that it would be advisable to have a holistic and integrated approach to effectively address the drug problem and that this could best be achieved by the formulation of a National Drug Control Master Plan for Mauritius.

In this context, the United Nations Office on Drugs and Crime was approached with a view to securing technical expertise for the elaboration of the Master Plan, and the latter made available the services of an independent consultant to formulate the Master Plan.

Following consultations with all relevant stakeholders, the final draft of the Master Plan has been submitted for period 2018-2022.

The Master Plan identifies, *inter alia*, the following -

- the need for a national body at the apex of Government with the authority to act as the national convener across all sectors involved;
- the need for plugging of gaps in legislative framework;
- the need for an intelligence sharing platform amongst the law enforcement agencies;
- the need to strengthen structural and organisational operations of ADSU and Customs;
- the need to accelerate actions against the emerging threat of New Psychoactive Substances, and
- the need to further focus on the rehabilitation and social reintegration of people who use drugs or those on treatment.

Madam Speaker, the Master Plan rests on four strategic pillars, namely -

- (1) Pillar 1- Concerning Drug Supply Reduction which aims at effectively combatting the entry, production and cultivation of illicit drugs in all its forms within the Republic of Mauritius as well as harmonising relevant legislations and improving regulatory framework to enhance intelligence gathering and sharing of information amongst national, regional and international agencies;
- (2) Pillar 2 - Concerning Drug Reduction, namely drug use prevention, drug use disorders treatment, rehabilitation and social reintegration which aims at raising awareness on the harmful health and social consequences of drug use through, *inter alia*, a Standardised National Drug Use Prevention Programme, targeted towards the individual, the family, the community and the society at large and making them more resilient to drugs;
- (3) Pillar 3 – Harm Reduction with a view to enhancing the quality and accessibility of the Methadone Maintenance Therapy (MMT) and the Needle Exchange Programme, amongst others, and
- (4) Pillar 4 – Coordination Mechanism, Legislation Implementation Framework, Monitoring and Evaluation and Strategic Information which provides for the establishment of a National Drug Secretariat (NDS) under the aegis of my Office as an apex body to plan, oversee, coordinate, monitor and evaluate all drug control related policies, programmes and interventions to achieve greater coherence, results and impact. The NDS will report to an Inter-Ministerial Committee chaired by me.

Madam Speaker, in regard to part (a)(i) of the question, section 34(1)(b) of the Dangerous Drugs Act provides that any person who unlawfully possesses any dangerous drugs shall commit an offence and shall, on conviction, and subject to subsections (2) and (5), be liable to a fine not exceeding 50,000 rupees and to imprisonment for a term not exceeding 2 years.

Section 34(2) provides that before passing imprisonment - sentence - the Court may, in lieu of imprisonment, place a convicted person on a rehabilitation order provided the person undertakes to cooperate. The period of rehabilitation should not exceed 3 years.

I wish to draw the attention of the House that the Dangerous Drugs Act does not provide for an offence of possession of dangerous drugs for personal use. It simply provides for unlawful possession of dangerous drugs.

It is not envisaged to abolish custodial sentences for possession of any dangerous drugs. At any rate, it is at the discretion of the Court to decide upon the sentence to be imposed, that is whether to impose a fine or imprisonment, or both. In imposing a sentence, the Court takes into consideration a number of factors, amongst others, namely the plea, circumstances of the case, gravity of the offence and the criminal record of the offender, if any.

Madam Speaker, as regards part (a)(ii) of the question, Section 5(2)(c) of the Certificate of Character Act provides as follows -

“(2) Where the applicant has in Mauritius –

(c) more than 5 years before making the application, been convicted of a crime or misdemeanour, other than an offence specified in the Second Schedule, and been –

(i) given only a fine of up to 5,000 rupees; or

(ii) made the subject of a probation order only, and has complied with the terms and conditions of the order;

the Director of Public Prosecutions shall issue a certificate in the form set out in Part A or B of the Third Schedule, specifying that the person in whose name the application has been made has never been convicted of a crime or misdemeanour in Mauritius.”

Since the Second Schedule includes “any offence under the Dangerous Drugs Act “, section 5(2)(c) is not applicable to drug offences under the Dangerous Drugs Act.

Madam Speaker, as far as part (a)(iii) of the question is concerned, I am informed that as of now the World Health Organisation has not recommended cannabidiol for medical use.

According to studies carried out on animals and human beings, cannabidiol could have some therapeutic value for seizures caused by epilepsy and related conditions. The WHO Expert Committee will undertake a comprehensive review of cannabis and cannabis related substances in June 2018.

In the circumstances, it is premature, at this stage, to consider the authorization of the use of products containing cannabidiol as medical products.

Madam Speaker, as regards part (b)(i) of the question, I am informed by the Commissioner of Police that, for period 01 January 2014 to 31 December 2017, some 2276 cases have been reported to Police whereby 2336 persons were arrested and provisionally charged for possession of cannabis under section 34 of the Dangerous Drugs Act. Of these persons arrested, so far 1513 persons have been convicted after being formally charged.

Concerning part (b)(ii) of the question, the Court has applied the provisions of Section 34 (2) of the Dangerous Drugs Act, in only one case where the accused has been sentenced to undergo two years’ probation order and to pay Rs100 as costs and also to undergo 27 hours pro skill training programme at the Centre d’Accueil de Terre Rouge as from 17 April 2017.

Madam Speaker, I stand unflinchingly by my solemn commitment to clean our country and spare our people from the scourge of drugs and drug trafficking. This Government has been and shall continue to be ruthless against the drug barons and drug traffickers. The war waged by this Government against them is being won. The increasing number of drug seizures and the arrest of drug traffickers over the last 3 years is testimony of the determination of this Government to put an end to the illegal and harmful activities of such criminals.

Madam Speaker, I wish to point out that Government is also eagerly awaiting the report of the Commission of Inquiry on Drugs whose recommendations will no doubt be of invaluable assistance and guidance, along with the National Drug Control Master Plan, in consolidating our fight against the drug scourge in Mauritius.

Mr X. L. Duval: Madam Speaker, the National Drug Control Master Plan is about eight months overdue; it was meant to be published around September of last year. Can the hon. Prime Minister tell us when he is now going to publish the Report itself?

The Prime Minister: The plan is not eight months overdue, Madam Speaker. It has been prepared; a draft, as I have just informed the House, has been submitted to my Office. The draft is being considered. I have, myself, personally chaired a Committee and there are technical Committees which are looking into a number of issues that have been raised by the expert. Once it has been finalised, the Report will obviously go to Cabinet, at which time it will be debated and, eventually, whatever is approved will be made public, and obviously the recommendations will be taken into account for implementation.

Mr X. L. Duval: Madam Speaker, the hon. Prime Minister, himself, said that it was in September 2015, I think, that a decision was taken to have this National Drug Control Master Plan. So, it has been three years in the making. Can I ask the hon. Prime Minister whether a survey has been made in Mauritius for the Master Plan, hopefully in 2018 itself, of drug use; who is using cannabis; who is using synthetic drugs, heroine, etc. Has the Master Plan, taking three years, been based on empirical evidence of drug use in Mauritius?

The Prime Minister: Madam Speaker, the Leader of the Opposition should understand one thing - the decision was taken by Cabinet on 25 September 2015. We contacted the UNODC and we agreed on the terms of that study, and they then delegated an expert. That expert carried out a number of studies here.

(Interruptions)

Is the hon. Leader of the Opposition saying that this expert is incompetent?

Madam Speaker: Please! No crosstalking!

The Prime Minister: Is he saying that this expert is incompetent? That is taking such a long time? But he has to take some time to do serious work. Now the draft has been submitted to Government. Of course, I have just said what we are doing now with regard to the draft. But, in the meantime, I do not have to go into all the measures that Government has taken in order to fight the drug scourge. Obviously, if the hon. Member wishes, I can undertake to provide figures to the House with regard to a number of issues he has raised, but I have just given figures with regard to possession of cannabis.

Mr X. L. Duval: Madam Speaker, my question is very specific to the hon. Prime Minister. Is this Master Plan, which is three years now in the making, based on an empirical evidence, that is, numbers, figures, surveys of drug users in Mauritius, in particular the dramatic effects and the dramatic rise in synthetic drugs use in Mauritius. Will the hon. Prime Minister, when he is going to do this Master Plan, publish at the same time these figures for the nation to be aware of drug use in Mauritius because these things are changing rapidly over time?

The Prime Minister: Obviously, we will provide the public with all the information that is contained in the Master Plan.

Mr X. L. Duval: So, I take it that there has been no survey done of drug use, and this is what the hon. Prime Minister has said. He has to agree. There is no need to get upset. This is what he has said; there is no survey done and that is a big shame that is mostly near incompetence.

Madam Speaker, the hon. Prime Minister has given figures for people convicted for the use of cannabis. I am going to take ‘use and cultivation for personal use’ and ‘use of drugs’ for the last 10 years, about 2,500 people are convicted. They are either given a fine or sent to prison every year for personal use of drugs. This conviction goes on their criminal record. 300 are actually put in prison and that actually destroys their lives, ruins their career prospects; they are unable to join any Government or parastatal organisation.

Madam Speaker: Yes, ask your question! Don’t make a statement, hon. Leader of the Opposition!

Mr X. L. Duval: Does he not agree with me that it is a carnage that is being done on people’s careers that for consumption of drugs, they have to suffer this sort of punishment.

The Prime Minister: Madam Speaker, let me say it again: probably the Leader of the Opposition does not understand; there is a draft Master Plan. All the stakeholders have been consulted by the expert All figures have been provided to the expert whether they are from ADSU, from the Police authorities, from Customs. Obviously, once the Plan will be made public, then he will see for himself. But it is premature, he wants me to...

(Interruptions)

Madam Speaker: Please! Hon. Leader of the Opposition! No crosstalking! Address the Chair!

The Prime Minister: The hon. Leader of the Opposition is not serious because he does not understand how it functions, and that is why. But again, let me tell the hon. Leader of the Opposition who keeps on saying 'personal use of drugs', that there is no offence of personal use of drugs; there is an offence of possession of cannabis if he does not know; maybe he has not been rightly advised. So, as I say, Madam Speaker, we are obviously looking into the recommendations of this Master Plan and, in time to come, it will obviously be made public with recommendations, then the Leader of the Opposition will see what actions we are going to take.

Mr X. L. Duval: Maybe the hon. Prime Minister has not been practising as a lawyer for some time, but people are charged with possession or dealing, and that is for personal use when it is possession.

Madam Speaker, I would like to inform the Prime Minister, maybe he is not aware, that the World Health Organisation, a few years ago, has openly called for decriminalisation of drugs for persons. This is not what I am asking, but the WHO has gone further than what I am asking. Is he aware of that? Similarly - I will table that - Madam Speaker, again, the hon. Prime Minister is not aware that the World Health Organisation has recommended the treatment for certain medical conditions through medical cannabis. These two things are official documents of the WHO which I will table and which the hon. Prime Minister can perhaps give to his renowned expert.

The Prime Minister: Well, I have not seen any recommendation made by the WHO for decriminalising cannabis. So, maybe, if the hon. Leader of the Opposition has a new document, obviously, I will be pleased to have a look at it. But, as I say, I have also had a look at what WHO has stated. We are not talking about cannabis, we are talking about cannabidiol, which is an element extracted from cannabis.

(Interruptions)

The hon. Leader of the Opposition is talking about cannabis.

(Interruptions)

The hon. Leader of the Opposition is talking about cannabis. I am on my feet and I am replying.

(Interruptions)

Madam Speaker: Hon. Leader of the Opposition, please sit down!

(Interruptions)

The Prime Minister: Listen!

(Interruptions)

Madam Speaker: Hon. Leader of the Opposition, please, I am addressing you. You have asked your question and I think it is the right of the hon. Prime Minister to give you his reply. You will have the opportunity of asking more questions.

The Prime Minister: The hon. Leader of the Opposition is saying that WHO has recommended decriminalisation of cannabis. As I have said, I have not seen that, and I do not think that is correct because from the information that I have, even an extract of cannabis called cannabidiol is not recommended by WHO for medical use as at now, and, as I have said, this is obviously going to be looked into in a future meeting and we shall therefore then see what they will recommend.

Mr X. L. Duval: Madam Speaker, I have produced papers that say exactly the contrary to what the hon. Prime Minister has just said and I will refer the hon. Prime Minister to my question which is (a) (iii) which is –

“authorise medical cannabis (cannabidiol) (...)”

in the question itself. So, this is why I was getting upset when he did not seem to have read the question and he is answering the PNQ. This is why! So, I hope that he will withdraw what he has said just now, in a moment. I hope he will!

Madam Speaker, is the hon. Prime Minister aware - I am sure he is aware of this one - that two respected individuals, Cardinal Piat and Monseigneur Ian Ernest, wrote to him a letter on 16 August 2017 saying, Madam Speaker, that the whole drug policy must be relooked at, that we must move away from repression and that we must go now towards treatment for drug addicts and he is mentioning all drug addicts, not just cannabis ...

Madam Speaker: So, what is your question?

Mr X. L. Duval: It is based on this letter obviously.

Madam Speaker: Obviously, I have given you time, Leader of the Opposition, to make your question intelligible, but you should not make a statement. So, ask your question!

Mr X. L. Duval: I am asking the question. So, has he taken note of that letter from the religious groups, these two people and the whole Council of Religion and what is his opinion on that letter which was sent to him?

The Prime Minister: Yes, I have received the letter, Madam Speaker. Treatment of drug addicts is already being done. Obviously, we are looking also at what is now obtained and what are the recommendations, especially of WHO, and of very serious organisations. Obviously, in time to come, if there is a need to adapt, we will adapt, but treatment is already being given to people who, unfortunately, have become drug addicts.

Mr X. L. Duval: Madam Speaker, these two respected leaders are saying, in fact, that drug addicts are sick people, they are not convicts, they are not criminals and they should be treated as sick people and be offered treatment. We know, Madam Speaker, also that the closure of NATReSA, which was brought forward by the previous Minister of Health, when I was in Government, was a huge mistake and so was the cessation of treatment by Methadone, which I understand now has been restarted. Would he agree that there have been horrible mistakes made in terms of prevention and rehabilitation of drug addicts?

The Prime Minister: Well, I have just replied that treatment is being given. So, let me reiterate that the Ministry of Health, obviously, has to look at what is obtained now, what has worked well and, obviously, if there are other options for treating drug addicts, the Ministry of Health will be looking at those options.

Mr X. L. Duval: Madam Speaker, when I was Ag. Prime Minister, I asked the Minister of Health to commission an Evaluation of Harm Reduction Programme and that was published in 2016. I do not have a copy of that report, but I understand it is highly critical the stopping of Methadone in Mauritius. Will he, in the name of transparency, agree to the publication of this Evaluation of Harm Reduction Programme by WHO provided to Government in 2016?

The Prime Minister: I will consult my colleague, the hon. Minister of Health.

Mr X. L. Duval: Madam Speaker, as far as the Certificate of Character is concerned, will he, in the name of fairness of human rights, ensure that parastatal bodies, recruitment in Government, ignore, for the purposes of recruitment, any conviction for consumption of cannabis especially if it dates many, many years back, for we all know, the person will be convicted, and may be completely out of cannabis for 10 to 20 years and still that appears on

his Certificate of Character? Will he ensure, that is in his direct power, that these two organisations, Government and parastatals ignore that on the Certificate of Character?

The Prime Minister: I must say, Madam Speaker, this is also one of the issues that are being looked into at the moment and it has obviously a number of implications, but I cannot say what is going to be the stand of Government because, as I have said, the matter will have to be discussed at the level of Cabinet, and then we will say what decision has been taken.

Mr X. L. Duval: Madam Speaker, some 50 countries have taken steps, as I mentioned, not to make cannabis consumption a custodial sentence, etc. May I ask the hon. Prime Minister whether people who are arrested and charged with consumption, possession for personal use - otherwise it would be drug dealing, we are not talking about drug dealers, we are completely agreeable to whatever increase in fines and penalty on drug dealers, we are talking about consumers - whether these persons should be released on bail or on parole immediately? Although they are not sent to prison, very often they are just fined, they are kept in Police custody until they come to the Magistrate or maybe sometimes they are just kept in Police custody because they do not have the bail money to get out on bail. So, can they be released on parole automatically if the charge is for consumption?

The Prime Minister: Madam Speaker, the hon. Leader of the Opposition has, I have noticed, repeatedly been saying that we have to consider custodial sentences, whenever somebody has been arrested and formally charged for cannabis. I have heard him saying that repeatedly. Probably, I should enlighten the House. First of all, the law already provides that in such a case, the Court will look at all the circumstances of the case and under section 34(2) - I am talking in case of imprisonment - the Court obviously will assess whenever it considers it to be appropriate, whether that person will undertake to cooperate in order to be cured of his addiction, and, instead of sentencing him to imprisonment, may order him to undergo treatment at such institution and so on and so forth. I have just quoted that. But with regard to the other cases where there have been a fine, let me say that out of the 1,513 convictions, 1,440 persons have been fined. Therefore, they do not go to jail, they do not end up in jail. But, obviously, the Court will take that into consideration in passing a sentence if the person offends again next time, and if he has previous convictions and so on.

Mr X. L. Duval: It is agreed that the majority are fined.

Madam Speaker: Hon. Leader of the Opposition, just to remind you that you have got two minutes left.

Mr X. L. Duval: Thank you very much. It is agreed that the majority are fined but, nevertheless, there are 100, 200, 300 people, a lot of people are going to jail for personal consumption of cannabis or other drugs. There is still a lot of people. Madam Speaker, let us now come to the issue of medical cannabis. Medical cannabis is accepted now almost worldwide. 41 countries authorise it. The Prime Minister can check. I can provide the information if it is necessary, including many countries. Now, it has medical properties - this is cannabidiol, as I mentioned - in treating cancer, epilepsy, arthritis, HIV/AIDS, multiple sclerosis and in helping on the symptoms also. Now, on a humane basis, since so many countries are doing this, will the hon. Prime Minister not consider that we should follow international example and it is now high time for these people who are suffering - I am not suffering - should have access to all these medications on a humane consideration, Madam Speaker?

The Prime Minister: Madam Speaker, I am informed that not so many countries, but only some countries allow some medications which contain cannabidiol ...

(Interruptions)

Madam Speaker: Please!

The Prime Minister:... to be used for medical purposes. But I am also informed that, in fact, the use of CBD has been based on a number of studies in animals dating back since 1970s, and I am saying that this medication is still undergoing a number of investigations at the level of WHO. In fact, from what I read here, I see that in a very early small-scale double-blind, placebo-controlled trial, patients receive either 200mg of CBD daily. Experiments have been conducted on 4 patients or for placebo, 5 patients for a three-month period. So, you can see that it is - I won't say at an infant stage - probably at baby stage whereby a number of tests are still being carried out.

Madam Speaker: Time is over! Hon. Members, the Table has been advised that PQ B/364, in regard to the Report of the Commissioner of Inquiry on Processes/Practices for Granting Loans secured on Immovable Property and Sale by Levy, will be replied by the hon. Attorney General, Minister of Justice, Human Rights and Institutional Reforms. PQ B/410, in regard to the proposed construction of a Marina at Les Salines, Port Louis, will be replied by the hon. Prime Minister, time permitting. Hon. Ameer Meea!

GAMBLING REGULATORY AUTHORITY – LICENCES - ISSUE

(No. B/359) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Gambling Regulatory Authority, he will, for the benefit of the House, obtain therefrom, information as to the number of permits issued, since 2017 to date, indicating in each case the –

- (a) names of the applicants;
- (b) place of operation, and
- (c) nature thereof.

The Prime Minister: Madam Speaker, I am advised that, since 2017 to 11 May 2018, the Gambling Regulatory Authority has issued the following licences -

- (i) 9 to existing operators;
- (ii) 10 for additional places of business to existing operators, and
- (iii) 16 amusement machine operator licences which fall under the jurisdiction of the Gambling Regulatory Authority since 06 October 2017 after the proclamation of the relevant section of the Finance (Miscellaneous Provisions) Act 2017. These machines operators were previously operating under the relevant provisions of the Local Government Act 2011.

Madam Speaker, I am tabling the information related to the names of the applicants, the places of operation and the nature of business as requested by the hon. Member.

I wish to reiterate that no licence has been issued to any new operator in accordance with Government's decision of 16 October 2015 whereby authorisation was given to issue licences to correct injustices and to establish a level playing field among existing licensees.

Madam Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Yes. Madam Speaker, answering to a past PQ, the then Prime Minister in 2016 stated to the House –

“The Responsible Gambling and Capacity Building Fund has been set up for this purpose.”

He also quoted –

“I wish to inform the House that the Managing Committee of the Fund is being constituted.”

May I ask the hon. Prime Minister where matters stand in relation to this Responsible Gambling and Capacity Building Fund? What have been their works done and what have been their achievements so far?

The Prime Minister: Madam Speaker, the question relates to the number of permits issued since 2016. Now, the hon. Member is asking about the Fund which has been set up. I do not have all the relevant information right now. Obviously, I undertake to provide the information, but I need time to have the information communicated to me.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you, Madam Speaker. Can I ask the hon. Prime Minister whether in these 16 amusement machine operator licences that have been issued, is the SIC - I am to refer to what Mr Prem Beejan has said in the Press -

« Je donne la garantie que les casinos deviendront rentables mais il me faut au maximum six mois. Sa stratégie, la réouverture des anciens établissements de Flic en Flac et de Belle Mare. »

If that is the case, if SIC is reopening those casinos, whether this is in line with the commitment of the Government to get away with the *nation zougadère*?

The Prime Minister: Let me remind the hon. Member that when the decision was taken, casino was excluded. It was about all these other licences.

(Interruptions)

No! Decision of Government was not to freeze permits with regard to casinos. It was only about the other gambling licences.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: Thank you, Madam Speaker. Can I know from the hon. Prime Minister whether he has received any representations – he, as Prime Minister or his Office – concerning the various problems which are occurring at the different outlets and whether the GRA is sufficiently manned to have a continuous follow-up on the operation of the present outlets? Seven, he has mentioned!

The Prime Minister: Yes, I must say occasionally I have had letters from people. Obviously, I passed on those letters to the GRA for examination, and for whatever action they feel that has to be taken, and it is for them to do so. But, I must say, they have also requested additional manpower. So, obviously that is being looked into, as the issue of monitoring is very important because we want all the operators to go according to the regulations and the conditions that have been laid in their licences. So, obviously they will have to say whether they have sufficient people to do the monitoring process.

Madam Speaker: Last question, hon. Dr. Boolell!

Dr. Boolell: Could the hon. Prime Minister state whether the injustices which he mentioned were being corrected by allocating permits to relatives of Members of Parliament sitting on the other side?

The Prime Minister: Madam Speaker, the issue is not about relatives or not relatives. The issue is about an operator, and the hon. Member knows very well what he is talking about. When he was in Government, what has been done? There has been a decision which was taken by the previous Government. The operator took GRA to Court and finally we have had to settle this matter because there was going to be a case of damages where Government would have had to pay substantial damages.

So, when the hon. Member talks about injustice, that is an injustice that was done. So, it has nothing to do, I can assure the hon. Member, with whether somebody is related to X, Y, and Z, which is not taken into consideration. It is, according to law, the right of an operator, whether that operator is *dans son droit*. If that operator *est dans son droit*, we cannot deny him or her that right.

Madam Speaker: Next question, hon. Ameer Meea!

Mr Ameer Meea: Can I ask a supplementary question?

Madam Speaker: No, next question!

SSR INTERNATIONAL AIRPORT – EXTENSION WORKS

(No. B/360) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the proposed extension of the Sir Seewoosagar

Ramgoolam International Airport, he will, for the benefit of the House, obtain from Airports of Mauritius Limited, information as to the -

- (a) scope of works;
- (b) estimated cost, and
- (c) start and completion dates thereof.

The Prime Minister: Madam Speaker, I am informed by the Chief Executive Officer of the Airports of Mauritius Co. Ltd that airport infrastructure developments are carried out in line with the Airport Master Plan and the air traffic growth.

The latest air traffic forecasts study has been completed in October 2017 and the revised Airport Master Plan will be ready by November 2018. It is only thereafter that the phasing of the different airport infrastructure works in the short, medium and long term will be envisaged. Hence, it is premature at this stage to state the scope of works, their estimated cost and timing for extension.

Madam Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Madam Speaker, answering to a PQ on 24 October 2017, the hon. Prime Minister stated to the House, in relation to the airport, that, I quote -

“(...) in the Budget Speech 2017-2018, I announced the renovation and refurbishment of the Old Passenger Terminal to cater for the current rapid growth in passenger traffic. The project allows connection of the old terminal to the new terminal with refurbishment of the boarding area.”

And he also added -

“I am also informed by the CEO of ATOL that the project is currently at tender stage.

Design/Tender Stage	July 2017 - March 2018
Construction Stage	April 2018 - December 2018”

Therefore, I am a bit surprised that...

Madam Speaker: Ask your question!

Mr Ameer Meea: My question to the hon. Prime Minister is - I am referring to this past PQ - where matters stand in relation to the renovation and refurbishment of the Old Passenger Terminal, which will be connected, according to this reply, to the new terminal.

The Prime Minister: The Old Passenger Terminal is being refurbished. The work is now being carried out. In fact, I can tell the House that an amount of Rs259 m. has been budgeted for this. But if the hon. Member looks at the question, he is asking about the extension. So, he is talking about a new terminal. So, there is a difference, as it is the refurbishment of the Old Passenger Terminal which is being carried out. In fact, it is expected to be completed by December 2018.

Mr Ameer Meea: Madam Speaker, just to clarify, apart from the existing new airport, there will now be the use of the old terminal, which will be connected to the new one, and additionally there will be the extension of the current airport Am I right to say that?

The Prime Minister: Yes, the hon. Member is right. It is being refurbished now. The reason is because in 2018, we have already reached 3.94 million of passengers annually, and the airport can only accommodate up to 4 million.

So, with the refurbishment of this Old Passenger Terminal, we are going to be able to handle roughly about 500,000 passengers annually. So, that will at least give us some breathing space. But I must say that with all the measures that Government has taken, we have done much better than even the consultants' forecast, and, therefore, we need to work fast so that at least we complete the necessary procedure to retain the consultant, for the consultant to do the Master Plan, and then obviously for construction of that terminal.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: Thank you, Madam Speaker. We all know what has happened in the past concerning the airport, the modernisation, the extension, before and now. Can the hon. Prime Minister inform the House whether he is aware that the famous Mr Gooljaury - we talking about the new terminal, the extension...

Madam Speaker: Hon. Bhagwan, please do not mention names. We should not mention names of people who are not here to defend themselves.

(Interruptions)

Please!

Mr Bhagwan: Revenue and income from publicity amount to millions, if not billions. So, can the hon. Prime Minister give assurance to the House that Mr Gooljaury will not be provided, in advance, with documents to enable him to tender for future projects with the extension...

Madam Speaker: No, hon. Bhagwan, please!

(Interruptions)

Hon. Jhugroo!

(Interruptions)

Hon. Jhugroo, please...

(Interruptions)

Hon. Jhugroo, please do not cause disruption to this House.

(Interruptions)

Hon. Bhagwan, I am sorry, this question does not relate to the main question. You have to ask questions which have something to do with the main question.

Hon. Bhagwan, next question!

Mr Bhagwan: Again, all the *chor!*

DIRECTOR OF AUDIT REPORT - RECOMMENDATIONS

(No. B/361) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to public funds, he will state the immediate measures that will be taken, if any, to prevent further wastage thereof, following the adverse comments made by the Director of Audit in her last report, indicating if consideration will be given for proposed amendments to be brought to the existing legislation to increase the accountability of those responsible therefor.

The Prime Minister: Madam Speaker, immediately after the tabling of the Report of the Director of Audit in the National Assembly, I had requested all my colleague Ministers to

-

- (i) analyse all issues raised by the Director of Audit concerning their respective Ministries/Departments, and
- (ii) come up with an Action Plan proposing measures to address those weaknesses and shortcomings.

In that respect, the Office of Public Sector Governance has been mandated to closely monitor and report on the implementation of these remedial measures.

The role and functions of the OPSG, which is now under the aegis of the Ministry of Justice, Human Rights and Institutional Reforms, are being revamped with a view to increasing its effectiveness in following up on remedial actions at the level of each Ministry regarding the findings and recommendations of the Director of Audit.

Furthermore, the OPSG has requested Ministries and Departments to submit the Action Plan for year 2018, which would, *inter alia*, highlight the issues, the recommendations, the time frame for implementation, the responsible officer(s) and indicators that will be used to identify successful implementation. Thereupon, a Status Report will have to be submitted by each Ministry and Department every two months.

Several meetings have already been held with the Chairperson and members of Audit Committees that have been set up in the Ministries and Departments with a view to assisting these Audit Committees to prepare their Action Plans.

Madam Speaker, in parallel, the recommendations of the Director of Audit are being taken on board in determining the allocation of resources to line Ministries at the level of the Estimates Committee at the Ministry of Finance for the forthcoming Budget exercise.

Furthermore, for greater transparency, the Finance and Audit Act will be amended to make it mandatory for Ministries and Departments to report on measures taken to address weaknesses identified by the Director of Audit, including wastage of public funds.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: Madam Speaker, we are not new in the House. We have taken cognizance of the Report of the Director of Audit over the years, and promises made to come with solutions to make amendments to the *manquements*. The hon. Prime Minister has made mention of actions that would be taken. Can the hon. Prime Minister give an undertaking to regularly inform the House of the results he will be obtaining from these committees he has set up?

The Prime Minister: Well, I must say, Madam Speaker, that we are all concerned whenever there are cases where, for example, either funds which have been earmarked have not been spent, and more so when there are cases where funds have been earmarked, but we see that projects are dragged for quite some time, and not completed in time. In case there is a number of cases where there are costs overruns also, obviously, we are looking at these also. We are looking at the weaknesses that have resulted in such situations. Therefore, we will monitor at the level of the Ministry of Finance and Economic Development. As I said, I am,

with the officers, monitoring the situation with regard to the instances that have been mentioned by the Director of Audit.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: Thank you, Madam Speaker. The Rt. hon. Minister Mentor, when he was Prime Minister, met Members of the Public Accounts Committee. There is, I would say, frustration; we have a Public Accounts Committee which analyses the Report of the Director of Audit and Members have no such powers to initiate actions, to call for officers to take them to task. Can the hon. Prime Minister say whether he will see to it that amendments be made to give more powers to the Public Accounts Committee?

The Prime Minister: Obviously, the Report of the Public Accounts Committee also is taken into consideration. I must say it is not only a report which is there. We will look at the recommendations, if any, that have been made by the Rt. hon. Minister Mentor and, obviously, Government will have to look into those recommendations.

Madam Speaker: Hon. Adrien Duval!

Mr A. Duval: Thank you, Madam Speaker. I would like to refer specifically to the VIP Car Pool Unit which is a unit of the Police. The Report of the Director of Audit mentions a massive wastage of money, Rs200 m.

Madam Speaker: *Non!* Hon. Adrien Duval, you know...

(Interruptions)

No! We are talking...

(Interruptions)

Please, sit down!

(Interruptions)

You have been the Deputy Speaker; you know very well what are the parameters of your question. I don't think this question should be allowed. Hon. Ganoo!

(Interruptions)

Non, non! I gave the floor to hon. Ganoo. I will come back to you, but I gave the floor to hon. Ganoo!

(Interruptions)

Hon. Adrien Duval, please sit down!

(Interruptions)

I have given the floor already to hon. Ganoo!

Mr Ganoo: The hon. Prime Minister, in the main answer that he has given, seems to be relying heavily on the OPSG. But, this body has been operational since the previous Government, since the Labour days; year in and year out, they have made reports and contacted different Ministries and the Chief Executives of these Ministries. In her Report, the Director of Audit mentions, again, the role of the Public Accounts Committee and I come back to this question. I think it is high time, and I ask the hon. Prime Minister...

Madam Speaker: Yes, don't make statements, hon. Ganoo, we have already spent more than six minutes on this question. Ask your question!

Mr Ganoo:...whether he should not consider amending the Standing Orders to empower, to invest the Public Accounts Committee with more powers like allowing the Public Accounts Committee to sit in public, giving the Public Accounts Committee powers to recommend sanctions to the PSC when certain public officers have been found to be negligent or more and giving the Public Accounts Committee, cadres, means, in fact, to conduct proper enquiries once the report is sent to the PAC?

The Prime Minister: Well, I have answered, Madam Speaker. But, let me say that, as a matter of fact, this issue has been taken up on numerous occasions previously by different Governments and also when we are here, obviously. I have stated that we are looking at that issue, of the proposals that are made.

(Interruptions)

Well, the hon. Member was here! He was here, also! What did he do? Then, he did not have the capacity to do?

(Interruptions)

The hon. Member also was here! He was...

(Interruptions)

Madam Speaker: Please!

(Interruptions)

The Prime Minister: Yes! He was also...

Madam Speaker: Please! Hon. Prime Minister!

The Prime Minister: He was a senior Minister also!

Madam Speaker: No crosstalking!

(Interruptions)

The Prime Minister: But there are a number of implications, obviously, and that is what I say, we will be looking at them.

Madam Speaker: Yes, the hon. Member wanted to ask the last question?

Mr A. Duval: Yes. With regard to accountability of Ministers, Members of the Government, of the Prime Minister's Government, may we know whether the hon. Prime Minister will personally sort out all the wastages that are highlighted in the Director of Audit Report in different Ministries, for example, Ministry of Social Integration and Economic Empowerment, Ministry of Health and Quality of Life. These are the Ministries, *les brebis galeuses du rapport de l'Audit!* Will the hon. Prime Minister personally make sure that these are handled by himself, by the Ministers, and are sorted out so that we do not have to wait for the next report?

Madam Speaker: Okay, we have understood the hon. Member's question!

The Prime Minister: The hon. Member did not pay attention. I have already answered this question. He is repeating himself now!

(Interruptions)

Madam Speaker: Next question, hon. Dr. Boolell!

AVENUE BERTHAUD, QUATRE BORNES - UPGRADING

(No. B/362) Dr. A. Boolell (Second Member for Belle Rose & Quatre Bornes) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the project for the upgrading and widening of Avenue Berthaud, in Quatre Bornes, by the National Development Unit, as announced in the 2017/2018 Budget Speech, he will state the work progress thereof, indicating the amount of funds earmarked therefor and spent as at to date.

The Prime Minister: Madam Speaker, I am informed that the contract for the upgrading and widening of Avenue Berthaud in Quatre Bornes was awarded on 28 February 2018 for a sum of Rs84,629,444.82 inclusive of VAT. The contractual commencement date was 21 March 2018 and the expected completion date is 16 November 2018. As at date, preliminary works such as trial pits, site clearance and contractor's site establishment have been completed. Relocation of underground services and excavation works have started and are in progress. A traffic diversion scheme has also been put in place to facilitate traffic flow.

I am further informed that, as at 10 May 2018, an amount of Rs15,368,238.58 has already been disbursed.

Madam Speaker: Hon. Dr. Boolell!

Dr. Boolell: Can I ask the hon. Prime Minister whether there has been prior discussion with the inhabitants of the region because there will be road blocks, to ensure that there will be no inconvenience to them?

The Prime Minister: Madam Speaker, when we are doing such magnitude of work along, I must say, a very busy road, there is bound to be some inconvenience. But I can tell the hon. Member that the hon. Deputy Prime Minister, the Vice-Prime Minister, Minister of Local Government and Outer Islands, hon. Mrs Fazila Jeewa-Daureeawoo, have also been not only constantly working to see to it that this project materialises, because it has taken some time, I must say, but they have also been after me, and we have been after the officers also. They have been personally involved in meeting the stakeholders, and the institutions in order to see to it that we have a very organised way and plan of going about for the upgrading of this infrastructure.

Madam Speaker: Hon. Dr. Boolell!

Dr. Boolell: Is the hon. Prime Minister aware that the contract was allocated on 26 May 2014 to a district contractor? Now, one of the...

(Interruptions)

I would like to know why there has been undue delay, and the contract which was allocated...

(Interruptions)

Yes, there has been undue delay!

(Interruptions)

There has been undue delay!

(Interruptions)

The contract was first....

(Interruptions)

Madam Speaker: Order, please!

(Interruptions)

Order! Allow the hon. Member to put his question!

Dr. Boolell: Madam Speaker, I am saying that the contract was allocated to a district contractor in 2014. There were some impediments in respect of way leave and Government then decided to make acquisition of land. Now that the contract has been awarded, I would like to know why is it that this Government has taken so long? Why is it that there has been renegotiation of contract?

The Prime Minister: Madam Speaker, *l'honorable membre ne doit pas prendre la paternité de notre bébé!*

(Interruptions)

C'est...

(Interruptions)

We are doing it!

(Interruptions)

The hon. Member is talking about...

(Interruptions)

Madam Speaker: Hon. Jhugroo!

(Interruptions)

Hon. Jhugroo, I have drawn your attention several times!

The Prime Minister: The hon. Member is talking about a consultant supposedly that was retained to do this plan, but nothing has been done. It is this Government which initiated action; we retained the services of the consultant. We have, in fact, carried out the bidding

exercise and it is only on 28 February 2018 that the contract was awarded. So, we will see to it that the work is carried out in due course.

Madam Speaker: Hon. Ramano, last question!

Mr Ramano: Merci, Madame la présidente. L’Avenue Berthaud se trouve au pied de la montagne Corps de Garde et de ce fait est très exposée à des inondations en période de grosses pluies. Est-ce que je peux savoir de l’honorable ministre si le *colonial drain* qui se trouve au pied de la montagne sera réhabilité et est-ce que les drains qui sont en construction en bordure de l’Avenue Berthaud auront une voie d’accès dans le canal La Ferme ?

The Prime Minister: I must say that all this has been taken into consideration and especially the fact that in the past there have been regularly problems with regard to flooding and so on. So, this has been taken into consideration.

Madam Speaker: Next question, hon. Dr. Boolell!

BANK OF MAURITIUS – IMF REPORT - MONETARY POLICY

(No. B/363) Dr. A. Boolell (Second Member for Belle Rose & Quatre Bornes) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether in regard to the Bank of Mauritius, he will, for the benefit of the House, obtain therefrom, information as to if it proposes to review its monetary policy, following the observation of the International Monetary Fund in its last Report under Article IV Consultations and in its public special issue to the effect that the Bank lacks clear monetary policy objective.

The Prime Minister: Madam Speaker, let me inform the House that the latest IMF Article IV Report and Selected Issues Paper on Mauritius date back to December 2017.

Ever since 2008, the IMF, in its successive Article IV Reports, has been drawing the attention of the Bank of Mauritius about the need to strengthen its monetary policy framework because of persistent excess liquidity problems that created a disconnect between the policy rate and interbank money market rate. The disconnect may have an incidence on the effectiveness of monetary policy.

In 2013, the IMF noted that, and I quote –

“Excess liquidity should be reduced to better align the policy rate with market rates and help strengthen the monetary transmission mechanism.”

In 2014, the IMF reiterated that, and I quote –

“A persistent disconnect between the policy rate and the interbank rate hinders the monetary transmission mechanism. The interbank rate has been persistently below the policy rate for several reasons and there is little short-term relationship to the policy rate because of fluctuating excess liquidity.”

However, since January 2018, the bank has stepped up its efforts to address the issues raised by the IMF and has been more active in conducting open market operations to reduce the level of excess liquidity in the system.

Between the end of December 2017 and 10 May 2018, the Bank issued a net additional amount of around Rs20 billion of its own securities to mop up excess liquidity.

You will note, Madam Speaker, that the total amount of securities issued by the bank to mop up excess liquidity as at the end of December 2014 was Rs24 billion. Between 2015 and to date, the Bank of Mauritius has issued an additional amount of Rs66 billion of securities to reach a total of Rs90 billion.

This mopping up exercise has successfully led to an increase in short-term interest rates.

Thus, the disconnect between the policy rate and the money market rates does not exist anymore.

I am informed by the Bank of Mauritius that there is no need to change the current monetary policy framework, given the situation I have just explained.

Madam Speaker: Hon. Dr. Boolell!

Dr. Boolell: Of course, you know the issue is to wage war on inflation. Now, can I ask the hon. Prime Minister whether he has been apprised of criticism levelled by the IMF vis-à-vis the Bank of Mauritius –

- (i) in respect of transparency, accountability and integrity of the Bank of Mauritius, and
- (ii) also it has been criticised because of its cosiness to Government.

The Prime Minister: Not at all, Madam Speaker. Maybe the hon. Member can draw my attention to which paragraph he is referring to in the IMF Article IV Consultations. I have not seen IMF accusing the Bank of Mauritius of not being transparent and so on.

Madam Speaker: Hon. Dr. Boolell!

Dr. Boolell: Is the hon. Prime Minister aware that before a report is submitted, it is sanitised, he should be aware of that.

The Prime Minister: It is sanitised? Sanitised by whom?

(Interruptions)

Madam Speaker, I have been, not only in the past, Minister of Finance, but now – I can...

(Interruptions)

The hon. Member has also been! Good! So, he should know that the Article IV Consultations, obviously, means consultations, that is, there is a team from the IMF, they come to Mauritius, they survey the whole economic situation, they look and they discuss with all stakeholders. And when I say all stakeholders, it does not mean to say only Government; it means the private sector, the trade unions, the non-governmental organisations. And, obviously, when they come up with a draft, we have a look at the draft. But we do not dictate, we do not tell and we do not instruct the IMF to put what we want to contain in the Report. They obviously take into consideration our observations just like the observations of all the stakeholders and, at the end of the day, they come up with their report. So, it is their report. The way you are saying it you are in a way accusing us that as if we do amend or we do interfere with this report. We do not. We cannot do that.

Madam Speaker: Time is over! Hon. Members, the Table has been advised that PQ B/391 in regard to ex-EDC houses containing asbestos will be replied by the hon. Minister of Social Security, National Solidarity, and Environment and Sustainable Development. PQ B/414 in regard to the preparation of a Marine Spatial Plan for the development of the ocean economy will be replied by the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues. PQs B/378 and B/395 have been withdrawn.

Hon. Osman Mahomed!

ROADS - PAID PARKING - REVENUE COLLECTED

(No. B/365) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Public Infrastructure and Land Transport whether, in regard to paid parking on public roads, he will, for the benefit of the House, obtain from the National Transport Authority, information as to the total revenue collected in terms of charges and fines, respectively, for each of the years 2015, 2016 and 2017.

Mr Bodha: Madam Speaker, I am informed by the National Transport Authority (NTA) that there are 2801 paid parking slots located in Port Louis, Rose Hill and Curepipe. Enforcement on paid parking on public roads is conducted by the traffic warden team of the NTA and the Police. According to the NTA, a total amount of Rs38,886,602 has been collected as penalty fees for parking offences for the period January 2015 to December 2017 as follows –

January to December 2015	Rs14,531,767
January to December 2016	Rs13,424,167
January to December 2017	Rs10,930,668.

This amount relates to revenue generated from contraventions established on paid parking zones and other parking offences such as parking on single/double yellow lines, parking on footpaths or on a yellow box.

On the other hand, my Ministry derives income from the sale of parking coupons, and reserved parking permits. I am informed that a total amount of Rs121,960,474 has been collected for the years 2015, 2016 and 2017 as follows –

January 2015 to December 2015	Rs42,251,011
January 2016 to December 2016	Rs37,476,896
January 2017 to December 2017	Rs42,232,567

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you, hon. Minister. A rough calculation, it is about Rs200m. that has been collected. Can I ask the hon. Minister what happened to the money? Because people pay for parking lots and I am here going to show you photos hon. Minister of paid parking lots in Port Louis which are in a very, very bad state. Because of successive asphaltting of roads, it becomes very deep and...

Madam Speaker: What does that have to do with your question? Ask your question!

Mr Osman Mahomed: Can the hon. Minister envisage injecting that money into the refurbishing of these parking lots? Because the Municipal Councils say that they do not have the money and NDU has got other priorities. Can this be considered?

Mr Bodha: It has to be considered because we have to provide a quality service. What we are doing, in fact, is we are doing a survey of all the parking slots in Port Louis and this will be done in the wake of all the projects that we are considering and a new traffic

possibility as well. I also personally believe when we will be talking to the Prime Minister and the Minister of Finance that incentives should be given for smart parkings so that people can access those smart parkings by the phone or on apps. They know exactly and don't have to go round and round to find a parking. So, we will have a re-engineering of the parking. This has to be done.

As regards the parking slots with are already here, I totally agree that we should do everything to upgrade these. If the Municipality cannot, I will consider the possibility to do what can be done with funds from the TRMSU and the RDA.

Mr Osman Mahomed: I have two quick questions regarding people with disabilities. They are allowed to park only in Rose Hill, Port Louis and Curepipe. Can consideration be given - I know some of them do not pay - to extend this facility to other towns and villages and also, for example, in public places like the Réduit Campus where people with disabilities have a lot of problems to get a parking space?

Mr Bodha: Parkings for people with disabilities are too few and often others encroach on these. So, we have to increase the number and second, we have to do the proper monitoring. I totally agree with the hon. Member.

Madam Speaker: Hon. Bashir Jahangeer!

Mr Jahangeer: Thank you, Madam Speaker. Can the hon. Minister inform the House if he intends to install automatic parking meters, at least, on the main road instead of this archive method of ticketing?

Mr Bodha: We need to consider that possibility, but we will have discussions with the Ministry of Finance concerning a package of incentives in the city for smaRt parking so that people can invest in smart parking with modern facilities and apps where, in fact, they secure a slot before they arrive at the parking space.

Madam Speaker: Next question hon. Osman Mahomed!

ROAD SAFETY ACADEMY – SETTING UP

(No. B/366) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the public roads, he will state –

- (a) where matters stand as to the proposed setting up of a Road Safety Academy, and

- (b) if consideration will be given for the installation of cameras for fining purposes in case of indiscipline and recklessness.

Mr Bodha: Madam Speaker, one of the strategic fields of actions of the National Road Safety Strategy 2016-2025, is training and capacity building and the setting up of a Road Safety Academy. The idea is to equip all those involved in road safety with the knowledge and skills required in their respective areas. Many areas of knowledge are related to road safety such as law, economics, statistics, public finance, medicine, biomechanics, behavioural science, education and communication, environmental science as well.

I am advised that, pending the setting up of the Road Safety Academy, capacity building programmes are being organised on various subjects such as road safety, road crash investigation, road safety audit and accident analysis, medical fitness for drivers, driving instructors and examiners, traffic enforcement, drug-related driving detection, road safety charter and road safety education for schools.

Furthermore, for the sustainability of our Action Plan to achieve the objectives set by the National Road Safety Strategy, my Ministry is planning to undertake training in the following areas in the next Financial Year -

- motorcar instructors and examiners;
- Traffic modelling;
- Refresher course for existing motorcar instructors;
- techniques of management of the speed of movement in the city;
- traffic data collection for Police, and
- Evaluation of vehicles in the context of the reform of the total loss system.

In addition to the above, the project on Continuum of Education has been introduced in collaboration with my colleague, the Ministry of Education and Human Resources, Tertiary Education and Scientific Research. Education on road safety has started on a pilot basis in primary schools after the training of resource persons from the Police.

Madam Speaker, as regards part (b) of the question, 62 speed cameras are already operational in various locations across the island to detect offences relating to speeding. The law does not provide for the installation of cameras to detect cases of indiscipline and recklessness. However, this would be taken care of with the implementation of the Safe City project with, *inter alia*, the installation of Intelligent Traffic Cameras on major public areas to assist in more effective traffic and road safety management.

We are also considering amendments, Madam Speaker, to the law to address the cases of indiscipline and reckless driving in the light of legislation existing in other countries.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you, Madam Speaker. The official announcement of the Road Safety Academy was made on 11 May 2016, exactly two years ago. I am quite surprised that this has not been set up in a year where we have broken the records, 71 deaths on our roads as opposed to 55 in normal circumstances, an increase of 30%. Can I ask the hon. Minister - because it is still pending - when is it that we are going to have this Academy? Because, in the meantime, the private sector has taken the lead.

Madam Speaker: We understand your question, hon. Osman Mahomed! Yes, hon. Bodha, are you prepared to reply to the question which has been asked by hon. Osman Mahomed!

Mr Bodha: He was mentioning the private sector, so I wanted to listen to what he was saying about the private sector.

Madam Speaker: He has been too long in his explanation. Please be brief!

Mr Osman Mahomed: My first question is when. Then we will talk about the private sector.

Mr Bodha: Well, the Academy, as an institution, has not been set up, but a number of initiatives have been taken and we are working on having this Academy together with all the stakeholders. As regards the number of accidents, well, we are not going to have a debate on it. Today, I have all the figures. The only category where there has been a substantial increase, in fact, from 14 to 28, is the category of motorcycles with young people under the age of 25. We moved from 14 to 28. If it had been the same number as last year, we would have been more or less, but anyway, we should be very concerned about the number of deaths. As far as the Academy is concerned, we are going to set up the institution and bring everybody together because a number of initiatives are being taken at the level of professional institution and at the level of the private sector.

Mr Osman Mahomed: I am going to table the Road Safety Academy that the private sector has taken advance over the Government for known reasons.

Mr Bodha: The private sector is doing it with us.

Madam Speaker: Hon. Adrien Duval!

Mr A. Duval: Madam Speaker, I would like to ask the Minister whether, with regard to indiscipline, especially motorcyclists who are mainly the victims of the road traffic accidents, with the practice of overtaking on the left especially on the motorway, in the middle and on the right, which is tolerated by the Police or those Police Officers posted on the roundabout, he will once and for all put a stop to that and enforce the legislation.

Mr Bodha: I have impressed on the Commissioner of Police and we have working sessions on a regular basis. We come back again to the DNA of the Mauritian culture as regards to driving. I think education is the solution. It will take time with the *Moto Ecoles* and so on. I will impress on the Police again.

Madam Speaker: Next question hon. Osman Mahomed!

URBAN TERMINALS PROJECT - AMENITIES

(No. B/367) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Urban Terminal Project, he will state the –

- (a) total space area that will be available thereat, indicating the extent thereof that will be allotted for each of the amenities that will be provided thereat;
- (b) type of Public Private Partnership formula being envisaged, and
- (c) basis for the allocation of slots reserved for street vendors/hawkers.

Mr Bodha: Madam Speaker, in the wake of the Metro Express project, the need for modern, safe, secure and integrated urban terminals has become imperative. In this respect, Government has decided to embark on the redevelopment and modernisation of urban terminals along the Port Louis-Curepipe corridor namely: the Victoria and Immigration Square terminals in Port Louis, Place Margeot in Rose Hill, the stations in Quatre Bornes, Vacoas and Ian Palach in Curepipe.

In my reply to Parliamentary Question B/687 on 07 November 2017, I informed the House about the status of the Victoria and the Immigration Urban Terminals. For the Victoria project, the Letter of Notification of Award will be issued in the coming days - the project was approved in Cabinet last week - to the selected Consortium. A presentation to all stakeholders including the hawkers of the project at the Victoria Urban Terminal will be made in the weeks to come and works are expected to start this year.

As regards the Immigration Square Urban Terminal, the Request for Proposals was launched on 20 February and the closing date has been set for 07 June 2018. Two experts from UNESCO are here - they arrived yesterday - to work with the potential bidders about the guidelines when it comes to the World Heritage Site of Apravasi Ghat.

The other urban terminals are being implemented by their respective Municipal Councils. For Place Margeot at Rose Hill, I am informed that the RFP has been launched on 03 May 2018 with the closing date set for 05 July 2018. As for the other two terminals, the Municipal Councils are working on their requirements and the RFPs will be launched shortly.

With regard to part (a) of the question, the extent of land available for Victoria and Immigration projects, are 5 *Arpents* 35 and 6 *Arpents* 80 respectively. I am circulating the details regarding the space area to be allotted for the amenities for both projects.

Regarding part (b) of the question, both projects are being implemented on a design, finance, build, operate and maintain basis, wherein Government will lease to the successful applicant the subject site on a 60-year lease. The entire costs for the design, engineering, construction, operations and management of the project will be borne by the successful promoter.

In regard to part (c) of the question, the space to be allotted for vendors' stalls will be rented to the City Council of Port Louis which will subsequently allocate the stalls to the vendors. I am informed by the City Council that the list of hawkers to be accommodated in the urban terminals has already been drawn by the Council and, usually, the basis of allocation of stalls is done by drawing of lots.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you, Madam Speaker. We are talking about six urban terminals to the cost of billions, to be funded by the private sector, to be constructed on State land. Can I ask the hon. Minister under which framework is the Ministry going for these projects? Is it the CPB, which means it goes to the CBP for the offers, or indeed is it the PPP Act of 2004 which will entail that the submissions are submitted to the PPP Unit of the Ministry of Finance, or is it indeed the Procurement and Supply Division of his Ministry which is called the Stores Department of the Ministry for these projects that will cost billions of rupees? Which legal framework and which entity is handling these projects?

Mr Bodha: It is not going to be done under the legal framework of the PPP, first. Second, it is a 60-year lease with a package of incentives which has been approved by Cabinet. Each project, each stage is approved at the level of Cabinet. Cabinet approves the Request for Proposal document which has been floated, and the evaluation will be done by a Ministerial Technical Committee involving the Ministry of Finance and Economic Development and the Ministry of Housing and Lands to be able to give it to the successful Consortium. In the case of the Victoria terminal, we had at the beginning, seven companies which were interested in this project on a single basis. Then, they came as a Consortium and they made their Request for Proposal, and at each and every stage, I have gone to Cabinet to see to it that Cabinet approves the package of incentives and approves the different components of the project.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Madam Speaker, I am a bit surprised because a project of this magnitude somehow has to fall under a legal framework. Cabinet, although there is the Government legal adviser there who is the Attorney General, is not a legal entity to handle these kinds of projects which entail the assets of the Government and also billions of rupees which are being funded by the private sector.

Mr Bodha: Cabinet is there to create the right, legal environment and to offer the package of incentives for investment. Now, this is a lease. Cabinet has agreed that the lease be a lease of 60 years. The package of incentives is a package of incentives which has been given to the smart cities and it has been extended to the urban terminals, and the land has been vested in the Mauritius Ports Authority, which will draw the lease with the Consortium.

Madam Speaker: Yes, hon. Osman Mahomed!

Mr Osman Mahomed: Can I ask one more question?

Madam Speaker: One last question!

Mr Osman Mahomed: So, Government has started in 2015 and 2016 with these terminals. So, there are lots of delays! Delays meaning we have not concluded any agreement so far. Is the hon. Minister not of the view that because of this lack of appropriate legal framework, which is the major impediment for these terminals to occur on which the livelihood of thousands of people are based today, including the *marchands ambulants*?

Mr Bodha: Madam Speaker, it is the first time that we are doing such a project. I totally agree with the hon. Member that it is very complex. It is the first time that the private sector is investing more than a billion in an urban terminal. The urban terminal concept is the concept of this Government. They were building a railway line. We are re-engineering the whole urban...

(Interruptions)

Madam Speaker: Order!

Mr Bodha:...landscape from Curepipe, and we are going to present the project of Victoria. It is an extraordinary project.

(Interruptions)

Madam Speaker: Hon. Rutnah!

Mr Bodha: Why are we here? The Government is here to create an environment for private investment and give the proper incentives. Why have we taken time? We have taken time because we have been doing it for the first time. If it has been for a hotel, we would have given a lease and the hotel would have been built. Here, we are involving seven different companies. We have a passenger terminal for trains, a passenger terminal for buses; we have to host 1,000 hawkers; we have to have a food court; we have to renovate a building, which is the old stone building which is costing Rs300 m; we have to create a space which goes with the taxi people and a space which goes with modern Mauritius. So, it is a huge, a colossal project. That is why it is taking time. We have to build the trust with the seven companies so that we have a project, and we will present the project next week. You will see, it has been presented to Cabinet, you will see what it is. It is a jewel of Rs1.4 billion, Madam Speaker.

(Interruptions)

Madam Speaker: Last question, hon. Ms Sewocksingh!

Ms Sewocksingh: Thank you, Madam Speaker. Listening to the hon. Minister's reply, it feels so good that these things are happening. May I ask the hon. Minister when the Urban Terminal Project will come into Curepipe? I still remember when we were in Government, we discussed a lot about it. We have a big problem of congestion in Curepipe. I humbly request the hon. Minister, in collaboration with the Ministry of Local Government, if they can treat this project soon in the constituency.

Mr Bodha: Why have we given priority to Victoria? It is because Victoria is the place where the train is coming in September 2019 from Rose Hill. And the second one is Rose Hill where at Place Margéot we have already floated the Request for Proposal. I am convinced that a lot of private sector companies, local and international, would be interested in this project. Now, when it comes to Curepipe - we have been talking about this for a long time - we will very soon prepare the Request for Proposal for Ian Palach because Ian Palach has an extraordinary potential of above 12 *Arpents* and it is going to be the terminal for the South. We are working on it and I know that hon. Members from Constituency No. 17 are very interested in the project, I would like to have their contribution and their proposal together with the Municipality of Curepipe.

Madam Speaker: I suspend the sitting for one and a half hours.

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

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

LABOURDONNAIS STREET, PORT LOUIS – ROAD ACCIDENTS

(No. B/368) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Labourdonnais Street, in Port Louis, he will state if consideration will be given for enhanced security measures to be provided thereat, especially, at the junctions thereof, in view of the seriousness of the road accidents occurring thereat.

Mr Bodha: Mr Deputy Speaker, Sir, I am informed that during the period January 2017 to May 2018, Police has registered 13 cases of road accidents. There were recently two cases of fatal accidents while the others were reported to be minor ones. And we are talking, of course, of Labourdonnais Street and its junctions with St. Georges (Wellington), Raoul Rivet, Volcy Pougnet and Pope Hennessy streets.

Mr Deputy Speaker, Sir, TMRSU has informed that the road infrastructure such as hand railings and footpaths exist along certain stretches of the Labourdonnais Street and at its junctions to channel pedestrians. In addition, necessary traffic signs and road markings have been provided to guide road users.

There are three main signalised junctions along Labourdonnais street. Priority of roads is indicated by the existing traffic signs and the road markings together with the traffic lights. But whenever traffic lights are out of order or in case there is any power failure,

drivers have to conform to the existing road signs and road markings which determine priority of road users to prevent any accident. In fact, I have been told that whenever there is a power failure the traffic lights switch on to a flashing mode.

Mr Deputy Speaker, Sir, I am informed by the TMRSU that on 29 April 2018 when the fatal accident occurred at corner Volcy Pougnet and Labourdonnais streets, the traffic light was flashing amber following an electrical surge. A flashing amber light means that all vehicles at that junction must stop and only manoeuvre if it is safe to do so. Once the flashing amber mode was reported, the traffic light was duly reset.

Following the recent fatal accident, I have requested the TMRSU, RDA and Police to carry out a Road Safety Audit to determine the risk hazards at these junctions and to come up with necessary remedial measures to mitigate the traffic hazards.

In addition, a study is being carried out to review the time cycle plan of the traffic lights for each of the signalised junctions along Labourdonnais street.

I am also informed that the following security measures are being taken -

- During peak hours four Police Officers are deployed for fixed point duties at the various junctions along Labourdonnais Street as follows -
 - One Police Officer is deployed at Corner Volcy Pougnet and Labourdonnais;
 - One Police Officer is posted at junction August Rouget and Labourdonnais;
 - One Police Officer at junction Frère Felix de Valois and Labourdonnais, and
 - One Police Officer at corner St. Georges and Labourdonnais streets.
- Mobile patrols are being maintained along the said street on a 24-hr basis by regular Police, Divisional Support Unit (DSU) and Emergency Response Service (ERS).
- Members of the Community are being sensitised to make use of Police Hotline 148 to inform Police about drivers driving recklessly and dangerously.
- Regular checks of traffic signs, road markings and street lighting are being carried out by local Police.

The Deputy Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Yes, thank you. In regard to the accident of 29 of April, it is one of the most violent accidents that has ever occurred in the City Centre of Port Louis. I was there where the person passed away. I was at the hospital. The hon. Minister has mentioned that the traffic light was flashing amber. Between the time that the power surge has occurred and, therefore, causing the failure of the functioning of the traffic light, to the time it is restored, can the hon. Minister envisage or consider asking a Police Officer, meanwhile that the road marking is being done, to be there immediately on the spot to control traffic? Because otherwise it can go anywhere. Can this be considered as a policy decision?

Mr Bodha: I think that it is a very good decision because usually the ERS is not far. So, if we have a power failure and the lights go out, we should be able to be in a position where we call the Police Information Room and have the ERS sent there, so that we have a Police regulating the traffic. I think it is a very good idea.

The Deputy Speaker: Hon. Jahangeer!

Mr Jahangeer: Yes, thank you, Mr Deputy Speaker, Sir. Will the hon. Minister consider the traffic jam between Labourdonnais Street and Monseigneur Leen? At peak time, there is huge traffic jam there.

Mr Bodha: I did not mention the problem, but I am going to mention it now. In fact, Labourdonnais Street has 22 junctions, which start from Pope Hennessy to Marie Reine de la Paix. There are signalised junctions at four junctions with the lights and there is Police presence at four others. We are trying to address eight junctions out of 22, but I think that this one and the other are main junctions. I think we have to pay more attention to the main junctions and the only efficient way, so far, has been the presence of the Police.

The Deputy Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: There is an increasing phenomenon along Labourdonnais Street, whereby people living in the lateral roads have started parking their cars along Labourdonnais Street because TRMSU have been drawing double yellow lines all the way along these lateral roads. Can the hon. Minister inform the House what is the solution going forward? Those people have cars and some of them do not have a garage and they are not able to park their cars, otherwise they will have *sabots* in their wheels. So, what is the durable solution for these people?

Mr Bodha: It is a catch-22 situation, because when you put the double lines, it means that nobody can do the parking. But then, the residents have no garage and they want to park their car in front of their house. There are not many solutions. I do not want to prejudge what I am saying, but we have a working session with the Prime Minister and the Minister of Finance on the issue of a package of incentives to improve smart parking in the city so that people can, on a monthly basis maybe, have a parking slot.

The Deputy Speaker: Next question, hon. Rughoobur!

FOOD SECURITY - FUNDS EARMARKED

(No. B/369) Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or) asked the Minister of Agro-Industry and Food Security whether, in regard to food security, he will state the amount of funds committed by his Ministry to achieve same, in each of the years 2015, 2016 and 2017.

Mr Seeruttun: Mr Deputy Speaker, Sir, the amount of funds spent or committed for food security since 2015 to 2018 is as follows -

Year	Amount (Rs M)
2015/2016	105
2016/2017	212.7
2017/2018	194.5

I wish to inform the House that in my reply to PQ B/368, I stated that Mauritius is a net food importer, not only for its staple food, that is, rice and wheat which are not economically feasible to produce locally, but also for fruits, canned process products and pulses among others and I enumerated the different actions taken at the level of my Ministry to ensure food security. Accordingly, I would refer the hon. Member to the reply I made to Parliamentary Question No. B/368.

Mr Rughoobur: I thank the hon. Minister for his reply. This issue of food security is always important for the country. In the Master Plan for Agriculture in 1994, there was mention of the removal of 300 to 350 hectares annually - at that time - for commercial and residential development. May I know from the hon. Minister the status today and what are the measures that are being taken to ensure that we have adequate land for agriculture?

Mr Seeruttun: Mr Deputy Speaker, Sir, over the years, land that was devoted under agriculture has been used for other purposes, be it for road infrastructure or housing projects

or other development projects. But what I can say is that since I was given the responsibility of that Ministry, we have undertaken an exercise to identify all abandoned land that are under our responsibility, that is, State lands, and this process is still on. But we have so far identified some 435 *arpents* of land that were in an abandoned state, that have been rehabilitated and given to beneficiaries so that they can put them into productive use.

Apart from that, there are other measures also which have been taken to increase the productivity of land that is under agriculture. What I mean is how we can increase productivity with the same amount of land that is available under agricultural sector. We have started vertical farming and that is one method, one scheme that has been put in place to increase the production within a smaller surface area to increase our local production. But, apart from that, there are some 20 schemes that are available at my Ministry to boost up the local production.

Mr Rughoobur: There is one issue that I wanted to raise because small planters have raised it in my constituency; this issue of rotational land from the owners of sugarcane land. The issue is that they are getting less and less of these rotational lands. May I know what are the actions that the hon. Minister and the Ministry propose to take or they are taking to ensure that these types of planters at least have land for agriculture?

Mr Seeruttun: It is, indeed, something which is real at the moment, whereby land that used to be given to small farmers on a rotational basis by the Sugar Estates is less and less available now. There are two main reasons for that. One is that most of the land is now under mechanisation and so it is not very appropriate for them to provide it for other crops other than for sugarcane. The other issue is that, given that with centralisation, with only four factories in operation now, the time that the harvest is carried out, the land which is made available for crops like, say, potatoes, is not at a suitable time for the plantation of potatoes. That is why less and less land is being put for the small farmers for that particular crop.

But I must say what we have been doing. We have been identifying forest land that has the potential of growing food crops, and we have so far already identified some 63 *arpents* of forest land and we are putting them into food crops production.

Other than that, we have also negotiated with the SIT. They have land and they have contracted an agreement with some farmers in the southern region so that they can grow potatoes, so that we can boost our local potatoes production.

The Deputy Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you, Mr Deputy Speaker, Sir. One of the aspects of food security is the amount of food that we import as opposed to what we produce locally. Can I ask the hon. Minister, from the time he took office - he mentioned about it just now - until now, three years down the road, how have we fared? Has the amount of food in terms of percentage ratio between the two increased, meaning are we importing more or are we importing less the food that we consume?

Mr Seeruttun: Well, we have to bear a few things in mind when it comes to our requirements for food consumption. On one side, we have the climatic conditions, which is something on which we do not have any control, and very often, when we have unfavourable climatic conditions, we see a reduction in the production and have to resort to importation. On the other hand, we are also having an increased number of tourists' arrival, which means that in terms of requirement it is on the increasing side. So, we have to bear that in mind and look what has been the trend in the last few years. What we see is that there has been an increase in the amount of food that is being imported, but we have come up with the strategic plan for the non-sugar sector, i.e. the food crop sector, to at least address this problem, to increase our production so that we can meet the requirements as far as possible to reduce our dependency on importation.

The Deputy Speaker: Hon. Ms Sewocksingh!

Ms Sewocksingh: Thank you, Mr Deputy Speaker, Sir. In line with the question and what the hon. Member just mentioned, can the hon. Minister give an indication to the House if, according to the FAO benchmark on food security, which is around 20% to 22%, if I am right, we have attained same?

Mr Seeruttun: If I may ask the hon. Member, Mr Deputy Speaker, Sir, what does she mean by benchmark. Which benchmark is she referring to?

Ms Sewocksingh: According to the FAO benchmark - there is a benchmark that the FAO has given - food security has to attain 20% to 22%. So, have we attained same?

Mr Seeruttun: In fact, I have embarked on a study on our food index. This exercise is being carried out by a consultant that we have appointed very recently. So, we will see how far we are doing with regard to that benchmark.

The Deputy Speaker: Hon. Dr. Boolell!

Dr. Boolell: Thank you very much, Mr Deputy Speaker, Sir. Am I to understand from the hon. Minister that we are putting forest land under cultivation of crops - this goes against the policy of reforestation - and allowing encroachment upon prime agricultural land?

Mr Seeruttun: Mr Deputy Speaker, Sir, we have taken all the necessary precautions to look at land that is suitable for that particular production and we are not encroaching in any kind of whatever the hon. Member is referring to.

The Deputy Speaker: Next question, hon. Rughoobur!

VEGETABLES - IMPORTATION

(No. B/370) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or) asked the Minister of Agro-Industry and Food Security whether, in regard to vegetables, he will state the total value of importation thereof for each of the years 2014, 2015, 2016 and 2017.

Mr Seeruttun: Mr Deputy Speaker, Sir, as indicated in my reply to PQ B/223, the importation of vegetables is regulated by the National Plant Protection Office of my Ministry and is allowed only in specific circumstances, which are -

- (a) vegetables imported by the Agricultural Marketing Board (AMB) i.e. potato, onion and garlic to cater for the local market;
- (b) vegetables not available in Mauritius;
- (c) vegetables to cater for niche markets like hotels, and
- (d) to palliate the shortage of vegetables on the local market as a result of bad weather.

The total value of importation of the AMB for the year 2014 onwards is as follows -

Year	Quantity imported (Tons)
2014	10,122
2015	14,637
2016	14,728
2017	13,876

I must also add, Mr Deputy Speaker, Sir, that a Plant Import Permit, issued by the National Plant Protection Office of my Ministry, is required for the importation of agricultural produce. The Permit specifies the phytosanitary requirements and the quantity to be imported. However, the value is not required.

I am, however, informed that information regarding the value of importation of agricultural produce is available in the reports of Statistics Mauritius.

Mr Rughoobur: Thank you again, hon. Minister. In January, this year, the hon. Minister, during a Press Conference, announced that the countries from where these vegetables are being imported are Egypt, India and South Africa. May I know from the hon. Minister, the FAO that proposed this cross-border initiative promoting trade between countries of the region in this sector, that is, Madagascar and Mozambique, does that mean that this is no longer a success, especially for our commercial links that we are having with Madagascar in this specific field of promotion of food security?

Mr Seeruttun: Mr Deputy Speaker, Sir, I must say that this cross-border initiative is still on. We do have local enterprises that are operating in Madagascar. But with regard to the fact that we had to resort to importation of vegetables during the period of February and March due to bad weather conditions, we had to look for some vegetables that are commonly consumed during that time of the year, and we were sourcing for carrots, cabbages, cauliflowers and beans. We could not source them for Madagascar and we had to source them from India, South Africa and Egypt.

The Deputy Speaker: Next Question, hon. Rughoobur!

PLANTERS - INCENTIVES

(No. B/371) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or) asked the Minister of Agro-Industry and Food Security whether, in regard to the planters, he will state the total value of the losses thereof following the floods that occurred in January and February 2018.

Mr Seeruttun: Mr Deputy Speaker, Sir, as the House may be aware, the months of January and February 2018 had witnessed an unprecedented rainfall and the passage of Cyclone Berguita. This occurrence impacted negatively on the agricultural sector and caused much hardship to the planters' community.

According to surveys carried out by the Mauritius Cane Industry Authority, the Food and Agricultural Research and Extension Institute and the Small Farmers Welfare Fund, percentage losses to standing crops excluding sugar cane, ranged between 50 to 75%. Unfortunately, it is difficult to quantify the losses incurred by individual planters, given that the stages of production varies from one farmer to the other and also the crops that are being planted vary from one farmer to the other.

However, Mr Deputy Speaker, Sir, I wish to refer the hon. Member to the details on the incentives provided to the planters to enable them to restart their agricultural activities immediately after that period in my reply to PQ B/152.

I must add that the total amount disbursed in respect of these incentives is Rs59.6 m. This excludes an amount of Rs2,334,892 paid by the Small Farmers Welfare Fund under the ACASS to 324 planters engaged in the food crop cultivation.

Mr Rughoobur: Mr Deputy Speaker, Sir, we are aware of the challenges that this community of planters is facing due to this whole issue of climatic change. May I know from the hon. Minister whether there has been any investigation done to evaluate the impact on the community of planters and what are the measures that the Ministry is taking to remedy this situation?

Mr Seeruttun: Mr Deputy Speaker, Sir, when we came up with that strategic plan with regard to the non-sugar sector, we specifically addressed that problem, how are we going to cope with the new environment given the impact the climate change is having on agricultural sector. As you are probably aware, in terms of research which is being carried out by the Food and Agricultural Research and Extension Institute, lots of research work is being done to look at ways and means of how to adapt with these new situations, be it with regard to come up with resilient varieties that are more adaptable with these new climatic conditions and also with regard to making use of sheltered farming to produce more with less under those difficult conditions.

Mr Rughoobur: I think around the island there are these Farmers' Service Centres and even in my constituency we have got one. May we know from the hon. Minister if there are measures that are being taken to optimise the use of these centres in terms of capacity building, in terms of communication?

Mr Seeruttun: Mr Deputy Speaker, Sir, as you are aware, there are extension officers at the level of the Food and Agricultural Research and Extension Institute to be in touch on a

regular basis with the planting community so that we can accompany them with technical advice and also advising on other new agricultural practices that we are trying to promote. We have different stations around the island where officers are supposed to go and meet them on a regular basis. They do it through direct contact and also through leaflets that they produce to provide them with certain information. Training sessions also are carried out in-house at the level of the different stations where they operate. There are different methods that they have put in place to be in touch with them on a regular basis. But I do agree that we need to be more present in the fields to be in contact with those planters.

The Deputy Speaker: Hon. Dr. Boolell!

Dr. Boolell: May we know from the hon. Minister whether he has received complaints from certain planters or farmers who have suffered huge losses from the floods as the crops have been damaged, of course?

Mr Seeruttun: Mr Deputy Speaker, Sir, I just mentioned that we have come up with a series of measures following the bad weather conditions where they suffered losses and we came up with a cash compensation that we have awarded to each and every farmer that suffered losses for each *arpent* that they have. Where they have suffered losses, they were given Rs3,500 cash compensation. And besides that, they have been given feRtilizers and seeds freely to help them to get back into their farming activity at the earliest.

The Deputy Speaker: Next question, hon. Hurreeram!

HOSPITALS - PALLIATIVE CARE

(No. B/372) **Mr M. Hurreeram (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Health and Quality of Life whether, in regard to palliative care, he will state if consideration will be given for the elaboration and implementation of a structured and patient-centered programme together with an effective pain policy for –

- (a) cancer patients
- (b) chronically ill patients and
- (c) patients suffering from incurable diseases in advanced and terminal stages, with a view to reducing unnecessary suffering, improve their quality of life and ensure their well-being and dignity.

Dr. Husnoo: Mr Deputy Speaker, Sir, palliative care has been implemented at my Ministry since January 2017. The service is presently being offered as both in-patient and

out-patient, and to patients who have reached advanced or terminal stage of cancer. The service is being provided by a dedicated team, which includes doctors with experience in palliative care, nurses, psychologists, dieticians and medical social workers. Those patients receive care through a multi-disciplinary and patient-centred approach which aims at relieving their suffering and improving their quality of life in those difficult moments through effective control of pain and other associated symptoms. Patients as well as their families do benefit from psychological support as well.

Mr Deputy Speaker, Sir, actually there are both in-patient and out-patient palliative care service at Victoria Hospital. Out-patient palliative care service has been extended to Jeetoo Hospital, SSRNH and JN Hospital. My aim is to extend the palliative care service to all regional hospitals for both in-patient and out-patient and for other incurable disease in the near future.

The Deputy Speaker: Hon. Hurreeram!

Mr Hurreeram: Thank you, Mr Deputy Speaker, Sir. I thank the hon. Minister for his answer. Given that the World Health Organisation deemed palliative care as being an essential component of comprehensive health service, and given that in Mauritius we have a very high prevalence of Non-Communicable Diseases (NCDs), will the hon. Minister consider expanding those palliative care services to other regional hospitals?

Dr. Husnoo: As I mentioned, the palliative care services are being extended to hospitals and we are training staff as well. In December, last year, we sent a team consisting of doctors, medical social workers, nurses, community nurses to South Africa for training, and with the United Nation Population Fund (UNFPA) in their country programme 2016-2019, with their help to train about 200 medical and paramedical staff in palliative care of the elderly as well.

The Deputy Speaker: Hon. Dr. Boolell!

Dr. Boolell: I am sure the hon. Minister has had the opportunity to talk to parents whose relatives are suffering from chronic diseases and from cancer. The reality is different from what he has said and I know much effort is being done. Can I impress upon him to see to it that what we call the Tender Love and Care Programme is revisited to ensure that there is better outreach to patients?

Dr. Husnoo: Yes, I agree with you because when I was in Seychelles, I think a few months ago, they have a good Patient Centre Care Service in Seychelles. In fact, I discussed

with them and we are going to send a delegation to Seychelles to learn how we can develop the Patient Centre Care and apply it in our context as well.

The Deputy Speaker: Next question, hon. Hurreeram!

CANCER - INCIDENCE & MORTALITY RATE

(No. B/373) Mr M. Hurreeram (First Member for Mahebourg & Plaine Magnien) asked the Minister of Health and Quality of Life whether, in regard to the incidence of cancer and mortality due to cancer, he will state if consideration will be given for the advisability of commissioning a research on the efficacy of current interventions based on behavioural and lifestyle changes and early detection with a view to translating these findings into effective health strategies and initiatives for the reduction thereof.

Dr. Husnoo: Mr Deputy Speaker, Sir, as we are aware, the incidence of cancer and mortality rate in Mauritius is a cause for concern. From the latest available data from the National Cancer Registry, the number of new cases registered for cancer and the mortality for the year 2016 in Mauritius is as follows –

(i)	New cancer cases in males	1058
(ii)	New cancer cases in females	1549
(iii)	Cancer Mortality in males (2016)	631
(iv)	Cancer Mortality in females	711

From internationally available literature, it is confirmed that the types and the causative factors for cancer are multiple. My Ministry is laying emphasis on the effective health strategies for behavioural and lifestyle changes and early detection of cancer. A Health Promotion Unit of my Ministry is looking after the health promotion and early detection of non-communicable diseases, including breast and cervical cancer. The Health Intervention Programmes are as follows – actually, we have a number of intervention programmes, Mr Deputy Speaker, Sir, but I am going to limit myself just to a few of them –

(i) **Mobile clinic services.**

The Mobile Clinic Services, also known as ‘*Caravane de Santé*’ are provided to dispense health education and to enhance health promotion programmes and undertake screening for diabetes, obesity, high blood pressure, vision defect

and breast and cervical cancer. Moreover, targeted mammography screenings are carried out for siblings of patients suffering from breast cancer.

(ii) **NCD Programme.**

The NCD Programme has reached nearly 48,000 people for the period January to December 2017 for only one year. As from January 2015 to November 2017, a total of 10,000 women were screened for cervical cancer and 2.3% were found to have abnormal results and they were subsequently referred to hospitals for appropriate treatment and follow-up.

In August 2016, the Human Papillomavirus (HPV) vaccine which prevents cervical cancer was introduced in Mauritius. The target population for the vaccines are girls aged 9 years old and above attending primary school Grade V onwards. My Ministry is already undertaking, as you know, Hepatitis B vaccine as a preventive measure against liver cancer.

Mr Deputy Speaker, Sir, alcohol and tobacco are among the risk factors for different types of cancer and my Ministry has taken the necessary steps for the promulgation of the following regulations to better control abuse of alcohol and to encourage tobacco cessation.

The measures taken by my Ministry in respect of alcohol and tobacco are bans on sales to minors, advertising and sponsorship on alcoholic products. Furthermore, control with regard to non-smoking environment, packaging and labelling, no advertising or sponsorship and health warning on packages have been put into action.

In view to address the problem of obesity which is also considered as a risk factor for cancer, sugar tax has been introduced and the sale of soft drinks and junk foods in educational institutions have been prohibited.

Mr Deputy Speaker, Sir, with regard to research on the efficacy of the current interventions, my Ministry has undertaken several studies as follows -

- (a) The first of the four phases of the Rodrigues Cervical Cancer Screening Project was carried out only two weeks ago wherein approximately 1,200 women out of a total of 6,000 aged between 30 and 60 years old, married and sexually active women, were screened.
- (b) My Ministry carried out an NCD survey in 2015, which has revealed that measures taken has come to fruition as follows -

- the prevalence of smoking has slightly decreased from 21.7% in 2009 to 19.3% in 2015;
 - an improvement in the percentage from 16.5% in 2009 to 23.7% in 2015 of the Mauritian population undertaking sufficient physical activity compared to the 2009 survey, and
 - a decrease in the consumption of alcoholic products from 54.8 m. litres to 52.8 m. litres has been noted from 2009 to 2015.
- (c) a Colorectal Cancer Screening Study will be carried out which will focus on screening of asymptomatic persons for colorectal cancers. The target population for the survey would be adults aged between 50 to 70 years. A sample size of approximately 1,000 persons would be selected from 10 clusters within the nine districts of Mauritius, and
- (d) Endoscopy Units at SSRN Hospital, Dr. A. G. Jeetoo hospital, JNH and Victoria Hospital have been set up to carry out endoscopy and colonoscopy for early detection of Stomach and Colorectal Cancer.

On a final note, I will lay emphasis on the fact that my Ministry is well aware of the challenges being faced with regard to increasing incidences of cancer and, as far as possible, necessary actions are being undertaken with regard to prevention and management. With regard to the need for further studies/research, my Ministry will remain guided by WHO and international research.

The Deputy Speaker: Hon. Ms Sewocksingh!

Ms Sewocksingh: Thank you, Mr Deputy Speaker, Sir. As we are talking about cancer, may I ask the hon. Minister if he can give an indication to the House about the number of children who have attained cancer and how are they being treated? Is there any campaign respective for these children and for the parents?

Dr. Husnoo: Actually, I do not have the figures with me now and to say about the incidence. It is a bit difficult because there are different types of cancer in children, as you know. I do not have the figures with me now.

The Deputy Speaker: Hon. Ameer Meea!

NHDC - HOUSING UNITS - CONSTRUCTION

(No. B/374) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Housing and Lands whether, in regard to the housing units, he will, for the benefit of the House, obtain from the National Housing Development Company Limited, information as to the number thereof projected for construction since 2015 to date, indicating the number thereof which have been constructed and delivered, indicating in each case the -

- (a) location;
- (b) number, and
- (c) value thereof.

Mr Jhugroo: Mr Deputy Speaker, Sir, since 2015, this Government has planned the construction of some 10,000 housing units over a period of five years compared to 2,496 units constructed by the previous Government.

I am informed by the NHDC Ltd that between January 2015 and March 2018, construction of 1,358 housing units has been completed out of which construction of 746 housing units started prior to January 2015 and were delivered in 2015.

Construction of 612 housing units started as from 2015, out of which 268 units have already been delivered and the remaining are expected to be delivered by June 2018, after finalisation of the deed of sale in the name of each of the beneficiaries of the housing unit.

Mr Deputy Speaker, Sir, I am informed by the NHDC Ltd that 1,067 housing units are expected to be completed by the end of this year and 2,588 housing units by next year, out of which 956 will be constructed under the grant and Line of Credit of USD20 m. and USD25 m. respectively from the Government of India. I am further informed that tender for consultancy services for the construction of some 6,680 housing units will be floated in phases starting in next financial year.

Mr Deputy Speaker, Sir, as regards parts (a), (b) and (c) of the question, the information is being compiled and will be placed in the Library of the National Assembly.

Mr Ameer Meea: Yes, Mr Deputy Speaker, Sir. I listened carefully to the hon. Minister's reply. He said his Ministry planned 10,000 houses, but, up to now, that is, after three and half years in office, only 1,355 have been constructed and delivered, and, out of which, 700 constructions were started prior to 2015.

(Interruptions)

So, we are very far from what is being planned. The actual figure, I have listened carefully, is 1,355. My question to the hon. Minister is...

(Interruptions)

since only 1,355 have been constructed to now, can he reconcile the fact that, by next year - according to his words - that is, by 2019, 2,588 will be constructed and delivered? Three and half years have been taken to construct 1,000, and now the hon. Minister wants us to believe that in one year, 2,588 will be constructed and delivered.

Mr Jhugroo: Just to clear my friend and thanks for the supplementary.

(Interruptions)

Very good question. Now the hon. Member will get the answer. Out of the 2,496 units constructed by the previous Government...

(Interruptions)

Wait! The hon. Member should listen!

(Interruptions)

In year 2005, no housing units started.

(Interruptions)

The Deputy Speaker: Order!

Mr Jhugroo: Number of housing units completed in year 2006 was 837, started by MSM-MMM Government.

(Interruptions)

Out of these 2496 units, *la machinerie est en marche*. From figures that I just mentioned, we are going to construct not only 10,000, it will be above 10,000 housing units...

(Interruptions)

because this Government means business and this is our target. For the past 10 years, out of 2496, 837 were already started by the previous Government MSM-MMM between 2000-2005...

(Interruptions)

It is a good thing the hon. Member put me this supplementary question to give him the answer that he needed.

(Interruptions)

Mr Ameer Meea: Mr Deputy Speaker, Sir, all the figures that the hon. Minister is giving are not at all in my question. I would tell him clearly to read my question; it is from 2016 up to now. But the hon. Minister decided to go backward from 2015. Okay, fair enough! But again, if the hon. Minister is very happy to go down in the figures, I would refer to the Electoral Manifesto of 'l'Alliance Lepep' on page 18, whereby it is said -

« L'Alliance Lepep s'engage à construire 2,000 logements chaque année à travers quatre plans qui répondraient aux aspirations de nos citoyens au bas de l'échelle (...) »

So, clearly we have seen that these 2,000 units per year, that is, 10,000 for five years, was a dream. It was one of the dreams. Clearly today, the dream is being a nightmare because for three and half years, there have only been...

Mr Jhugroo: You know, Mr Deputy Speaker, Sir...

Mr Ameer Meea: I have not finished!

(Interruptions)

Mr Deputy Speaker, Sir, my question...

(Interruptions)

The Deputy Speaker: Order!

Mr Ameer Meea: In the same Electoral Manifesto, it was mentioned that -

« Les Management Charges exorbitants réclamées par la NHDC dans les projets de constructions seront revues à la baisse afin de réduire les coûts de construction. »

So, my question in relation to what I just said is where do matters stand to those Management Charges, because, clearly, the prices of housing units have gone up. Has this decision been taken, implemented or reviewed?

Mr Jhugroo: Mr Deputy Speaker, Sir, this Government is not dreaming because we are sure we will be in power, we will meet our target. I know my friend, his Party, has been in the Opposition for so many years. He is tired on the other side of the House.

(Interruptions)

He is dreaming to come in Government, but you know, it's true, we have planned 10,000 housing units, and each year, it is sure that it is not easy to construct because we took power in December 2014. We have got procurement procedures. This is taking time and this Government will construct not only 10,000 housing units. If the hon. Member counts the figures that I have given, let me tell him: total number of housing units to be constructed by this Government...

(Interruptions)

The Deputy Speaker: Order!

Mr Jhugroo: ...will be more than 10,000 if he is going to count all figures I mentioned earlier. This is our target for only five years, not that of the previous Government during 10 years. We don't take any lesson from the previous Government.

The Deputy Speaker: Hon. Ganoo!

Mr Ganoo: I have had a look at the answers the hon. Minister had given to this House in the past concerning the same subject matter and I have listened to him carefully today about the number of units that have been allocated from January 2015 up to now. I have noted that no housing project has been undertaken in the region of the west coast of Black River from Tamarin to Baie du Cap. During these past three years, there have been no housing units allocated. So, can I ask the hon. Minister whether he proposes to consider the possibility of building housing units in that area, especially the housing crisis in that area and since this constituency which I am referring to is the most populated one in the country?

Mr Jhugroo: Thank you, Mr Deputy Speaker, Sir. I want to remind my hon. friend for his very good question and he has got any suggestion for any land which is available there to construct any future NHDC houses, he can inform my Ministry. We are going to see what can be done for housing units in Constituency No. 14.

(Interruptions)

The Deputy Speaker: Next question hon. Ramano!

SAFE CITY PROJECT - COST

(No. B/375) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in

regard to the Safe City Project, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) the estimated total cost thereof;
- (b) the names of the private limited companies involved therein, if any, indicating the amount of money disbursed in relation thereto;
- (c) if Government has borrowed any sum of money and/or guaranteed any loan in relation thereto, and
- (d) the specifications of the equipment concerned therewith.

Sir Anerood Jugnauth: Mr Deputy Speaker, Sir, I am informed by the Commissioner of Police that the Safe City Project will be implemented on an operating lease basis over a period of 20 years and the cost implications as per contractual terms are as follows -

- Year 0 : USD 13 million (i.e. the current financial year)
- Year 1 to 7 : USD 18.9 million yearly, and
- Year 8 to 20 : USD 23.9 million yearly.

As regards part (b) of the question, Mauritius Telecom was awarded the contract for the implementation of the project, in accordance with the provisions of section 3(1) (a) of the Public Procurement Act. To date an amount of USD 13 million (i.e. Rs416.7 m.) has been disbursed.

Concerning part (c) of the question, I am informed that Government has not borrowed any money for the implementation of this project. However, it has guaranteed a loan contracted by Mauritius Telecom from the Export Import (EXIM) Bank of China.

As for part (d) of the question, I am advised, for security reason, that it is not appropriate to disclose the specifications of the equipment to be used in the project.

Mr Ramano: Merci, M. le président. Est-ce que l'honorable ministre, dans un souci de transparence, est d'accord de rendre public l'accord qui a été signé entre le Commissaire de Police et la *Mauritius Telecom* ?

Sir Anerood Jugnauth: Well, I can't commit myself to say yes, but we will look into it.

The Deputy Speaker: Hon. Ramano!

Mr Ramano: Merci, M. le président. Donc, l'honorable ministre a confirmé qu'il existe bien un emprunt qui a été contracté par la *Mauritius Telecom* avec l'*Exim Bank of China* et que le gouvernement Mauricien a garanti ce *loan* qui a été contracté par la *Mauritius Telecom* avec l'*Exim Bank of China*. Est-ce que je peux savoir de l'honorable ministre le montant du *loan* qui a été contracté par la *Mauritius Telecom* et sur quelle durée ?

Sir Anerood Jugnauth: I mentioned the figure Rs416.7 m.

Mr Ramano: Merci, M. le président. M. le président, dans le communiqué qui est sorti après le Conseil des ministres du 15 décembre de l'année dernière, il est clairement fait mention du *scope of work* de la *Mauritius Telecom*, et je cite -

“Cabinet has agreed to the signing of the Contract Agreement between the Police Department, on behalf of the Ministry of Defence and Mauritius Telecom Ltd for the implementation of the Safe City Project. The project that aims at enhancing the security and safety of the public, comprises a CCTV SmaRt Camera Surveillance System, a Multimedia Radio Trunking System, a Central Watch and Management System, an Integrated Emergency Response Management System and an Intelligent Command System, to enable the Police Department to obtain better intelligence with a view to optimising response.”

M. le président, il est clair aujourd'hui que le contrat qui a été signé ne se limite pas à l'installation des *CCTV Cameras*. Est-ce que je peux savoir de l'honorable ministre s'il est d'accord, dans un souci de transparence, de rendre public l'étendu du contrat qui a été signé entre la *Mauritius Telecom* et le *Mauritius Police Force*, prenant en considération que ce ne sont pas des *CCTV Cameras*, mais c'est clair qu'il y aura des bornes de connexion pour la télécommunication et de l'internet qui vont donner une forme de monopole à la *Mauritius Telecom* et la compagnie sous-contractante qui est la compagnie Huawei en ce qui concerne les *online services*, la gestion des parkings qui a été mentionnée par le ministre Bodha ce matin, ou encore la collecte des données pour les besoins de surveillance, et créer de ce fait une situation de monopole pour la *Mauritius Telecom* et la compagnie Huawei dans le service de télécommunication à Maurice ?

Sir Anerood Jugnauth: Well, if that is so, it is so! What can I do?

The Deputy Speaker: Next question, hon. Baboo!

50TH ANNIVERSARY OF INDEPENDENCE - EXPENSES INCURRED

(No. B/376) Mr S. Baboo (Second Member for Vacoas & Floreal) asked the Minister of Arts and Culture whether, in regard to the celebration of the 50th anniversary of the independence and the 26th anniversary of the Republic of Mauritius, he will table details of the expenses incurred in relation thereto by his Ministry, as at to date.

Mr Roopun: Mr Deputy Speaker, Sir, details of expenses incurred by my Ministry in connection with the celebration of the 50th anniversary of the Independence of Mauritius and the 26th anniversary of the Republic of Mauritius, as at 10 May 2018, is being tabled.

The expenses were, *inter alia*, incurred for -

- (i) the cultural show for the launching of activities by the hon. Prime Minister at *Place d'Armes* on 06 March 2018;
- (ii) events organised by Municipalities and District Councils on 10 March 2018;
- (iii) the Regatta organised at Mahebourg Waterfront by the Ministry of Tourism in collaboration with my Ministry and the Grand Port District Council on 11 March 2018;
- (iv) the celebration of the 50th anniversary of independence at Le Champ de Mars as from 1800 to 2100 hours on 12 March 2018;
- (v) payment of cachet and other related expenses to artists for the various cultural programmes and logistics, and
- (vi) infrastructural arrangements at Champ de Mars and other venues.

Mr Baboo: Thank you, Mr Deputy Speaker, Sir. The hon. Minister is saying that he is tabling the expenses. Can the hon. Minister inform the House as to who was in charge behind the management of the 50th celebration? Was it his Ministry or a specific company?

Mr Roopun: Mr Deputy Speaker, Sir, there was an inter-ministerial committee chaired by the hon. Minister of Public Infrastructure which was overseeing all the celebration for the 25th anniversary of the Republic last year and the 50th anniversary of independence for this year. All throughout, it was through this inter-ministerial committee. There was also a company set up in 2017, a 100% Government-owned, which served as a special purpose vehicle under the aegis of my Ministry to cater for the overall management of the national day celebration, was set up as a one-off basis to secure sponsorship and to involve the private sector.

The Deputy Speaker: Hon. Mrs Selvon!

Mrs Selvon: Thank you, Mr Deputy Speaker, Sir. Could the hon. Minister state the total expenses incurred?

Mr Roopun: As to date, it is Rs58.5 m.

The Deputy Speaker: Hon. Baboo!

Mr Baboo: As the hon. Minister just said, it was a company. Can he inform the House as to why a management company was set up for the management of the 50th anniversary of independence when there was none before? Was it to evade procurement procedures?

Mr Roopun: It was a policy decision taken by Government to involve the private sector in the whole celebration.

The Deputy Speaker: Next question, hon. Baboo!

MOTO ÉCOLES - FEES

(No. B/377) **Mr S. Baboo (Second Member for Vacoas & Floreal)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the *Moto Écoles*, he will state if Government will consider subsidizing the tariffs charged for the courses dispensed thereat.

Mr Bodha: Mr Deputy Speaker, Sir, one of the Strategic Actions of the National Road Safety Strategy is to enhance the level of driving performance in Mauritius the more so for the two-wheelers. In that respect, my Ministry together with the Police, embarked upon the '*Moto École*' project. In that respect, amendments have been made to the Regulations on Driving Schools to provide for the setting up of motorcycle driving schools by private operators and the training of motorcycle driving instructors and Police Examiners.

The aim is to raise the quality of training to learner drivers in view of the alarming number of accidents, especially those fatal ones involving the two wheelers.

Presently, two motorcycle driving schools are operating and two others are expected to start their business next month, while my Ministry is following up the setting up of five others.

According to a survey, there are some 7000 applicants for provisional driving licences on a yearly basis. The '*Moto École*' project has been devised on a business model where each learner is expected to follow a course of 30 hours with an indicative rate of Rs300 per hour.

Furthermore, as at date, there are some 356,818 learner drivers, some for 10, 20, 30 years and with the new Regulations on Driving Licence for motorcycles which came into effect as from 01 March 2018 and they have a period of three years to obtain their driving licences.

I wish to point out that the training of some 24 driving instructors of motorcycles and the training of the Police examiners have been undertaken under Government funding and it is not envisaged to subsidise the tariff charged for the courses.

Mr Baboo: Can the hon. Minister consider subsidising the *Moto Écoles* in terms of waving taxes for at least some years so that these *Moto Écoles* can lower their fees until we have more players in the long run and the fees can be subsidised?

Mr Bodha: In fact, there was a meeting between the promoters and the Ministry of Finance, and we are considering some of their requests.

The Deputy Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: I know the hon. Minister has mentioned Rs300 per hour. But it appears that from outside, people are saying it is much more expensive than that. So, my question to the hon. Minister is: has the Ministry received representations to the effect that going to these schools have become a very expensive investment?

Mr Bodha: In fact, the NTA cannot come forward by regulation to impose the hourly rate. In fact, what we have done is, we have given an indicative rate, which is about Rs300 per hour. So, for a permit it will cost about Rs9,000. I have not received any representation. If that is so, we will talk to the new *Moto Écoles* to see to it that there is a fair level playing field and that the tariff is more or less the same.

The Deputy Speaker: Hon. Baloomoody!

Mr Baloomoody: Can I ask the hon. Minister if special consideration can be given to some old age pensioners? Some people, who are 60 today, have been driving that motorcycle for 40 years on a provisional licence and now they will have to find Rs9,000, the minimum, to get a licence. So, can a special consideration be given to this category of people probably?

Mr Bodha: Yes, I think we should consider this possibility.

The Deputy Speaker: Hon. Baboo!

Mr Baboo: Thank you, Mr Deputy Speaker, Sir. Can the hon. Minister alleviate the burden of heavy investment for new riders of motorcycles? We here think of those who need those motorcycles to go to work and for their personal business, and now they would have to go to the *Moto Écoles*. Can the hon. Minister consider bringing only one fee, payable to the Government as in the case of France, instead of paying three, namely, road tax, fitness and insurance?

Mr Bodha: Well, that is a complex matter. We can consider.

MINISTRY OF ARTS & CULTURE - EVENTS

(No. B/378) **Mr S. Baboo (Second Member for Vacoas & Floreal)** asked the Minister of Arts and Culture whether, in regard to the holding of events by his Ministry, he will state if consideration will be given for the setting up of a company for the management and organisation thereof.

(Withdrawn)

The Deputy Speaker: Next question, hon. Abbas Mamode!

MOTORCYCLES - LICENSING SYSTEM

(No. B/379) **Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the motorcycles, he will state the procedure and mode of payment to obtain a valid driving licence therefor.

Mr Bodha: Mr Deputy Speaker, Sir, we have noted, I have been saying so that we have had a number of killed and seriously injured motorcyclists. Consequently, amendments have been made to Part V of the Road Traffic Regulations 1954 on Driving Licences for motorcycles. These amendments which are based on best international practices are effective as from 01 March 2018.

The new Regulations provide for the licensing of four different types of motorcycles -

- AM type which is an autocycle with an engine capacity which does not exceed 50 kilometres per hour;
- A1 is a motorcycle with an engine capacity of more than 50 cc but less than 125 cc;

- A2 is a motorcycle with an engine capacity of more than 125 cc but not exceeding 300 cc, and
- A – a motorcycle with an engine capacity exceeding 300 cc.

Mr Deputy Speaker, Sir, under the new Regulations, the minimum age to apply for a provisional driving licence for a motorcycle is 17 years whereas it is 15 years for an autocyte.

The procedure, Mr Deputy Speaker, Sir, for obtaining a valid driving licence to drive a motorcycle involves application made at the Police Station or online, the application is then processed and there is an issue of a Learner's Licence which is valid for six months to enable the applicant to learn to drive, he will have to undertake three tests of competence, and the delivery of the valid driving licence on successful passing of the tests of competence or otherwise. Details on the procedure are being tabled.

Mr Deputy Speaker, Sir, as regards the mode of payment, I am informed that applicants may opt for any of the following ways -

- (a) payment in cash at the Cashier's Office of the Traffic Branch;
- (b) payment by Debit/Credit cards;
- (c) payment by cheques, or
- (d) online payment through the Accountant General e-payment Account and which is credited in the Police Revenue Account.

Mr Deputy Speaker, Sir, with the changes in the licensing system, we can only hope to see marked improvements in the driving behaviour of young motorcyclists.

Mr Abbas Mamode: We have 120,000 people on provisional licence and we have only two *Moto Écoles* in Mauritius, and it is as if it is compulsory to go through these *Moto Écoles*. The Minister stated that there will be some more. I hope that it will be district-wise. Mr Deputy Speaker, Sir, when somebody applied for a learner in the years prior to the regulation, they were not advised that these learners will be null and void after three years. So, does the Minister consider people of overage and people going on motorcycles for their own business? Can the Minister make some provision? If we go to the law, you will see that accidents are occurred by youngsters and not by drivers of a certain age. So, will the Minister consider people of overage to be exempted in this Act?

Mr Bodha: This question was raised by hon. Baloomoody. We believe that every year, there are 7,000 new entrants, and the *Moto Écoles* are provisional for six months; this is valid for those 7,000. Now, the Police have given me a figure of 300,000 people who have a motorcycle and have been riding them for 10, 15, 20 years for business purposes or otherwise. We have given them three years to be able to follow a course. It is not the same course. It is a course because they have been riding the motorcycle for a number of years. Now, you have the elderly. We will consider with time how to address the issue. But I am confident that, by the end of the year, we should be having, at least, seven or eight *Moto Écoles* running.

The Deputy Speaker: Hon. Ameer Meea!

Mr Ameer Meea: The hon. Minister informed the House that there are a 30-hour course and each hour costs Rs300, that is, a total of Rs9,000. But what happens if the learner fails the exams? Will he be obliged to pay another Rs9,000? What is the rule?

Mr Bodha: It depends. It is a bit like the driver's licence for the car. If he fails, he goes back to the *Moto École* and I do not think he needs another 30 hours, maybe he needs 5.

(Interruptions)

Yes, it would depend on his ability.

The Deputy Speaker: Next question, hon. Bhagwan!

METRO EXPRESS PROJECT - FORCE VIVE - REPRESENTATIONS

(No. B/380) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Vice-Prime Minister, Minister of Local Government and Outer Islands whether, in regard to the Metro Express Project, she will, for the benefit of the House, obtain from the Municipal Council of Beau Bassin-Rose Hill, information as to if it is in presence of any representation from the *Force Vive "Kollectif Sov Promenade Roland Armand"* in respect of the Environment Impact Assessment Report in relation thereto and, if so, indicate the –

- (a) measures recommended by the Council for the abatement of pollution, especially, noise pollution, during the implementation thereof, and
- (b) number of meetings held by the Council with the said *Force Vive*.

The Vice-Prime Minister, Minister of Local Government and Outer Islands (Mrs F. Jeewa-Daureeawoo): I am informed by the Municipal Council of Beau Bassin/Rose Hill

that no representation from the *Force Vive* “*Kollectif Sov Promenade Roland Armand*” has been received in respect of the Environment Impact Assessment Report for the Metro Express Project.

However, the Council has received representations from 280 *La Voix* on the impact of the Metro Express on the residents of Beau Bassin/Rose Hill and on the town, including noise pollution.

With regard to part (a) of the question, I am also informed that mitigation measures for noise control is being taken care of by Larsen and Toubro Ltd., the contractor which has been awarded the Metro Express Project.

All the representations received by the Municipal Council of Beau Bassin/Rose Hill are communicated to the responsible stakeholders, Metro Express Ltd, RITES Ltd and Larsen and Toubro Ltd, for remedial measures.

I am informed that the following measures have been proposed by Larsen and Toubro Ltd to mitigate noise pollution –

- (i) regular maintenance of machinery being used, provision of silencers, if required, provide enclosures at the source of noise generation;
- (ii) all diesel generators are provided with acoustic enclosures;
- (iii) time scheduling shall be done in the densely populated area;
- (iv) regular monitoring shall be done using sound meter with 24-hour data log.

With regard to part (b) of the said question, I have been informed that officers of Metro Express Ltd and of the PMO met representatives of the said *Force Vive*.

Mr Bhagwan: I know that there are certain persons who will say that they cannot do the job without noise - I am looking at the Rt. hon. Minister Mentor. He was just of the opinion that we cannot escape noise. But the Rt. hon. Minister Mentor is not residing there. There is need to have progress, there is need to do the work, but there is no planning on the part of the contractor. *Je peux en témoigner.*

Is the hon. Vice-Prime Minister aware that the people who are residing along Vandermeersch Street, on both sides, have not been made aware of the time of starting the work - you may have radio?

Is the hon. Vice-Prime Minister aware that the inhabitants of Vandermeersch Street, on both sides, half in Beau Bassin and half in Rose Hill, have asked for a planning of work

from the contractor so that they can be made aware because work is being done at night, even the whole night? So, can the hon. Vice-Prime Minister inform the Municipality, which is responsible, to ask the promoter to send a planning of work to the inhabitants as the CEB has done recently?

Mrs Jeewa-Daureeawoo: Well, Mr Deputy Speaker, Sir, I must say that the Metro Express Project is a major infrastructural project. So, of course, major works are underway. I fully understand the concern of the inhabitants of that particular region, but I must also say that we are taking things very seriously and the most important is that appropriate actions have been taken at all levels to mitigate measures. There are weekly meetings chaired by hon. Bodha himself with all stakeholders concerned such as representatives from Metro Express, Larsen & Toubro, RITES, CWA, CEB, Police Traffic Branch to look into the matter and address all the issues raised by the inhabitants.

Second, the Municipal Council of Beau Bassin/Rose Hill is having daily meetings with all the stakeholders, and all the representations of the inhabitants are being communicated to the appropriate authorities, as I have just said, to the contractor, Metro Express Ltd. I must say that the Municipal Council of Beau Bassin/Rose Hill, the Mayor and the Councillors are having a site visit with all the stakeholders to see *de visu* what is happening and where measures have to be taken. I must say that some measures have already been taken with regard to improving the lightings, signage and Police assistance. So, everything is being done in a proper way to address all the concerns of the inhabitants of that particular region.

The Deputy Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Mr Deputy Speaker, Sir, I have a copy of the letter of 09 December 2017 addressed to the Municipal Council of Beau Bassin/Rose Hill, wherein the environmental issue is not limited only to noise pollution. It goes for air pollution, vibration level, especially given the forthcoming piling works that are going to be implemented there, excavated soil and their timely carting away, and also traffic congestion. Can I press upon the hon. Minister of Public Infrastructure, whom I am given to understand chairs daily meetings, to look into these aspects as well? Because this is creating a lot of hardship to the people living there.

Mrs Jeewa-Daureeawoo: As per my information, all these issues are being taken care of. As I have said, weekly meetings are being carried out by the hon. Minister and he is taking care of all the issues.

The Deputy Speaker: Hon. Bhagwan!

Mr Bhagwan: Although whatever explanations the hon. Vice-Prime Minister may have given, in good faith it might be, things are not the same. *Je peux témoigner. Ça, c'est votre parole contre la mienne. Moi, j'habite là-bas.* Even this morning, *j'ai été témoin d'un accident* at the corner of Vandermeersch and Malartic Streets; no signage, no Police Officer. And we have seen, since yesterday, we are removing all the wires - heavy equipment - which is in their planning, but the people are not aware. There was no policing. Even this morning it was the same and the whole day yesterday. There was no policing. So, is the hon. Vice-Prime Minister aware? I am not making politics out of it; the Municipality of Beau Bassin/Rose Hill is not able, at least, to coordinate. This why, last time, I asked the hon. Minister of Public Infrastructure to coordinate a meeting, to go on site. Even the excavation done by the CEB - I will draw the attention of the hon. Deputy Prime Minister. They have not carted away all the surplus of soil which has been removed to put the cables there. If the hon. Vice-Prime Minister is agreeable to request his colleague to chair a meeting and let the public who are interested to come and assist this meeting.

Mrs Jeewa-Daureeawoo: Well, as I have said, major works are underway. At the level of the Municipal Council of Beau Bassin/Rose Hill, every day the Mayor is having meetings. I have attended some myself and the hon. Minister Bodha is chairing a weekly meeting. So, he is present, and we will look into the matter.

The Deputy Speaker: Next question, hon. Bhagwan!

VEGETABLES - IMPORTATION - PERMITS

(No. B/381) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Agro-Industry and Food Security whether, in regard to vegetables, he will, for the benefit of the House, obtain from the Agricultural Marketing Board, a list of the persons issued with permits for the importation thereof following the recent heavy rainfalls, indicating in each case the -

- (a) names and addresses of the permit holders;
- (b) date on which they submitted their application, and

- (c) type and quantity of vegetables each permit holder is allowed to import, indicating the total amount thereof supplied as at to date.

Mr Seeruttun: Mr Deputy Speaker, Sir, following the damages incurred to food crops due to the heavy rainfall and cyclone Berguita and with a view to urgently address the shortage of vegetables on the market, the Agricultural Marketing Board had imported 70 tons of carrots, 94 tons of cabbages, 4.95 tons of cauliflowers and 46.75 tons of beans.

Furthermore, 50 private dealers were authorised to import 100 tons of carrots, 100 tons of cabbages and 10 tons of cauliflowers for the months of February and March 2018. I am tabling the information, as obtained from the National Plant and Protection Office.

Mr Bhagwan: Can I ask the hon. Minister whether the procedures for the purchase of these vegetables have been done in full transparency and he is satisfied, from what we have seen at the Agricultural Marketing Board?

Mr Seeruttun: With regard to the purchase of those food crop items by the AMB, they have to undertake a tender exercise to be able to purchase those items. So, these were carried out as per usual procedure.

The Deputy Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Can I ask the hon. Minister who is at the head of the Agricultural Marketing Board? Is it an officer in charge in an interim capacity? Is it a Managing Director? Can we have his name and designation?

Mr Seeruttun: At the moment, the responsible officer of the AMB is Mr Ramcharan who is the Assistant General Manager. The General Manager who was on contract was offered to renew his contract, but he declined and went back to his substantive post as Principal Engineer.

The Deputy Speaker: Hon. Ms Sewocksingh!

Ms Sewocksingh: Thank you, Mr Deputy Speaker, Sir. Can the hon. Minister inform the House if there has been any illegal importation of non-authorised imported vegetables like Roma type tomatoes?

Mr Seeruttun: There were some rumours about importation of tomatoes. But, as you are probably aware, Mr Deputy Speaker, Sir, tomatoes are not allowed to be imported in Mauritius and, with all the control measures that are in place, we do ensure that they are not allowed in any way to be entered into our territory.

The Deputy Speaker: Hon. Dr. Boolell!

Dr. Boolell: Am I to understand from the hon. Minister that there was a tender exercise or the permits were allocated on a *pro rata* basis in respect of past performance?

Mr Seeruttun: Tender exercise for what?

Dr. Boolell: For the imPort of vegetables.

Mr Seeruttun: I am talking about the AMB with regard to the purchases that they had to make to import those carrots, cabbages and beans. They have to go through that procedure.

The Deputy Speaker: Next question, hon. Abbas Mamode!

AGALEGA ISLAND - MEMBERS OF PARLIAMENT - VISIT

(No. B/382) Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East) asked the Vice-Prime Minister, Minister of Local Government and Outer Islands whether, in regard to the Agalega Island, she will state if consideration will be given for a visit thereat to be organised, following the request made by the Leader of Opposition to that effect and, if so, when.

The Vice-Prime Minister, Minister of Local Government and Outer Islands (Mrs F. Jeewa-Daureeawoo): Mr Deputy Speaker, Sir, I wish to inform the House that on 15 Mach 2018, the Leader of the Opposition addressed a letter to the hon. Prime Minister, copied to me, requesting a visit to Agalega. I am further informed that in a letter dated 20 March 2018, the hon. Prime Minister informed the Leader of the Opposition that he is planning a visit to Agalega himself. As such, the Leader of the Opposition will be informed of arrangements made in due course.

Mr Abbas Mamode: Can the hon. Vice-Prime Minister inform the House when the visit will be taking place, whether the MPs from the particular constituency will accompany the delegation?

Mrs Jeewa-Daureeawoo: Yes, we will let the hon. Members know, no worry.

The Deputy Speaker: Hon. Barbier!

Mr Barbier: Mr Deputy Speaker, Sir, is the hon. Vice-Prime Minister aware that the Mouvement Patriotique also, since last year, wrote a letter to the OIIC to have access, to have a visit on Agalega Island and, unfortunately, until now, we have had no answer? So, is

the hon. Vice-Prime Minister aware, and if not, whether she will check and make it possible for us?

Mrs Jeewa-Daureeawoo: No worry, hon. Member! I take good note of your request.

The Deputy Speaker: Hon. Armance!

Mr Armance: Thank you, Mr Deputy Speaker, Sir. May we know from the hon. Vice-Prime Minister if she can consider when the visit is to take place so that the work can start?

Mrs Jeewa-Daureeawoo: Well, at this stage, I am not in a position to say what time. We will decide and let you know.

The Deputy Speaker: Hon. Rutnah!

Mr Rutnah: Thank you, Mr Deputy Speaker, Sir.

(Interruptions)

Yes, that is what I want to know.

Can I ask the hon. Vice-Prime Minister that should a visit be organised for Members of both sides of the House, will there be two separate vessels chartered for that or is there going to be an alliance vessel chartered?

(Interruptions)

Mrs Jeewa-Daureeawoo: With the same boat, maybe.

The Deputy Speaker: Next question, hon. Abbas Mamode!

HOSPITALS - MEDICAL SUPPLIES - PROCUREMENT

(No. B/383) Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Quality of Life whether, in regard to medical supplies, he will state the measures being taken and procedures being followed by each hospital for the procurement thereof.

Dr. Husnoo: Mr Deputy Speaker, Sir, I am informed that procurement at the level of the Regional Hospitals is effected by way of delegated authority. There is a Regional Procurement and Planning Committee in each hospital, chaired by the Regional Health Director.

The Regional Procurement and Planning Committee oversees procurement exercises effected at hospital level and ensures that they are carried out in accordance with the Public Procurement Act 2006. The procedures for procurement at hospital level are the same as those existing at the headquarters of my Ministry, namely, preparation of bids, launching, evaluation and award of contract, amongst others.

Delegation of authority by my Ministry for procurement at the level of the hospitals is presently subject to the following ceilings -

- (a) Rs500,000 for works (electrical, masonry, etc.);
- (b) Rs100,000 for goods and equipment, and
- (c) Rs1 m. for spare parts of medical equipment.

A system of Internal Control is in place at the level of each Regional Hospital in order to ensure that there is adherence to procedures.

In view of the difficulty encountered by the Regional Hospitals to procure certain items due to the present ceilings, my Ministry is considering the possibility of increasing the ceiling for goods and equipment to Rs300,000.

The views of the Ministry of Finance and Economic Development have been sought and my Ministry has been advised to review the ceiling for works and spare parts for medical equipment as well. My Ministry is considering the implication following this advice.

Mr Abbas Mamode: Is the hon. Minister aware that there has been lateness in the procurement of 72 medical items, including vital items such as surgical gloves and all that? What measures have been taken to see to it that this does not occur again?

Dr. Husnoo: As I mentioned, it is a shortage. They can buy the items at the level of the hospitals themselves. So, there should be no excuse why there is a shortage at hospitals.

The Deputy Speaker: Hon. Henry!

Mr Henry: Merci, M. le président. Je voudrais savoir du ministre s'il est au courant qu'il y a une pénurie de piqûres pour les gens qui sont atteints du diabète ?

Dr. Husnoo: I have not heard about it, to tell you frankly. But if there is a shortage, the hospital has the right to buy these syringes.

The Deputy Speaker: Next question, hon. Ameer Meea!

ICTA - EXECUTIVE DIRECTOR - POST

(No. B/384) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Technology, Communication and Innovation whether, in regard to the Executive Director of the Information and Communication Technologies Authority (ICTA), he will, for the benefit of the House, obtain from the ICTA, information as to the name of the incumbent thereof, indicating the –

- (a) terms and conditions of appointment thereof, and
- (b) date of assumption of duty.

Mr Sawmynaden: Mr Deputy Speaker, Sir, I am informed that at the moment we do not have an Executive Director at the ICTA. The last one resigned from the post in March 2018 and at the moment we have an officer who is in charge.

Mr Ameer Meea: Mr Deputy Speaker, Sir, there have been three Executive Directors in the last three years at the ICTA *et ce n'est pas très glorieux*. For the case of the last Executive Director who lasted only three days, may we know exactly what happened? Because it is not normal for an Executive Director who took office to resign after three days, the more so, he was a foreigner.

Mr Sawmynaden: Mr Deputy Speaker, Sir, let me explain what happened exactly and everyone should know as well. The person who was recruited to act as Executive Director of the ICTA came to Mauritius and, three days later, he informed the Chairman that his mother fell sick in India and that he had to rush back. When he rushed back to India on these grounds, he sent a letter stating that he wanted to be relieved of his duties as Executive Director because he is the only son and he is the only one to take care of his mother. Two days later, he sent another mail stating that he is willing to give it a try. I do not think that we can rely on such a person, who one day wants to go, another day wants to come back and to give it a try. This is why the Board decided to relieve him of his duties and to look for another person more suitable to take the job.

The Deputy Speaker: Hon. Armance!

Mr Armance: May we know from the hon. Minister whether there is a vacancy to replace the Director who left?

Mr Sawmynaden: Yes, the post is vacant now. We are going to re-advertise it not only at the national level, but at international level, maybe in all the specialised magazines.

We also have to take into account that we have started the merging process of the IBA and the ICTA. It is to find the correct person who will be most fit to do that job.

The Deputy Speaker: Next question, hon. Ramful!

(Interruptions)

Hon. Ameer Meea, don't make remarks from a sitting position!

(Interruptions)

Next question, hon. Ramful!

POLICE WOMEN CONSTABLES - SEXUAL HARASSMENT

(No. B/385) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the Police Women Constables, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof who have complained of sexual harassment in their workplace over the past five years, indicating the number of cases in which disciplinary and/or legal actions have been taken.

Sir Anerood Jugnauth: Mr Deputy Speaker, Sir, I am informed by the Commissioner of Police that since January 2013 to date, 11 cases of sexual harassment on Women Police Constables at their workplace have been reported to the Police.

Regarding disciplinary and/or legal actions taken in respect of the above cases, the position is as follows -

- (i) in one case, the accused was prosecuted for a lower offence and fined Rs1,000 as the Director of Public Prosecutions (DPP) advised prosecution for assault in breach of Section 230 instead of Attempt Upon Chastity in breach of Section 249 (2) of the Criminal Code.
- (ii) in three cases, the DPP advised departmental action. In one case, a written warning letter has been administered after disciplinary proceedings. Furthermore, in the two remaining cases, actions are underway;
- (iii) in two cases, the advice of the DPP is awaited, and
- (iv) investigation is still underway on the remaining five cases.

Mr Ramful: Mr Deputy Speaker, Sir, I have been told that the situation at the Police Force is much more alarming than that. In fact, there are about 2,000 Women Police Constables (WPCs) working in the Police Force and I would like to refer the Rt. hon.

Minister Mentor to one particular case. It involves a very high-ranking Police Officer of the Metro North and there are, at least, three cases of sexual harassment that have been reported against him. I am not going to name him - to do justice to him - but then I will give the name, if the Rt. hon. Minister Mentor would like to investigate.

Since today, no action has been taken against that high-ranking Police Officer. May I request the Rt. hon. Minister Mentor to look into the matter with the Commissioner of Police?

Sir Anerood Jugnauth: Well, I have just mentioned the reported cases and what actions have been taken. Enquiry is still on in some cases. Well, I am not aware of the case the hon. Member is talking about.

The Deputy Speaker: Next question, hon. Ramful!

DRUG-RELATED OFFENCES - FOREIGN NATIONALS - IMPRISONMENT

(No. B/386) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien) asked the Rt hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to drugs related offences, he will, for the benefit of the House, obtain from the Commissioner of Prisons, information as the number of foreign nationals who are presently serving sentences therefor in Mauritius, indicating the –

- (a) nationality thereof, and
- (b) number thereof who have been repatriated in their country of origin to serve their respective sentences.

Sir Anerood Jugnauth: Mr Deputy Speaker, Sir, I am informed by the Commissioner of Prisons that as at date there are 39 foreign nationals serving sentences in our prisons for drug-related offences.

With regard to part (a) of the question relating to the nationalities of the prisoners concerned, the information is being tabled.

Concerning part (b) of the question, I wish to point out as at date 78 foreign detainees have been transferred to their country of origin to serve their remaining sentences for drug related offences.

Mr Deputy Speaker, Sir, with your permission, I wish to point out that the transfer of prisoners is governed by the Transfer of Prisoners Act 2001 which provides for the transfer of prisoners to their native countries may be effected as follows -

- (a) between countries which are party to the Strasbourg Convention on the Transfer of Sentenced Persons, by virtue of the Transfer of Prisoners (Convention) Regulations 2005;
- (b) between Commonwealth Countries under the Transfer of Prisoners (Commonwealth Countries) Regulations, and
- (c) by way of a bilateral agreement between Mauritius and another country.

It is worth noting that with the coming into operation of the Transfer of Prisoners (Conditions for Transfer) (Miscellaneous) Regulations 2016 on 01 August 2016, Government would entertain requests for transfer of foreign detainees undergoing sentences in our prisons including drug related offences only after they have served two-thirds of their sentence in Mauritius.

The Deputy Speaker: Hon. Bérenger!

Mr Bérenger: In the past, we had been informed that South Africa was not agreeable to their nationals found in our prisons here to be transferred to South Africa. Is this still the situation, and if that is the case, apart from South Africa, are there any other countries that are not agreeable to consider such transfers?

Sir Anerood Jugnauth: I am afraid, I don't have that information. We will find out.

Mr Ramful: May I know from the Rt. hon. Minister Mentor whether there is any mechanism that has been put in place for those who are repatriated to their homeland? Is there any follow-up to see if they do effectively serve the rest of their sentence?

Sir Anerood Jugnauth: I don't think there is. I am not aware of.

The Deputy Speaker: Next question, hon. Ramful!

YOUTH EMPLOYMENT PROGRAMME – EMPLOYMENT RATE

(No. B/387) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien) asked the Minister of Labour, Industrial Relations, Employment and Training whether, in regard to the Youth Employment Programme, he will state the number of persons who have, since 2015 to date –

- (a) been enrolled thereunder, indicating if they are included in the employment rate, and
- (b) secured permanent employment following completion of their term of employment thereunder.

Mr Callichurn: Mr Deputy Speaker, Sir, the Youth Employment Programme aims to facilitate the transition of youth from education to employment and to provide them with core skills required by different sectors of the economy. Placement of trainees in the private sector is for one year, renewable for a further period of one year in a different company.

I am informed that 3,163 trainees have been placed in the private sector since May 2017. The figure of those who have secured employment as at May 2018 is yet to be compiled. However, since January 2017, up to now, 288 trainees have secured permanent employment in the company where they have completed their one-year training.

It is observed that nearly 70% of the trainees do not complete the one-year placement for various reasons, including employment in other organisations, non-adaptation in placement, unsatisfactory performance of trainees, and to pursue further studies.

For example, in the case of a firm, which enlisted around 500 trainees, 77% of those trainees did not complete the one-year training.

The Deputy Speaker: Hon. Ramful!

Mr Ramful: The hon. Minister has not answered the question with regard to whether those on YEP are included in the employment rate.

Mr Callichurn: Read your question! The question does not specify what the hon. Member has just asked.

(Interruptions)

Mr Ramful: If they are included in the employment rate!

Mr Callichurn: I will give the answer. I wish to point out that for the purpose of calculating the labour force estimates, Statistics Mauritius uses the standards set by ILO. And as per Statistics Mauritius, those who are under the YEP programme are considered as employed since they are given a stipend.

Mr Ramful: May I refer the hon. Minister to Statistics Mauritius, which defines an 'employee' as being someone who is working for pay. Now, those on YEP are given a stipend. Their contracts are for a fixed duration. They are given traineeship and placement.

So, the figures that are published by Statistics Mauritius do not reflect the true picture of unemployment in Mauritius, if those YEP are considered as employed persons.

Mr Callichurn: This is the opinion of the hon. Member. However, as I have just mentioned, stipend is considered as a gain as per the ILO standards.

The Deputy Speaker: Next question, hon. Ramful!

YOUTH – SKILLS MISMATCH

(No. B/388) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien) asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the issue of skills mismatch on the job market, she will state where matters stand as to the actions initiated to deal therewith, since November 2016 to date.

Mrs Dookun-Luchoomun: Mr Deputy Speaker, Sir, with your permission, I propose to reply to both questions PQ B/388 and B/415 at the same time as they both relate to the same issue.

The mismatch issue is a worldwide phenomenon and with the rapid evolution of the economy and the world of work, matching skills to industry needs have become imperative for any country. Since 2015, my Ministry in collaboration with support institutions, namely the HRDC, the MITD, Public Tertiary Education Institutions as well as the private sector, is addressing the issue of skills mismatch holistically and has taken proactive measures to enhance employability of our youths.

The HRDC has carried out skill studies to identify skills needs in various sectors of the economy. It has conducted skills studies in 10 sectors, namely agriculture and fishing; tourism and hospitality; construction and allied services; financial and insurance services; ICT; manufacturing; textile and non-textile; logistic and transport; storage; wholesale and retail trade; business services and real estates. The findings of the ICT, construction, tourism, textile and agriculture sectors have been publicly presented. It has been found that there is an acute manpower shortage in these occupational groups.

In addition, the HRDC has set up sectoral committees with private sector participation which assist in the mounting and implementation of skills development projects. 15 skills development projects have been implemented involving 409 trainees. An important scheme which was put up in the financial year 2016-2017 is the National Skills Development

Programme (NSDP) which has, as main objective, to train unemployed youth to better develop and match their skills with the demands of the labour market.

To date 3,661 persons have been enrolled on training programmes in various fields, namely tourism and hospitality, ICT, security, construction, nursing and paramedics, health and social care, wholesale and retail trade, financial services, manufacturing, film industry, environmental services and beauty care, and this, as per the demands of the industry. Training costs are covered. Trainees are also provided with stipend.

In addition, a Graduate Training for Employment Scheme has been put up to improve the skills of unemployed graduates. To date, 310 graduates have been trained with the participation of 63 employers and again, in the following fields: ICT, finance, tourism, HR and business management, construction and agriculture.

Public tertiary institutions, especially the UoM, UTM and UDM, are working in close collaboration with the private sector to address the issue of skills mismatch at tertiary level, and this through consultative Committees.

Thus, the UoM has put up since 2017, a university industry liaison office responsible for encouraging, coordinating and strengthening the university industry linkages.

And from now on, as from the first year of new programmes, soft skills are integrated in the curriculum as a compulsory component. Moreover, all new and revised programmes now have work placements or industrial training components as from the second year.

With the view to sustaining closeness to the market, the Higher Education Commission, or the Tertiary Education Commission, as it is now called, in the context of the implementation of the Higher Education Act will be required to accredit, the higher education courses for their relevancy. Moreover, priority fields of study which have been worked out in consultation with stakeholders are listed by the Tertiary Education Commission and updated regularly. The information is available on its website.

We are also promoting high technical training at polytechnic level. The curriculum of programmes developed by the three polytechnics is being elaborated with close involvement of the private sector. The graduates of these polytechnics are involved in industry throughout the duration of their studies. The placement of students is rendered more interesting and attractive through training arrangements and partnerships with campuses abroad.

In the field of TVET the issue of skills mismatch is also being attended to. At the level of the MITD, the MITD is implementing the recommendations of a consultancy study carried out by ITE Education Services (ITEES) Singapore. The recommendations, covering the rationalisation of training centres, upgrading of training equipment, infrastructural development, capacity building of trainers and strengthening the quality assurance system, have been taken on board in the projects implemented by the MITD within its transformation plan.

The transition to green economy would require skilled workers possessing required competencies for green jobs. In this context, *Agence française de développement* is financing a consultancy study on the assessment of green skills for the MITD in Mauritius. We also have the dual apprenticeship mode. Under this mode, operated by the MITD and dispensed by employers themselves through the world-based component, a total of 4,011 apprentices have benefited from training and placement in 152 enterprises.

Mr Deputy Speaker, Sir, an Integrated Career Counselling System has also been set up at the level of the HRDC with a technical assistance from Cascade UK Ltd, a UK based consultancy firm which carried out a study on the setting up of an integrated career counselling system.

As per recommendation of the consultants, we are reinforcing our career counselling system, my Ministry is also re-engineering its Career Guidance Unit to provide dedicated career counselling to wider audience. We have also already conducted the training of 80 senior educators so that they can improve their career delivery services, and we are planning to repeat this exercise for another batch of 80 educators shortly.

The HRDC is also in the process of developing a digital careers resource that will be equipped with resources, tools and information to help our youth plan their career.

Mr Deputy Speaker, Sir, we are trying to tackle the problem of mismatch by coming up with a series of measures, and we hope that this issue will be settled.

MINISTRY OF YOUTH & SPORTS - MR F.J.M.S. - APPOINTMENT

(No. B/389) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to Mr F. J. M. S., he will state the date of appointment thereof in his Ministry, indicating –

- (a) the post occupied;

- (b) the terms and conditions of appointment thereof, and
- (c) if Police clearance was sought and obtained prior to the appointment thereof.

(Withdrawn)

EMPLOYMENT - FIELDS - MISMATCH SKILLS

(No. B/415) Mrs A. Perraud (First Member for Port Louis North & Montagne Longue) asked the Honourable Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the job market, she will state the fields in which there is mismatch in the acquired and required skills, indicating the actions taken in relation thereto.

(Vide reply to PQ No. B/388)

The Deputy Speaker: The Table has been advised that the following PQs have been withdrawn: B/389, B/400, B/406 and B/407. Question Time is over!

MOTION

SUSPENSION OF S. O. 10(2)

Sir Anerood Jugnauth: Mr Deputy Speaker, Sir, with your permission, I move that all the business on today's Order Paper be exempted from the provisions of paragraph (2) of Standing Order 10.

The Vice-Prime Minister, Minister of Local Government and Outer Islands (Mrs F. Jeewa-Daureeawoo) rose and seconded.

Question put and agreed to.

(4.17 p.m.)

STATEMENT BY MINISTER

BASIC RETIREMENT PENSION - PAYMENT

The Minister of Social Security, National Solidarity, and Environment and Sustainable Development (Mr E. Sinatambou): Mr Deputy Speaker, Sir, with your permission I wish to make a statement regarding the issue of payment of basic pensions.

Since this Government came into office in December 2014, its very first measure was to increase the rate of the basic retirement pension, of the basic widow's pension, of the orphan's basic pension and of the basic invalidity pension.

I wish to state that, for the month of November 2014, the payment of the basic pensions amounted to Rs817.1 m. whereas for the month of December 2014, with the increase in the rate of basic pensions to Rs5,000 monthly, the payment of basic pensions amounted to nearly Rs2.4 billion inclusive of the bonus.

In this respect, it is worthy to note that the payment of basic pensions to 275,000 beneficiaries in financial year 2017-2018 will amount to no less than Rs21 billion.

Mr Deputy Speaker, Sir, one of the overriding concerns of this Government is the wellbeing and the welfare of our senior citizens. Government will adopt measures to ensure the long-term sustainability of the basic retirement pension, but this Government will not approve any measure which will go against the interest of our senior citizens. In this respect, the country should know that the basic retirement pension of our senior citizens has been increased by more than 60% since the coming into office of this Government.

Lately, it has been reported in certain quarters that Government has taken the decision or is proposing to pay the basic retirement pension as from the age of 65 or to pay only Rs1,000 at the age of 60 and to increase it by Rs1,000 each year until the full rate becomes payable at 65, or that a targeting system will be applied for the payment of old-age pension.

Mr Deputy Speaker, Sir, I wish to inform the House, in no uncertain terms, that this Government has made no such proposal and does not intend to make any such proposal. It is out of question to consider increasing the retiring age any further or paying old-age pension on a gradual scale, or still adopting a targeting approach regarding the payment of old-age pension.

I thank you, Mr Deputy Speaker, Sir.

MATTER OF PRIVILEGE

RADIO PLUS – HON. S. MOHAMED – INTERVENTION - 19 APRIL 2018

The Deputy Speaker: Hon. Members, I wish to inform the House that the hon. Deputy Chief Government Whip, hon. Rutnah, has, in writing on the 08 of May last, given notice to raise a privilege complaint against the First Member for Port Louis Maritime and Port Louis East, hon. Mohamed, for having in the course of the radio programme '*Le Grand Journal*' on Radio Plus on 19 of April last, made certain allegations against the Speaker which according to the Deputy Chief Government Whip are tantamount to, I quote –

“Uttering any statement reflecting on the character of, or containing or amounting to an accusation of partiality in the discharge of her duties by the Speaker.”

The matter has been referred to me by Madam Speaker. I have listened to the recording and I have also perused the transcripts, the relevant parts of which are being tabled as annex to this Ruling. (APPENDIX)

I take the view that the contents thereof may amount to an accusation of partiality against the Speaker, in the discharge of her duties and further reflect on her conduct and character. I consider that an offence may have been committed under Section 6(1)(s) of the National Assembly (Privileges Immunities and Powers) Act.

Mr Rutnah: Mr Deputy Speaker, Sir, in the light of your ruling and in virtue of Standing Order 74 subsection 4 of the Standing Orders and Rules of the National Assembly, I beg leave to table the following motion, that the record and the transcript of the intervention of hon. Mohamed in the course of the radio programme ‘*Le Grand Journal*’ on Radio Plus on 19 April last be referred to the Director of Public Prosecutions for appropriate action. Mr Deputy Speaker, Sir, with your permission, I am laying on the Table of the House –

- (i) an audio recording of the programme, and
- (ii) a transcript of the interview.

Thank you.

Mr Hurreeram rose and seconded.

Question put and agreed to.

The Deputy Speaker: Madam Speaker will now resume the Chair.

Dr. Boolell: Mr Deputy Speaker, Sir, on a point of order, I consider the procedure to be flawed and uncalled for on behalf of the hon. Member to take up the matter when hon. Mohamed is not in the House.

The Deputy Speaker: Hon. Dr. Boolell, I stand guided by Standing Order 74 subsection 4. There is no debate and no adjournment on this issue!

At this stage Madam Speaker took the Chair.

PUBLIC BILL

*Second Reading***THE REFORM INSTITUTIONS (AMENDMENT) BILL****(No. III of 2018)**

Order read for resuming adjourned debate on the Second Reading of the Reform Institutions (Amendment) Bill (No. III of 2018)

Question again proposed.

(4.25 p.m.)

Mr S. Rutnah (Third Member for Piton & Rivière du Rempart): Thank you, Madam Speaker. Madam Speaker, the conditions prevailing in prisons have been the subject of debates for a number of years and many recommendations have been made in the past since the colonial era up to now. It was back in 1979, the Bourdet Commission was commissioned in order to make a report and in 1982-1983, the Basset Report was commissioned, but the Basset Report was never rendered public on ground of security.

Madam Speaker, over the years we had the first Reform Institutions Bill presented in this House in 1985 and then a further Reform Institutions Bill was presented in 1988.

(Interruptions)

I wait for hon. Baboo and hon. Mrs Perraud to take their grateful exit and then I will continue.

(Interruptions)

So, after the two reports in 1979 and 1982, the Reform Institutions Bill of 1985 came to this House and then the Reform Institutions Bill of 1988 came to this House.

Since 1988 until now, there had been a series of allegations against the Prisons Services. However, no Government since 1989 took a new positive action in order to bring changes and to modernise the reform institutions. And, I am glad today to stand in this House although the Opposition parties have chosen not to be here and, besides, none of the Labour Party Members of Parliament are intervening, as I understand it, in this Bill because despite the fact that they were in power for the last 14 years, to them reform institutions mean nothing and they don't even care about what goes on in our reform institutions. I am grateful to my *colistier*, the Rt. hon. Sir Anerood Jugnauth, Minister Mentor who, after 1989 reflects upon what is going on in our prisons to bring this Bill in the House today. At least a man of

vision, he has always been a man of vision, a man who has always cared for the population, for his country and has always in difficult time stood by the side of his people. We have seen it during the election of 2014 how he stood by his people and how he fought the election.

So, with that kind of vision, he today presents this Bill in this House and let us see what this Bill is all about which the Opposition parties are not interested in at all for a moment. This Bill, we have to start about from its object. The object of this Bill is to amend the Reform Institutions Act, firstly to –

“(a) do away with the system of automatic remission whereby convicted persons were eligible to be discharged after having served two thirds of the period of sentence and to replace it with a new system of earned remission (...)”

And the operative words in this part of the objective of this Bill are ‘earned remission’ because it is a new concept that the Rt. hon. Minister Mentor is introducing in this House in line with international norms and standards that are ordinarily now required in prisons over the world.

The second part of the objective is to –

“(b) toughen the law against officers of the Mauritius Prisons Service, detainees and persons working in reform institutions who are convicted under the Act”.

Thirdly to –

“(c) provide that where, during his term of imprisonment, a detainee commits an offence under the Act, that detainee shall, on conviction for that offence, be ordered to serve immediately after the expiry of the sentence for which he was detained, any sentence imposed upon him by the Court”

So, these are the objects of this Bill. However, I did listen carefully to Members on both sides of the House last week but I find it very strange that although hon. Baloomoody chose not to be here together with all his colleagues in the MMM, I feel that I am duty-bound to reply to him so that the people of Mauritius should understand today that this Bill is not about the Commissioner of Prisons. This Bill is not about the powers that have been granted to the Commissioner of Prisons. This Bill is not about directing scathing attacks against the Commissioner of Prisons. This Bill is about the objectives that have been defined in this Bill.

So, to start with, we cannot, as we say in French, *faire le procès du Commissaire des prisons*. We cannot do it. All we heard the other day from hon. Baloomoody is a trial of the

Commissioner of Prisons rather than a debate about the Bill itself. So, let me deal one by one with the clauses and the allegations that were formulated against the Commissioner of Prisons.

I will start with clause 4. Clause 4 of the Bill in essence deals with section 37 of the principal Act. Section 37 of the principal Act is to be amended in order to give to the Commissioner of Prisons certain powers to punish. Now, our starting point, as responsible citizens, as a responsible Government, should be in my view to ensure that prisoners, offenders do not think that when they go to prison, they will be treated there as if lodging in a 5-star hotel. Offenders should understand that they have committed a wrongful act against the State, against the people, against an individual and that when they go into prison, they have to be within the control of the prison with all their rights, human rights, whatever rights respected all be it. But they have to pay for the consequences of their act and at the same time, they have to learn, to be educated, to get reformed, to be rehabilitated so that when they go back in society, they go back as a responsible citizen. So, that should be in my view, the starting point.

Now, the attack, the criticism against the Commissioner of Prisons was that he is going to be the judge and party. I think all Members, on this side of the House, will remember that he is going to be the judge and party, he will decide. But, Madam Speaker, I did some research. I had to go back because I was a bit confused about the debate when hon. Baloomoody was making those kinds of scathing attacks. If we look at the 1985 Act, we go to section 37 of the 1985 Act which deals with punishment for prisons defaults. The Commissioner of Prisons by virtue of section 37 of the Act already had powers and still have those powers to discipline prisoners who default. Then, we had the 1988 Act. In the 1988 Act, again, the Commissioner of Prisons had and still has the power, by virtue of section 37 of the Act, to punish prisoners who are in default. And to punish prisoners, how? There is procedure for that. He cannot do it himself personally. I see the Commissioner of Prisons in the House today with all his colleagues.

Madam Speaker: No! The hon. Member cannot refer to strangers in the Gallery.

Mr Rutnah: I understand that, but I am glad that the representatives of the prison are here. He has and had at all material time, all the powers to discipline and that is what prison is all about; prison is all about discipline. If you go there, you cannot expect in the morning to get your breakfast by the side of your bed. You cannot expect to get lunch served by waiters.

You cannot expect prisoners to live life as if they have done nothing wrong. If we turn into that kind of a society, it would be chaotic.

Now, I have made some research and this is what I found; a detainee who is under report, it is only then that a senior officer, not below the rank of an Assistant Superintendent of Prisons, finds that there is evidence to sustain a charge in breach of any of the 15 Subsections of section 33 of the Prison Regulations. So, together with this Act, we have to give effect when interpreting the Prison Regulations. Perhaps, hon. friend from the Opposition party, who has come in the House, has not realised that the Opposition party has made a walkout because I have raised a privileged matter under Standing Order section 74.

Madam Speaker: Please, it is her decision.

Mr Rutnah: Madam Speaker, once an issue is raised, I understand that the case is heard within 48 hours before a panel of adjudicators. Not before the Commissioner of Prisons, before a panel of adjudicators. The prisoner who is charged with an alleged breach has the right to be defended and he is defended by the Welfare Officer who is a trained officer in relation to the welfare of prisoners. So, the prison is a jurisdiction of its own and that is why it is called a reformed institution, an institution where we go and learn to be disciplined, to be rehabilitated so that we get prepared to come back into society as responsible citizens. Now, I do not see how and why there was this kind of attack directed against the Commissioner of Prisons the other day.

Today, I am glad the Opposition parties are not here because I know that my people all over the island are listening to me and I know that the people of Mauritius, in general, are interested in the debate of the Parliament because now Parliament is at home; people are watching from their TV. So, even if the Opposition parties are not here, I do not care because I care for my people and my country just like Sir Anerood Jugnauth does. So, in relation to the criticism about the vocational training of detainees, hon. Baloomoody stated that only 20% of the prison population get trained whereas 80% of the prison population are not trained at all and they are left in lurch, so to say, and that only those 20% of prisoners will earn remission. Completely inaccurate! Extremely inaccurate! I understand that all convicted detainees are assessed by a Reception Board on admission - a Reception Board, not by the Commissioner of Prisons - and are allocated relevant work and training as per their knowledge and skills. There is an established, enhanced earning scheme for all adult convicted detainees and there are objectives set out. A number of objectives that is discipline

oriented and work oriented and oriented in such a way that the prisoner gets rehabilitated. It is not true to say that 80% of prisoners are not trained, do not learn anything and that they would not be eligible for remission, because all prisoners have to go through that Reception Board, assessed and then allocated work so that they can learn.

Then we heard criticisms about the practice of religion by detainees, and if I may quote exactly what was said. Hon. Baloomoody stated -

“According to my information, in the prisons, today, although they are being allowed to practise their rites, but whatever facilities they had in the past, have been reduced drastically, be it for the recent Maha Shivratri and Cavadee festivals. The facilities given to them have been reduced drastically.”

Again, this is allegation that has found no thread of evidence from any quarters. It is just allegation made in the House under the cloak of privilege. We all know that in prison every detainee has the right to practice his or her religion. There are places of worship. There are ministers of religion called. If anyone would be denied his right to practice religion, he or she can complain to the Ombudsman, can complain to the Human Rights. But have we ever heard any complaint addressed by any prisoners that they had not had their right to practice religion? In this country, sometimes I feel we are so democratic, so free to allow people to go and visit prisoners. Even religious persons have in the past taken drugs into the prison, and one was even convicted. So, we cannot just make allegation just because we are Members of Parliament. We have to substantiate; we have to have proof about it. There is no proof.

The right to practice religion is a constitutional right in this country. It is a right that has been enshrined since 1968, since we got our independence. People generally are free to practice their religion. We are a free and democratic country. We set examples sometimes in Africa about the degree of fairness and democratic institutions that are run in this country.

Next attack, he said prisons are operating in breach of existing law. He said exactly these words -

“I will come later to talk about the institution we have today; the prison regime we have today, and how it is dealing in breach of the existing law.”

He knows, everybody knows that we have what we call the United Nations standard minimum rules for the treatment of prisoners now called the Nelson Mandela Rules since December 2015. It is a tribute paid to Nelson Mandela because when he was sent to prison in Long Island in South Africa. He was treated badly, and it is through his struggle that some

prison rules were brought to some degree of flexibility, and now the United Nations call it the Mandela Prison Rule.

We have got other treaties respecting conditions of detention of prisoners, to which Mauritius is a signatory and used as reference in the daily management of prisons. So, we have got institutions. The Reform Institution is abiding by international conventions, by international law. There has been no complaint of breach of any conventional rights, international rights, local rights and domestic law, but just allegation for the sake of allegation.

Then we heard about the rate of recidivism. The rate of recidivism is beyond control of the prison management in as much as once a detainee is released, once a detainee has served his sentence, he is no more within the jurisdiction of the Commissioner of Prisons, he is no more within the jurisdiction of the prisons, he is out at large. How can we then blame the prison if that former prisoner goes out and commits further crimes? How long are we going to continue to blame others when sometimes people who are getting involved in crime, either they are themselves not mature enough to take their own responsibilities or their parents have failed them in their values and in accepting that other than rights there is also corresponding responsibilities? For how long are we just going to blame others? Sometimes, we have to step back and realise that for everything wrong that happens, we cannot just blame our institutions, our Government or even the Opposition parties. As individuals, as citizens, we have to bear our own responsibility because once the person is out of prison, you cannot blame the Commissioner of Prisons, and you cannot blame the prison authorities.

Everybody knows in Mauritius that I have a soft corner for human rights. I have always fought for human rights, even when sometimes, on this side of the House, I fight against my own Ministers. I have asked questions to the Rt. hon. Minister Mentor about abuse of human rights. I have fought against the Commissioner of Police about abuse against human rights. And not since yesterday! Since I came to Mauritius, since 2010 and since I started practising law in this country. But when I hear a hon. Member, who is a Barrister, without checking facts and figures, coming to this House saying -

“We knew as a fact today that detainees’ letters of complaints are not reaching the Human Rights Commission.”

How does he know that? How does he know? Why on earth would the Commissioner of Prisons or any prison officer suppress complaint letters that are addressed to the Human Rights? Why?

As far as the figures are concerned, in 2016, 337 complaints were sent to the Human Rights, in 2017, 85 complaints, and in 2018 - this year - 4 complaints. At the Eastern High Security Prison, members of the National Preventive Mechanism Division of the Human Rights interviewed detainees privately regarding complaints made by them, and the figures speak for themselves - which I checked. In 2016, 203 interviews; in 2017, 194 interviews, and in 2018 as at to date, 44 interviews. Are we going to maintain that complaints from prisoners in relation to human rights abuse are not reaching the Human Rights Commission? But one thing I agree, and where I have to concede, I will concede, the National Human Rights Commission, I say it again, the National Human Rights Commission has failed us on many occasions, and I am glad for whatever it was; now, we have got the Independent Police Complaints Commission that is going to investigate on Police brutality independently.

Madam Speaker, I had to reply to hon. Baloomoody on these issues, because last week the population might have got the complete wrong impression of our prison situations. Now, with regard to the critics about the Parole Board, this is what he said –

“Now, let us come to an important Board, and this Board will become more important when it comes to earned remission, the Parole Board.”

And amongst other things, he said that the Parole Board has not even sat, that the Parole Board could be manipulated; he also got confused about the functions of the Parole Board and the functions of the Board of Visitors.

Madam Speaker, the Parole Board considers the eligibility to release a convicted person after he has served, at least, half of his sentence or 16 months, whichever expires the later. My information is that the Parole Board is meeting regularly on a monthly basis, and the last meeting for release on parole was held on 11 April of this year. I can confirm that, at least, one detainee was released on parole. So, why come in the House and say that the Parole Board is not functioning?

The Board of Visitors! The Board of Visitors technically does not exist. And why it does not exist? It is because when in July 2013 the law was passed, then was introduced in 2013 the National Preventive Mechanism Division of the Human Rights. So, it is the National Preventive Mechanism Division of the Human Rights that has taken up the inspectorial

functions of the Board of Visitors. By virtue of the Act that was passed in 2013, section 54 of the Reform Institutions Act of 1988 was repealed, thereby enabling the National Preventive Mechanism Division of the Human Rights to carry out inspectorial functions.

Now, dealing with the issue of earned remission, we have to understand one thing; if we want to reform, rehabilitate, we want people to become society friendly, we can't just give on a plate one-third remission. Whatever your behaviour take it, you get automatic one-third! The Rt. hon. Minister Mentor is right, we have to toughen the law. We have to be tough on crime, the causes of crime and we have to continue to be tough on bringing discipline in this country against offenders. This is how we are going to minimise, mitigate the number of criminal activities that is going on. Those who do not want to reform in prison, those who do not want to earn their remission, so be it. But those who think that they have done something wrong in life, that they want to go back in society as respectable members of the public, then, they should demonstrate, they should perform, they should show, they should prove that they have regrets for what they have done, and they work towards earning that remission. They work towards earning respect. Then, you go in society prepared.

Madam Speaker, when I heard hon. Members on this side of the House, other than hon. Baloomoody, I was glad that, at least, we all have a grasp of what is going on. We are not a Government in tatters, we synchronise our work. We understand each other, but there, on that side, you have got a main Opposition party in tatters, they fight in public, they don't even communicate with each other. We have an Opposition party on this side. You hear of Mrs Françoise Labelle every day! Mr Jeeha!

Madam Speaker: No, no! Hon. Rutnah, please bring yourself back to the amendment to this Bill!

Mr Rutnah: Madam Speaker, I am trying to demonstrate to the people of Mauritius today that we are a serious and caring Government, whereas we have an Opposition in tatters, and that is why, either they refuse to understand or they don't want to understand what is going on in the process of modernisation of this country, and modernisation of the reform institutions of this country. But I am glad that, at least, hon. Ganoo - he is not here, but his comrade, in all struggle and battle, is here - had some understanding of the object and the purpose of this Bill.

Madam Speaker, I would like to address, before I finish, about why we should punish Prison officers when they are in breach of prison rules, when they are in breach of legislation.

Recently, during the Commission of Inquiry on Drugs, we were hearing that Prison officers together with criminals were involved in peddling drugs into the prison; Prison officers together with criminals were supplying SIM cards in prisons; supplying phones in prisons. Perhaps I did not know about what was going on in the 80s, but this breach of trust, breach of the law, breach of regulations by Prison officers does not date back only since a few years, since 2014 or since 2000.

In fact, if we look at history - I happened to read a little bit the debates of the June 1985 Act – the Bill was passed in 1985. And one of the Members of the Opposition party then who intervened, the then hon. Krishna Baligadoo, who I remember a little bit, great orator in the House, great orator outside, he always used to speak in public meetings, just after hon. Koonjoo then in Opposition or just before hon. Koonjoo, because these two were great orators out there. And this is how during the debate, he quoted the 1979 Commission, and he said this –

“The commission was shocked to note that certain prison officers have indulged in the trafficking of Gandia with prisoners. One Prison Officer was on 16 August 1985 found in possession of Gandia and the case has been referred to the Police.”

So, this business about trafficking drugs, trafficking prohibited items in prison dates back since a long time. And at least we know, in 1979, the Bourdet Commission made a report about this. But other than the 1985 Act and 1988 Act in which attempt was made to punish Prison Officers. The other parties that were in power what have they done? What the PMSD, the *Parti travailliste* Government did for 14 years in power about it? It is only when we came in power, when the then Rt. hon. Prime Minister set up the Commission of Inquiry it is only then that we discovered all these sagas going on at a scale that people did not realise. So, now that we know about it, we cannot keep quiet. We cannot just sweep it under the carpet. We cannot wait perpetually, we cannot even wait for the report of the Commission of Inquiry to come in order to take action. Action must be taken as quickly as possible, and that action today has been taken by the Rt hon. Minister Mentor, that those who think of prison uniform, will use that uniform as a cloth to bring into prison pornographic material or SIM cards or telephones or drugs, then, they should suffer the consequences laid down in the Act, in this reform, in this modernisation process that is being brought by this Government.

Madam Speaker, I think I have said quite a lot in quite limited amount of time. On this note, Madam Speaker, I thank very much all my colleagues on this side of this House for having listened to me attentively.

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

At 5.06 p.m., the sitting was suspended.

On resuming at 5.44 p.m. with Madam Speaker in the Chair.

Madam Speaker: Hon. François!

Mr F. François (First Member for Rodrigues): Thank you, Madam Speaker. Madam Speaker, hon. Members and everyone present in the House, may I first of all wish you all and all families of the nation a Happy Family Day. *'La famille c'est notre trésor'*. It is Family Day today.

Madam Speaker, coming to the Bill, it's a great pleasure for me to take a quick call in support of the Reform Institutions (Amendment) Bill (No III of 2018), presented by the Rt. hon. Sir Anerood Jugnauth, Minister Mentor, Minister of Defence, Minister for Rodrigues who deserves our heartfelt congratulations for this Bill. And, allow me also to congratulate all previous orators before me.

Madam Speaker, it is clear that Government is taking action wherever necessary to cut crime and keep our community safe, and to restore public trust that is so vital to our reform institutions. I have to say that this Bill is in line with responsible prison reforms by Government and it is important to note that our prison is ISO certified, and I think it is the only one in the African region, if I am quite right.

I have listened with interest to people outside, saying that crime statistics in Mauritius are getting very serious, and that the number of people incarcerated in our prisons is alarming. Surely, that will reflect on the Mauritian society.

The Rt. hon. Minister Mentor, in his speech, reported that, as at 06 April 2018, there were 1,287 convicted detainees, and if my mathematics is right, for every 1,000 people there is one detainee, with a daily cost of imprisonment of Rs775 per head for our population of 1.268 billion people.

(Interruptions)

Million, sorry!

(Interruptions)

We are not in China! I am sorry for this. Million!

(Interruptions)

My apology, it is million. Is this current overcrowded prison inmate number in Mauritius sustainable both financially and socially?

However, the big challenge is and remains how to get the number of people in prison down, that is, the downsizing of our prisons and also to prevent crime from being organised from prisons?

Madam Speaker, we, policymakers, have the responsibility to make the difference with regard to sentenced individuals who are people requiring assistance and needs.

In our fragile society today, can we one day meet the target where there will be closure of prisons due to a lack of prisoners who can fill them? Can we meet this target one day? I can see the Rt. hon. Minister Mentor laughing when I am saying that, is smiling. Why not? Let's dream about it! Let's dream about it for a safer community!

Madam Speaker, the Rt. hon. Minister Mentor, through the object of this Bill, substantiates the political will of Government in that direction despite the fact that it might take time to achieve those objectives as set out in the Explanatory Memorandum of this Bill.

I have to say that I concur with the earned remission on sentence where, during the term of imprisonment, a person is of good conduct or has worked extra hours as sufficiently debated by previous orators. I will not go into detail.

This Bill also has as objective to toughen the laws against Prison Officers, detainees as well but I pay attention to Prisons Officers. This leads me to think whether the system is failing as regards the rehabilitation of prisoners in prisons.

Madam Speaker, I heard lot of critics about the weaknesses of our prisons. In saying so, shall we also look into reinforcing the human resources of prisons not as a matter of security but as educator or even academics with a good salary to teach the real skills to prisoners by making them better understand, improve their behaviours and to get back to society peacefully in a better shape. Prison is and shall be an extraordinary place of rehabilitation as viewed by the UN Consultant Mr William Cullen. I read his report for the Mauritius Prisons Service for the Strategic Plan 2013-2023. And he puts somewhere as if let

us move from prison to correction. I find this very nice. Let us move from prison to correction.

Here, Madam Speaker, I wonder whether it is not time also for Government to take a bold decision to change all prisons to simply reform or rehabilitation centres, let apart the cases of recidivism and extremely dangerous detainees, those can be dealt with separately. In minor cases of short prison sentence, can it be served under home detention with electronic monitoring like in countries - I read somewhere - such as Sweden or Belgium?

Madam Speaker, now, I will refer to clause 61 of the Bill, which deals with prohibited articles in prisons. We all know detainees are locked up to protect our community from their actions; consequently, it is not correct for them to continue their life of crime behind bars.

Of course, it is the responsibility of Government to do the necessary to make sure that our prisons are safe places for rehabilitation. This is sufficiently canvassed by all orators in this House.

Again, Madam Speaker, section 61 of the principal Act amended - it is an offence for a person to convey a telecommunication equipment into or out of prison or to possess it inside a prison without lawful authorization. But it is no great excuse. Illicit mobile phones - I think hon. Rutnah mentioned it - in prisons are one of the biggest threats facing our prisons today. We all have witnessed and heard about how mobile phones can be used for many undesirable purposes. Nevertheless, many illicit mobile phones find their way into prisons. It is clear that attempts to smuggle phones into prisons are increasingly sophisticated, taking advantage of the fact that phones are becoming thinner and smaller. Can you imagine a phone is being hidden in private parts of a male or a female? That is amazing! And what can I say, is this creativity or innovation by these people?

Madam speaker, following the introduction of this Bill, there is a good call for Government to invest in better detection equipment and working with partners to implement new technology to stop telecommunication equipment working in prisons. I do not know whether it is working, but how come they are still using it inside the prison? The institution must also work with mobile network operators to deliver ground-breaking technology which will stop telecommunication equipment smuggled into prisons from working. Is it happening? But people are still smuggling phones in prison, calling outside, calling their girlfriends, friends and others.

Madam Speaker, I am not quite sure about the stand in our prisons today with regard to the use of imaging technology instead of strip searches. I have not heard much about the operation of this technology and I am not quite sure whether there is any contention about its use in prisons today, the use of imaging technology. I think it is a better way instead of a mass strip search, with less pressure on prison officers, and also not to encourage those prison officers to be at fault in that regard.

However, we know before the Courts right now, there is a human right case because the Police have been using strip search as a preventative measure to prevent risk rather than assessing that the risk is actually there. Surely, imaging won't allow us to witness some kind of perceived, degrading treatment against any person, be it detainees or prison officers in our prisons or any other institutions.

Now, Madam Speaker, allow me to say a few words specifically about Pointe-La-Gueule Prison in Rodrigues, which this amendment Bill will have a bearing thereat. Pointe-La-Gueule Prison offers rehabilitation and reintegration of offenders into the Rodriguan society. It is a small prison with actually an average of about 30 male detainees and 2 female detainees, out of which 40% are on remand. I have observed and witnessed that there is no separate remand and convict blocks there, thus mixing criminal with non-criminal groups.

However, Madam Speaker, it is worth to be noted that there is a New Remand and Convict block under construction by the Regional Assembly, which shall be operational shortly and which the Chief Commissioner has qualified as should be *une maison, mais pas une prison pour ces détenus. Une maison ! Ce changement d'appellation pour changer la perception, pour changer le regard de la société, pour changer le regard des détenus eux-mêmes.*

In the actual block, I have observed during my visits - I do often go there to meet the officer in charge - there are no CCTV cameras despite its close location alongside a public road where anyone can throw any kind of prohibited article into the prison yard. In that regard, Madam Speaker, I will humbly request that necessary provisions be made for the installation of CCTV cameras at the Pointe- La-Gueule Prison.

Madam Speaker, Rodrigues also has one Rehabilitation Youth Centre but no Correctional Youth Centre, which implies that, for example, a 10-year-old child is kept together with an 18-year-old child or youth. What I want to say is that there is need for future investment in a Correctional Youth Centre in Rodrigues which is imperative and this should

meet the cultural aspect of Rodrigues, the specificity of Rodrigues for our youths who need our help there.

Another point, Madam Speaker, is prison staff training and capacity building, which is crucial for the operational reform of prison - I am referring to Pointe-La-Gueule still - and which has to be in line with international standards. In that regard, I will plead that the prison officers who are facilitators for change thereat, have more opportunities for international exposures and continuous progress development training. Why I said so? This is also, Madam Speaker, to avoid frustrations among those prison officers wherever necessary because we want them to deliver a very good service thereat. I have learned also that there are graduates today in the Rodrigues prison service, but little prospects for higher promotion. The system must not frustrate them to take further studies as well if the system really wants them to deliver better service with job satisfaction or become main instigators of change in the prison culture. I say it for Rodrigues and for Mauritius as well.

I believe that the system should provide opportunities for the officers thereat and no need to have recourse from officers of the Police Department to fulfil higher posts, bearing in mind that I have nothing personal against any Police officers. What I witnessed and learned is that those prison officers want to deliver, they want to have this job satisfaction, they want to be happy and to see that the service is looking after them and given this prospect for the future.

Madam Speaker, let me conclude by acknowledging the courage for meaningful reform to prison as presented by the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues, Sir Anerood Jugnauth.

On this note, I am done and I also command the Reform Institutions (Amendment) Bill (No. III of 2018) to the House.

I thank you for your kind attention.

Madam Speaker: Hon. Mrs Perraud!

(6.03 p.m)

Mrs A. Perraud (First Member for Port Louis Maritime & Port Louis East):
Merci, Madame la présidente. Il y a une très belle citation qui dit et je cite –

« La prison n'est qu'un reflet démesurément grandi de la société qui produit ceux qu'elle incarcère. »

Des paroles profondes et tellement vraies qu'Hubert Bonaldi a utilisées pour décrire et pour illustrer notre société. Nous savons tous qu'Hubert Bonaldi était un Directeur de Prison qui a écrit sur l'univers pénitencier.

Madame la présidente, nous avons aujourd'hui à débattre du projet de loi, *The Reform Institutions (Amendment) Bill (No. III of 2018)*. Il est bon de rappeler qu'il s'agit des amendements au *Reform Institutions Act* de 1989. Si nous jetons un bref coup d'œil sur l'historique de ce projet de loi, nous comprendrons vite qu'il y a eu un parcours pas le moins posé. C'est important de le situer, Madame la présidente. En janvier 1888, nous avons le *Prison Act*. En 1981, il y a eu des amendements et ce n'est qu'en 1985 que le gouvernement d'alors décide de venir de l'avant avec un nouveau projet de loi, *The Reform Institutions Bill*. Mais la façon dont le projet de loi fut introduit au Parlement fut décriée par l'opposition avec raison, car le projet de loi fut précipité au Parlement avec un Certificat d'Urgence. Comme la loi ne fut pas proclamée en 1985, en 1988 après le travail, la contribution du Britannique, Mr Jeff Lister, un expert de la prison, une nouvelle loi fut introduite au Parlement. Mais encore une fois, tout comme en 1985, la loi fut précipitée au Parlement avec un Certificat d'Urgence.

Madame la présidente, si aujourd'hui cette loi est à nouveau devant cette Chambre avec des amendements, la similitude avec 1985 et 1988 est qu'il y a absence de consultation. Comme je l'ai démontré, à chaque fois que ce projet de loi a été introduit au Parlement, il n'y a pas eu de rencontre, de discussion, d'écoute, de consultation avec les personnes concernées, alors que cette loi touche au plus profond de la société, touche l'être humain dans sa dignité et dans son humanité. Nous déplorons que pour son troisième passage au Parlement, les ONG qui œuvrent dans l'univers pénitencier en accompagnant, en encadrant, en soignant, en écoutant, en aidant et aussi en sauvant les détenus ainsi que les anciens détenus, n'ont pas eu leur mot à dire en ce qui concerne les amendements apportés aujourd'hui à cet important projet de loi.

D'ailleurs, je saisis cette occasion pour saluer bien bas tous ces braves gens qui font un travail formidable auprès des marginaux de notre société. Il n'y a pas que les ONG, Madame la présidente, il fallait qu'on entame un dialogue avec tous ceux qui, de loin ou de près, sont concernés par le milieu carcéral. C'est un problème sociologique qui requiert la participation, la contribution des psychologues, des sociologues, des thérapeutes, pas seulement des juristes. Dessus, je crois que le gouvernement a failli, car en se faisant, cette loi reste une loi avec beaucoup de lacunes. C'est une occasion manquée pour améliorer et

humaniser davantage l'univers pénitencier, et je vais le démontrer au cours de mon intervention.

Pour commencer, Madame la présidente, à l'*Explanatory Memorandum*, nous pouvons y lire trois objectifs, notamment –

- (i) celui de se défaire du système de rémission automatique et de le remplacer par la rémission méritée ;
- (ii) de durcir la loi pour punir les officiers ou toute autre personne travaillant dans une institution réformatrice, trouvés coupables d'un délit sous cette loi.

Et le dernier objectif de ce projet de loi -

- (iii) stipule que la sentence pour un délit commis en prison par un détenu soit exécutée aussitôt.

Madam Speaker, I think that there is consensus in the House on the importance of remission in prison. Both sides of the House will agree that remission encourages self-improvement and positive behaviour in prisoners. Various studies have shown the advantages of remission in prison, not only for the prisoners, but also for the country. Justice Action in Australia wrote in a paper that remission gives to the prisoner, I quote –

“It gives them a sense of responsibility and direction in life, thus converting them from passive recipients of punishment to active participants in their own lives. Earned release also benefits the system by giving it greater control over the prisoner, saving money and preventing prison over-population.”

Madam Speaker, prisons or any reform institutions are not happy places to be. Spending time in a prison cell is not like going for holiday. Each single day counts for a prisoner. Most of them, if not all of them, just want to leave this place of isolation, mental anguish, bullying, violence, idleness and self-harm. Yes, Madam Speaker, you could tell me that 51.3% of prisoners returned back to prisons in 2016. This is what Statistics Mauritius revealed. Other 3,672 adults convicted, 1,883 were convicted for two or more previous. Yes, I totally agree. But there are reasons which explain why we have such great percentage of failure.

Madam Speaker, if there was a good policy for rehabilitation in our prisons, we could not have had so many recidivists among the prisoners. I will talk about this later. Definitely, remission helps the prisoners psychologically. It motivates the prisoners to behave well, to

cooperate with the officers in prison. The prisoners know that at the end of the day, they will be rewarded. They have a goal in life: freedom. They will work to achieve it. They will take their future into their own hands. So, Madam Speaker, remission in prison for prisoners is welcome. I am not making a difference between automatic remission and earned remission, I am talking about remission *tout court*. We know that in 2016, we had a population of 3,698 prisoners, which represented an increase of 27% and that Government spent around - as hon. François already said earlier - Rs735 daily to maintain a detainee. Remission could help in addressing the problem of overcrowding and high costs in prisons.

Madam Speaker, having explained and shown the advantages and importance of remission in prisons, let us now read the first object in the Explanatory Memorandum, part (a). I quote -

“do away with the system of automatic remission whereby convicted persons were eligible to be discharged after having served two thirds of the period of sentence and to replace it with a new system of earned remission with a view to encouraging convicted persons to earn maximum remission not exceeding one third of the period of sentence where, during their term of imprisonment, they are of good conduct by not committing any prison default;”

Madam Speaker, we clearly understand that the Government is proposing to change, to amend the Reform Institutions Act of 1989 to make it now more severe for prisoners. The Reform Institutions (Amendment) Bill is proposing that prisoners no longer benefit from automatic remission, but they have to earn the remission, and to do so they should not commit any prison default.

Madam Speaker, the word ‘any’ is very important here, and it means what it means, ‘any’. So, we could have thought that at least the prison defaults could have been defined, a list being given. When we go back to the principal Act, the Reform Institutions Act of 1989, we can read that ‘prison default’ means ‘an aggravated prison default or a minor prison default’.

Madame la présidente, ce qui voudrait dire que ce sera encore plus difficile pour un prisonnier d’obtenir la rémission, car il ne doit pas commettre de faute. Mais nous connaissons tous l’environnement hostile de la prison : le problème de solitude, de désœuvrement, de harcèlement, d’intimidation, d’agression, de violence. Et violence sous

toutes ses formes : physique, verbale, psychologique et sexuelle. Tout y est pour que le détenu se laisse tenter et succombe.

Vous imaginez, Madame la présidente, ils sont seuls, sans famille, sans amour, sans parents. Ce sont des proies faciles. Ils sont vulnérables. Souvent, ils cherchent refuge dans un moment de plaisir. Ils cherchent un mode d'évasion. Même ceux qui n'étaient pas drogués auparavant, avant d'être enfermés, le deviennent à la prison. Je vois votre sourire dans le coin. Je vois l'écarquillement de vos yeux. Peut-être même vous vous dites qu'on parle des prisonniers...

Madam Speaker: When you say '*vous*', to whom are you addressing yourself? Can I know?

Mrs Perraud: Of course, to the Chair. To you, Madam Speaker!

Madam Speaker: Yes, but are you making remarks on my behaviour?

(Interruptions)

Mrs Perraud: Excuse me, Madam Speaker. I don't know if when you heard what I said about the prisoners you were shocked. But if you were not, I am so sorry. Donc, je reprends. Je peux même deviner...

Madam Speaker: I will draw your attention that during the course of your speech, you cannot make comments on the behaviour of the Chair. I am here, I am listening to you, I would kindly request you to address yourself to me and not to those who are in the Gallery, please.

Mrs Perraud: Merci beaucoup, Madame la présidente. Mais je crois que c'est vrai j'ai dit que je m'adressais à vous en général pendant mon discours. C'est ce que tout le monde fait. Mais je crois que c'est important aussi de s'adresser à la nation mauricienne, parce que c'est un sujet qui concerne tout le monde, et tout le monde se sent concerné par cela. Je crois qu'il y a d'autres personnes qui m'écoutent, y compris les personnes qui sont dans cette Chambre qui peuvent se dire - quand je parle de la situation des prisonniers dans les prisons - que je ne sais pas de quoi je parle, mais je vais vous démontrer que les gens qui sont à la prison sont des êtres humains...

Madam Speaker: No, hon. Mrs Perraud, once more, I will draw your attention to the fact that you have to address the Chair and that, according to Regulations, the Standing Orders, you cannot address yourself to strangers who are present in this Chamber.

Mrs Perraud: Est-ce que je peux poursuivre mon discours ou je dois m'arrêter ?

(Interruptions)

Je peux poursuivre mon discours ?

Madam Speaker: Please!

Mrs Perraud: Merci beaucoup, Madame la présidente. Donc, j'expliquais, n'est-ce pas, la situation des prisonniers dans les prisons à Maurice, et je parlais d'une situation que tout le monde connaît et que beaucoup de personnes peuvent se retrouver dans cette situation, bien sûr en m'adressant à Madame la présidente. Donc, je sais que Jean-Jacques Rousseau avait dit -

« L'homme naît pur, c'est la société qui le corrompt. »

Je n'ai pas droit de regarder là-bas. Il faut que je regarde ici !

« L'homme naît pur, c'est la société qui le corrompt. »

(Interruptions)

Madam Speaker: Please, do not interrupt!

Mrs Perraud: C'est Jean-Jacques Rousseau qui a dit ça, ce n'est pas moi !

Madam Speaker: No crosstalking !

Mrs Perraud : Je suis en train de citer Jean-Jacques Rousseau.

(Interruptions)

Madam Speaker: Please, no crosstalking!

(Interruptions)

Please, calm down Rt. hon. Minister Mentor!

(Interruptions)

Mrs Perraud: Excusez-moi, est-ce que je dois expliquer qui est Jean-Jacques Rousseau ? Il faut que j'explique ?

(Interruptions)

Non, c'est bon ? Je peux continuer. Donc, c'était Jean-Jacques Rousseau qui avait dit ça...

(Interruptions)

C'était Jean-Jacques Rousseau qui avait dit –

« L'homme naît pur, c'est la société qui le corrompt. »

Donc, détrompez-vous, ce que j'ai expliqué, c'est la situation des prisonniers. Je sais que ce sont des criminels, des bandits, des mécréants, des voyous, des voleurs, des délinquants, et j'en passe. Oui, vous avez raison, il faut protéger la société et punir les fautes. Je suis entièrement d'accord. Mais arrêtons-nous un instant. Cette loi vient mettre tous les prisonniers dans le même panier, bien sûr, à part trois groupes de prisonniers que l'honorable ministre mentor avait déjà mentionnés dans son discours. Donc, on va prendre des voleurs de longanes, des voleurs de letchis, en passant par ceux qui sont à leur première incarcération, à ceux qui sont des récidivistes notoires et incluant ceux qui sont à la prison, parce qu'ils n'ont pas les moyens de payer une amende. Donc, on prend tout le monde. Vous remarquerez que cette liste que j'ai donnée n'est pas une liste exhaustive. Donc, devant la loi, ils sont tous égaux.

Madame la présidente, les chiffres parlent d'eux-mêmes. Qu'est-ce que les statistiques disent ? En 2016, des 3,698 détenus, nous avons 46 % pour vols ; 9% pour des délits liés à la drogue ; 5% pour coups et blessures ; 2% *sexual offences* ; 2% *fraud and dishonesty*. Et quand on poursuit notre analyse, on a 12% des prisonniers qui sont incarcérés pour plus de 23 mois ; 12 % sont en prison pour une période de 7 à 23 mois, 48% font la prison pour une sentence de 1 à 6 mois, et 28 % purgent une peine d'un mois. Donc, ces chiffres montrent qu'il y a plusieurs types de prisonniers. Certains y vont pour quelques mois, d'autres pour plus longtemps pour différents délits, mais ils sont tous traités de la même façon.

Madame la présidente, nous avons aussi ceux qui sont en prison, parce qu'ils étaient dans l'incapacité de payer une amende, parce qu'ils ne pouvaient pas payer une amende, et ils sont beaucoup à se retrouver derrière les barreaux. En 2016, ils étaient à 1,091, ce qui représente une augmentation de 59 % par rapport à l'année précédente. Les chiffres le démontrent.

Madame la présidente, beaucoup de ces détenus sont peut-être condamnés pour un petit délit, à cause d'un accident de parcours, pour s'être retrouvés dans des lieux au mauvais moment. Mais malheureusement, une fois à la prison, beaucoup vont en ressortir pire. D'abord, faute de programme sérieux de réhabilitation au sein de la prison - je vais revenir là-dessus plus tard -, mais aussi parce qu'ils sont marqués pour la vie. Ils portent des séquelles

de ce passage à la prison. Ils perdent leur travail, leur maison, la famille est désarticulée ; la honte, la colère et la haine s'installent.

Madame la présidente, les 'petits jockeys' comme on les appelle dans le jargon, dans le milieu pénitencier, qui entrent à la prison, en ressortent comme de gros trafiquants. Ceux qui y vont pour un premier ou un deuxième délit finissent à la prison de Beau Bassin, à 'l'université' comme on dit aussi dans le jargon. Premièrement, je l'ai illustré. Pour pourvoir bénéficier de cette fameuse rémission se révèle être un parcours du combattant, un parcours semé d'embûches, et qui pour beaucoup est presque perdu d'avance.

Deuxièmement, tous les détenus doivent mériter cette rémission. Ils sont tous traités de la même façon, ce que je trouve être une aberration, et j'ai déjà expliqué pourquoi. Cela n'encourage pas, cela ne sert pas l'objectif de ce projet de loi qui est, je cite –

“Replace it with a new system of earned remission with a view to encouraging convicted persons to earn maximum remission.”

Madame la présidente, se défaire de la rémission automatique et introduire la rémission méritée dans ce projet de loi d'une façon aussi vague et pas assez défini, on finit par présenter la rémission comme un mythe. Le mythe de Sisyphe, ce personnage de la mythologie grecque, condamné par Arès à rouler perpétuellement un énorme rocher jusqu'en haut d'une montagne, d'où il retombait sans cesse. Donc, la rémission devient un travail, un effort ardu qu'il faut toujours recommencer pour un résultat nul ou incertain.

Madame la présidente, lorsqu'on parle de rémission, il faut aussi parler de la réhabilitation, les deux marchent ensemble, c'est indissociable, c'est comme le côté pile et le côté face d'une seule pièce. Nous ne pouvons pas proposer, offrir la rémission, qu'elle soit automatique ou méritée, sans préparer le détenu pour sa sortie de prison et sa réinsertion dans la société. Il faut l'équiper pour affronter la société et non le lâcher. C'est là que ces amendements pèchent par omission. Même lorsque nous nous référons à la loi, *the Reform Institutions Act of 1989*, très peu est dit sur le plan de réhabilitation, alors que nous savons qu'à travers le monde, toutes les réformes pénitentiaires accordent une grande place à la réhabilitation. Maurice traîne loin derrière et aujourd'hui c'est encore une occasion ratée.

Vous allez me dire qu'il y a le Centre Lotus ; oui, je le concède. Mais le Centre Lotus fonctionne selon le bon gré des commissaires qui sont en place. Le centre ouvrit ses portes en 1993. A l'origine du projet, Cadress Rungen, - que je salue bien bas aujourd'hui pour sa contribution - gardien de prison et travailleur social. Le Centre Lotus est le réplique du

programme ‘Homme Debout’ du Centre de Solidarité. Il permet aux détenus toxicomanes à mieux intégrer la société. Le Commissaire des prisons, Monsieur Bookun, accepta de lancer le programme Lotus à la prison ; le programme continua jusqu’à ce qu’il soit mis au frigo pour être relancé après, ce qui montre que le programme Lotus dépend du Commissaire en place.

L’année dernière, le ministre de la Santé, l’honorable Dr. Husnoo a inauguré le Centre de réhabilitation Lotus à la prison de Melrose. 26 détenus ont suivi ce programme, ce qui représente un très faible pourcentage, rien que 4% de la population carcérale de Melrose, ce qui est nettement insuffisant. Le programme Lotus doit être doté d’un budget décent. Le programme doit toucher beaucoup plus de prisonniers et toutes les prisons.

Le programme Lotus concerne la réhabilitation des toxicomanes, mais qu’en est-il des autres prisonniers ? Qu’est-ce que la prison prévoit pour leur réhabilitation ?

Madam Speaker, in 2013, five years back, the Mauritius Prison Service sought the help of the United Nations Office on Drugs and Crime to work out a Strategic Plan for the prisons. A Prison Consultant Advisor, Mr William Cullen facilitated the development of this Strategic Plan. I think hon. François also talked about this Strategic Plan. It is clearly stated by Mr William Cullen in the preface, I quote –

“The plan provides a roadmap for prisons to introduce more modern prison practices and to amend legislative provisions that currently reduce prison performance.”

Five years later, we noticed that not much is done.

Madam Speaker, the recommendations and changes proposed in the Mauritius Prison Service Strategic Plan 2013-2023 have not been implemented, and we are not benefiting from the Report

Madam Speaker, allow me to quote a paragraph from the Strategic Plan to prove this. I quote –

“As was mentioned earlier, the re-offending rate is 85% and must be considered far too high and as being indicative of a failure of rehabilitation and resettlement programmes. This is a fair assumption as these programmes, where they exist, are under resourced and understaffed. No more evidence is required of this than to record that, other than medical and allied health staff, those with responsibilities for the rehabilitative effort consist of 12 Welfare Officers for a prison system of 2,700

detainees; this is manifestly inadequate. The absence of drug and alcohol counsellors, recreation officers, case managers, education specialists and psychologists conducting intervention programmes in violent offending, sex offending and other offence related areas, illustrates that there has been a lack of focus on rehabilitation.”

Madam Speaker, this was said five years back. When we look at the budget for Prison Service for the year 2016-2017, there is only one Prison Psychologist for all the prisons in Mauritius for a population of 3,698. The number of Prison Welfare Officer has not increased, it remains 12. No provisions for Counsellors, Recreation Officers, Case Managers, Education Specialist, nothing at all.

Madam Speaker, it is clear that there is no political will to implement the recommendations of this Strategic Plan. Madam Speaker, various solutions, legislative reforms to sentencing practices have been proposed in this Strategic Plan from pages 11 to 17. I won't deal on those recommendations, it will take too long. I think that if the Government cannot carry out a good rehabilitation plan, the Government has to encourage and support NGOs which can do the work.

Madame la présidente, pour atteindre les objectifs de la rémission, objectifs que j'ai déjà mentionnés au début de mon discours, le gouvernement doit se pencher d'une façon sérieuse sur la réhabilitation. Je fais une plaidoirie ce soir pour qu'on donne aux ONG tout le soutien, le support et l'aide nécessaire pour faire la réhabilitation dans les centres réformateurs.

Tout comme le ministère de l'Égalité du genre, du Développement de l'enfant et du Bien-être de la famille qui donne des subventions aux ONG pour combattre la violence domestique, que les ONG qui font un excellent travail auprès des détenus et ex-détenus, ceux qui œuvrent dans la lutte contre la toxicomanie, dans la réhabilitation des toxicomanes reçoivent eux aussi une subvention de l'État pour mener à bien leurs projets. Madame la présidente, la réhabilitation est trop importante pour que ces ONG dépendent du bon vouloir du CSR. D'ailleurs nous savons tous que la nouvelle formule du CSR est catastrophique. Madame la présidente, pour que la rémission soit effective, il faut que la réhabilitation marche et pour cela il faut qu'on y croit, qu'on y travail.

Un autre point que je veux soulever cet après-midi concerne le *Rehabilitation Youth Centre (RYC)* puisque c'est une institution réformatrice concernée par cette loi. Madame la présidente, ces amendements touchent aussi la vie, l'avenir de ces enfants. Les enfants qui se

trouvent au RYC ce sont bien des enfants dont on parle. Ces enfants sont envoyés au RYC dans la plupart des cas parce qu'ils sont considérés comme des enfants qu'on ne peut pas contrôler, *child beyond control*. Je connais bien cette situation puisque j'étais moi-même ministre de l'Égalité du genre, du Développement de l'enfant et du Bien-être de la famille.

Pour commencer, le RYC ne devrait pas être sous la tutelle de la prison. Ce sont des enfants. Qu'ils soient *beyond control*, des délinquants ou pas, ce sont des enfants et donc doivent être traités comme des enfants, des enfants à problèmes certes, mais ils doivent avoir un traitement plus humain, plus juste. Madame la présidente, je me rappelle que lorsque j'étais ministre, je refusais ce terme *child beyond control*. J'étais contente de voir que Bill Cullen, avec qui j'ai eu des sessions de travail, était aussi contre ce terme *child beyond control*. J'aimerais que le ministre Mentor nous informe, informe la Chambre, qu'en est-il *du Juvenile Offenders Act*. A quand les amendements ?

Madame la présidente, le premier amendement apporté à ce projet de loi veut dire que ces enfants auront à mériter la rémission tout comme les autres. Venir avec ces amendements sans traiter en profondeur le *Juvenile Offenders Act* c'est mettre la charrue devant les bœufs. C'est hypothéquer l'avenir de ces enfants, d'où l'importance d'avoir une consultation, un dialogue avant de venir de l'avant avec ces amendements. Les enfants qui sont au RYC ne sont pas des enfants qui ont commis des crimes, des délits. Ils ne devraient pas être en prison. Or, ils le sont. Ils ont moins de droits. Ils n'ont aucune possibilité de caution. Ils n'ont pas d'avocats. Madame la présidente, avec ces amendements que le gouvernement propose, ces enfants du RYC seront traités de la même façon que tous les autres prisonniers, et je trouve cela injuste, révoltant et inhumain.

Beaucoup ont été dit sur ces amendements des deux côtés de la Chambre. Puisque je suis la dernière à prendre la parole avant que le ministre Mentor fasse son *summing-up*, je n'ai pas voulu répéter les points déjà soulevés et déjà débattus ici. J'ai choisi de traiter le premier objectif de ce projet de loi car je veux que ma contribution interpelle la Chambre sur l'importance d'humaniser toutes les institutions réformatrices. Je veux être porte-parole des ONG qui se battent sincèrement pour tous ces marginaux de la société avec très peu de moyens et de considération. Je veux attirer l'attention sur tous ces enfants au RYC dont les droits sont bafoués. Qu'on les traite comme des enfants et non pas des criminels.

Je vais terminer avec les paroles de l'ancien Commissaire des prisons, M. Jean Bruno. J'étais très intéressée de lire son livre 'Fenêtre Ouverte sur la Prison Mauricienne', et il y a

beaucoup de choses qui m'ont interpellée, mais il y a un paragraphe que j'aimerais bien partager avec vous. Donc, je cite –

« Cinq années se sont écoulées depuis que je suis au service dans le milieu carcéral que je côtoie des êtres humains souvent rejetés par la société, regardés avec mépris, abandonnés par ceux qui se tardent de leur être chers, victimes des situations qui les dépassent. Beaucoup n'ont plus de repères et sont livrés à leur triste sort dans l'isolement de la prison. À l'heure où je m'appête à passer le flambeau, je considère qu'il est de mon devoir de témoigner haut et fort que les détenus sont des êtres de chair avec un cœur, des sentiments et nombre de valeurs. »

Merci beaucoup, Madame la présidente.

(Interruptions)

Madam Speaker: Rt. hon. Sir Anerood Jugnauth!

Sir Anerood Jugnauth: Madam Speaker, with your permission, before summing up, let me thank all the hon. Members on both sides of the House who have participated in the debate on the Reform Institutions (Amendment) Bill (No. III of 2018). I would also like to thank the officers of my Ministry, the Attorney General's Office and the Prisons Department who have worked on this Bill.

Madam Speaker, I am pleased to note that there is broad consensus in favour of the Bill. I consider some of the suggestions made during the debates to be very worthwhile, especially as regards to fairness, equity and non-discriminatory approach with which prisoners should be dealt with. I have conveyed these imperatives to the Prison Authorities and I know that I can count on the Commissioner of Prisons to ensure that every prisoner concerned is given equal chance to prove that he deserves earned remission.

Madam Speaker, I will now address some criticisms made by hon. Members, especially hon. Baloomoody who stated that more powers are being given to the Commissioner of Prisons. I totally disagree with that inasmuch as the powers of the Commissioner are, in fact, being reduced. For example, section 37 (1)(a) of the Act provides that where the Commissioner finds a detainee guilty of a minor prison default, he may punish the detainee by a loss of remission not exceeding 2 months. The amendment shows that the detainee, if found guilty of a minor prison default, shall be punished by a loss of remission of 15 days, therefore, removing the discretion from the Commissioner to decide the number of days of remission lost.

Hon. Baloomoody also made reference to the new clause 50A whereby it will be up to the Commissioner of Prisons to decide when to grant additional remission to a prisoner or to restore remission lost. I would like to draw the attention of the hon. Member to the fact that this provision already exists in the Act at section 50(3). Since section 50 has now been repealed, the same provision is being made under the new clause 50A with almost the exact wordings and the same objective.

I, therefore, fail to understand the apprehension of hon. Baloomoody, the more so that, presently, The Commissioner has the power to restore any remission loss, be it for a minor prison default or an aggravated prison default. To an extent not exceeding two thirds of that lost remission, now with the proposed amendment, the powers of the Commissioner are being restricted in as much as he will be able to restore remission lost only in respect of minor prison default and not in aggravated prison default. In addition to that, his power to restore remission from maximum of two-third of the loss remission is being reduced to only a maximum of one-third of the lost remission. Clearly then, as I have just demonstrated, the powers of the Commissioner are, in fact, being reduced.

Hon. Baloomoody has also pointed out that only 20% of prisoners can work in prisons and the other 80% have no work, and, therefore, those who do not work will not earn remission. Again, I totally disagree with him. Let me refer to the Prisons Regulations 1989 whereby it is clearly stipulated at Section 33(c) that a detainee will commit a minor prison default if he refuses to work when he is required to do so. Therefore, a detainee will only lose remission when he refuses to work not when he is not provided with any work to perform. Otherwise, he will earn his remission according to his conduct. Moreover, it is worth pointing out that the remission to be granted to any prisoner will be based on his general behaviour and not only to his attending work. As such, a prisoner assaulting a prison officer or refusing to participate in a rehabilitation programme will not benefit from any remission.

As regards the remark made by hon. Ganoo to the effect that prohibited articles should have been defined in the Act, I would like to draw the attention of the hon. Member that, as the law stands now, prohibited article is defined as an article which is not issued under the authority of the Commissioner. As such, we are all in the dark as to what are prohibited articles and this is not to the knowledge of anyone, except the Commissioner and his officers. To remedy the situation, amendment is being proposed so that a prohibited article will now have to be prescribed and, as such, the list of prohibited articles will be gazetted and this will become public knowledge. Hon. Ganoo also stated that he is not

agreeable to Clause 11(b) of the Bill whereby Section 65 of the Act is being amended to insert a new subsection 2. In fact, new Section 65 subsection 2 will provide that Sections 150, 151, 152 and 153 of the Criminal Procedure Act shall not apply to a conviction made under the amended Act. In a gist, the Sections of the Criminal Procedure Act, I mentioned, provide that where under any enactment, a Court is empowered or required to pass a sentence of penal servitude or imprisonment, the Court is empowered to inflict a lesser sentence of imprisonment.

Madam Speaker, we all know that the purpose of a person serving sentence is to rehabilitate himself. If that person, while in prison, commits an offence under the Reform Institution Act, I do not think that he deserves compassion. In fact, we have to be tough and send a strong signal. Therefore, if a prisoner, while serving sentence, commits an offence under the Act, the Court will have no discretion to inflict a lesser sentence than what is provided for that sentence. Regarding the suggestion made by hon. Ganoo to the effect that prisoners serving sentences for drug offences must also be eligible for earned remission. I must say that, in Government, there is a strong belief that drug offenders are inflicting lots of harm on our society and they need to be dealt with all the necessary firmness and resolve to be consistent with the boldness in the battle that this Government is leading against the scourge of drugs in the country.

Madam Speaker, some comments have been made in relation to inadequacy of rehabilitation programmes in our prisons. Although there is always room for doing more and doing better, I am informed by the Commissioner of Prisons that following activities, amongst others, are carried out in our prisons, which are geared towards rehabilitation –

- (i) pastoral care and moral instructions sessions;
- (ii) methadone substitution therapy;
- (iii) residential counselling of detainees undergoing methadone substitution therapy;
- (iv) medical care and psychological support;
- (v) counselling on suicide prevention and positive thinking;
- (vi) sensitisation programme on the scourge of drugs;
- (vii) art therapy and Tai chi classes;
- (viii) numeracy and literacy courses;
- (ix) MITD MQA approved courses in welding, pastry, garment making and wood training;

- (x) training of detainees in various trades like bakery, vegetable production, composting, basketry and fibre craft; shoe making, tailoring, carpentry, housekeeping, masonry, painting and decorations, and
- (xi) courses in entrepreneurship.

Now, after listening to hon. Mrs Perraud, all that she is anticipating and asking us to do for prisoners, it seems that most part of our Budget should be used with the prisoners in prison. I must also add that it is untrue to state, like hon. Baloomoody has done, that facilities for inmates to perform religious rites or activities have been drastically reduced. I have checked with the Commissioner of Prisons, who has assured me that all such facilities are adequately provided as was the case previously. I am informed that provisional places of worship have been made in all prisons to enable detainees to uphold their religious faith. Access is being granted to religious ministers to conduct prayers in those places of worship. There is an attendance register that keeps record of priests when they call at the prisons. Detainees are allowed to celebrate major religious festivals in those places of worship, and there is a channel of communication between religious organisations and the prison department about needs during those festivals. The store section provides the items that are needed in all institutions to facilitate religious practices. Meetings are being held at the level of all penal institutions prior to major religious celebrations to ensure that everything takes place in the best conditions. Detainees are allowed to have their holy books and take care of their respective places of worship every day. Priests are allowed to dispense pastoral care to detainees who are segregated for obvious reasons.

Madam Speaker, as I indicated in my comments at the Second Reading stage of the Bill, the objectives of the proposed amendments are to reinforce our existing prison law and foster the rehabilitation of the detainees by encouraging them to participate in rehabilitation programmes which would now be mandatory. The proposed amendments, in our view, will guarantee a targeted and effective rehabilitation of offenders and their successful integration into the community, therefore, addressing the issue of recidivism in prisons.

Madam Speaker, the Bill delivers on this Government's commitment to provide and improve a robust foundation for the administration of sentences and the management of offenders. It is expected that with this piece of legislation more detainees will leave prisons reformed. I am convinced that this Bill will provide our prison services with an enhanced legislation that will better equip them to face the challenges of today and coming ones.

Hon. Mrs Perraud also criticised the law of 1985. Well, I understand that when that law was passed, the PMSD was in Government, and, therefore, she is criticising her own Party.

(Interruptions)

Madam Speaker: Order!

(Interruptions)

Please, no crosstalking I said! Hon. Minister Mentor, please proceed!

(Interruptions)

Please!

Sir Anerood Jugnauth: Well, she also spoke of prison defaults. I have been given to understand that prison defaults are already defined under Regulations 33 and 34 of the Prison Regulations 1989. The hon. Member should be aware that as per clause 13(2) of the present Bill, Regulation 33 of the Prison Regulation 1989 are being amended to add a new prison default by adding a new paragraph –

“Refuses to participate in such rehabilitation programme as the Commissioner may approve.”

So, this is the position now.

The hon. Member also spoke of juvenile offenders, but juvenile offenders are governed by a specific law by the Juvenile Offenders Act and this has nothing in common with the present amendment which we are making. The Mauritius Prison Service Strategic Plan 2013/2023 is being implemented according to the Commissioner of Prisons. Insofar as Rodrigues is concerned, well, the hon. Member is supportive of the Bill. I must only inform the House that a new prison is being built in Rodrigues and which will be completed in the very near future.

Madam Speaker, I shall, at Committee Stage, be moving for amendments as circulated, and I thank you for your attention.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Madam Speaker in the Chair)

THE REFORM INSTITUTIONS (AMENDMENT) BILL

(NO. III OF 2018)

Clauses 1 and 2 ordered to stand part of the Bill.

Clause 3 (Section 2 of principal Act amended)

Motion made and question proposed: “that the clause stand part of the Bill.”

Sir Anerood Jugnauth: Madam Chairperson, I move for the following amendments in clause 3 (d) -

“By inserting, in the appropriate alphabetical order, the following new definitions –

“telecommunication” means a transmission, an emission or a reception of signs, signals, writing, images, sounds or intelligence of any nature by wire, radio, optical or other electro-magnetic systems, whether or not such signs, signals, writing, images, sounds or intelligence have been subjected to re-arrangement, computation or other processes by any means in the course of their transmission, emission or reception;

“telecommunication equipment” –

- (a) means an electronic device intended for the purpose of telecommunication; and
- (b) includes a SIM card;”

Amendments agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

Clauses 4 to 7 ordered to stand part of the Bill.

Clause 8 (Section 61 of principal Act amended)

Motion made and question proposed: “that the clause stand part of the Bill.”

Sir Anerood Jugnauth: Madam Chairperson, I move for the following amendments in clause 8 -

“(b) in clause 8 –

- (i) in paragraph (b) –
 - (A) by deleting subparagraph (ii) and replacing it by the following subparagraph –
 - (ii) by repealing paragraph (f) and replacing it by the following paragraph –
 - (f) give, supply or convey a telecommunication equipment to a detainee in an institution, in a place where a detainee is working or outside an institution;
 - (B) by adding the following new subparagraph –
 - (iii) by inserting, after paragraph (f), the following new paragraphs –
 - (fa) cause another person to give, supply or convey a telecommunication equipment to a detainee in an institution, in a place where a detainee is working or outside an institution;
 - (fb) for the use of a detainee, leave, place or hide a telecommunication equipment in an institution, in a place where a detainee is working or outside an institution;
 - (fc) for the use of a detainee, cause another person to leave, place or hide a telecommunication equipment in an institution, in a place where a detainee is working or outside an institution;
- (ii) in paragraph (c) –
 - (A) by deleting the proposed new subsection (2A) and replacing it by the following new subsection –
 - (2A) (a) Notwithstanding subsection (2) but subject to paragraph (b), no person, other than the Commissioner or Deputy Commissioner, shall –

- (i) possess a telecommunication equipment in an institution; or
 - (ii) bring a telecommunication equipment into an institution.
- (b) The Minister may, by regulations, exempt –
 - (i) such grounds and buildings within an institution's enclosure; and
 - (ii) such equipment used by officers in the course of their functions,

as he thinks fit from the application of paragraph (a).
- (B) by inserting, after the proposed new subsection (2A), the following new subsections, the existing subsection (2B) being renumbered as subsection (2D) –
 - (2B) Any person who contravenes subsection (2)(f), (fa), (fb) or (fc), or subsection (2A) shall commit an offence and shall, on conviction, be liable to a fine of not less than 50,000 rupees and not exceeding 100,000 rupees together with imprisonment for a term not exceeding 5 years.
 - (2C) A person shall be deemed to possess a prohibited article or telecommunication equipment if it is in his custody or is held by another person subject to his control, or on his behalf.
- (iii) by deleting paragraph (d) and replacing it by the following paragraph –
 - (d) by repealing subsection (5) and replacing it with the following subsection –
 - (5) Any person who contravenes this Act or any regulations made under it shall commit an offence and shall, on conviction, where no specific penalty is

provided, be liable to a fine of not less than 25,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 5 years.

- (iv) in paragraph (e), in the proposed new subsection (6), by deleting the words “not exceeding 500,000 rupees and to” and replacing them by the words “of not less than 100,000 rupees and not exceeding 500,000 rupees together with”;

Amendments agreed to.

Clause 8, as amended, ordered to stand part of the Bill.

Clauses 9 to 12 ordered to stand part of the Bill.

Clause 13 (Consequential amendments)

Motion made and question proposed: “that the clause stand part of the Bill.”

Sir Anerood Jugnauth: Madam Chairperson, I move for the following amendments in clause 13 -

“(c) in clause 13, by deleting subclause (2) and replacing it by the following subclause –

(2) The Prisons Regulations 1989 are amended –

(a) in regulation 33, by inserting, after paragraph (c), the following new paragraph –

(ca) refuses to participate in such rehabilitation programme as the Commissioner may approve;

(b) in regulation 34, by inserting, after paragraph (a), the following new paragraph –

(aa) possess a telecommunication equipment in an institution or where another detainee is working;”

Amendments agreed to.

Clause 13, as amended, ordered to stand part of the Bill.

Clause 14 ordered to stand part of the Bill.

Schedule 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 Madam Speaker in the Chair, Madam Speaker reported accordingly.

Third Reading

On motion made and seconded, the Reform Institutions (Amendment) Bill (No. III of 2018) was read a third time and passed.

Second Reading

**THE HUMAN TISSUE (REMOVAL, PRESERVATION AND TRANSPLANT) BILL
(NO. V OF 2018)**

Order for Second Reading read.

The Minister of Health and Quality of Life (Dr. A. Husnoo): Madam Speaker, I beg to move that the Human Tissue (Removal, Preservation and Transplant) Bill (No. V of 2018) be read a second time.

It is a great honour and a privilege for me today to bring this Bill to the House. As you may be aware, an Act was introduced to this House in 2006, but was never proclaimed, except for section 16, which made provision for the setting up of a Board.

Madam Speaker, this Government has, at heart, the health and the wellbeing of its population, and in so doing, one must be bold enough to take decisions. In view of the different cultures, religious beliefs, values and principles prevailing in Mauritius, introducing such a legislation in our Mauritian society has not been an easy task. The more so, that there will always be apprehensions that some people might want to illicitly take advantage of the system.

At the very outset, I would like to reassure the population that the provisions of this Bill do not in any way whatsoever contravene or impede on one's religious or cultural belief and that strict provisions have been made in this legislation to deal with any person who might intend to indulge in trafficking of human tissues.

Madam Speaker, one must bear in mind that science has evolved over time. Tissue transplantation is an effective therapy for end stage organ failure and is widely practiced around the world. According to the World Health Organisation, tissue transplants are carried out in more than 90 countries. It is estimated that over 100,000 organ transplants are performed globally every year, of which around 70% concerns the transplant of kidneys. The access of patients to organ transplant, however, varies according to national situations, and is partly determined by the cost of health care, the level of technical capacity and, most importantly, the availability of organs.

The Mauritian population benefits from a strong and fully functioning public health system, which is free of user costs. Since Mauritius has achieved independence, the health system has significantly improved, both quantitatively and qualitatively to meet the growing needs of its population.

However, one must admit that our National Health Care system requires further improvement to meet the expectations of patients needing tissue transplant. This is mainly due to a lack of appropriate legal and regulatory framework. Hence, the urgent need to address this issue by presenting this Bill to the House.

Madam Speaker, before coming to the very gist of all the sections that the new Human Tissue Bill makes provision for, it will be advisable to consider some actual facts in our Mauritian context.

It is estimated that around 10% of the population of Mauritius has chronic kidney disease. According to the latest NCD survey, Mauritius has a high prevalence of diabetes (22.5%), pre-diabetes (19%), hypertension (28.4%), which are all major causes of chronic kidney disease. In addition, it is estimated that around 40% of diabetics in Mauritius may at some time develop chronic kidney disease. Many of these patients will reach end stage of renal disease and will need either dialysis or renal transplantation eventually.

There are at present around 1,330 patients on dialysis in the country. We all know that the quality of life of patients undergoing dialysis leaves much to be desired and the average life expectancy of a dialysed patient revolves around 5 years. Statistically, about 50% of these patients may be potential candidates for renal transplant.

It is known medically that a transplanted patient has a better quality of life, more energy, a less restricted diet and he can lead a normal working life and has fewer

complications than those who remain on dialysis. The life expectancy of a transplanted patient is definitely longer than a patient on dialysis and the quality of life as well.

Figures from Europe and USA show that a renal transplant patient costs the State less than one third after undergoing a transplant as compared to the costs of keeping a patient on dialysis. Let alone the monetary factor, we should not forget the hardship endured by the patient and his/her family.

Madam Speaker, as already mentioned before, the first Human Tissue Act was introduced to this House in 2006 but it was never proclaimed, except for section 16 which made provision for the setting up of a Board. This Act was further amended in 2013, but unfortunately, nothing concrete materialised out of it. Section 4 of the 2006 Act, even though never proclaimed, restricted donation of a tissue to relative only. This was the intention of the legislator at that time.

Madam Speaker, over the years, my Ministry has received many appeals and requests from patients, family members, the civil society and the population at large to remove such restriction and to come up with a new framework which will allow the possibility of non-relatives to be able to donate tissues to needy and compatible recipients.

At present, less than a dozen Mauritian citizens suffering from kidney dysfunctions have been sent abroad to undertake transplants, accompanied by their families. This figure is largely due to the non-availability of compatible donors among relatives.

Madam Speaker, this new legislation will address the problem of potential donors. It will allow for non-relatives or any other person consenting to donate their tissue, during their living or after their death.

Sections 8 and 9 of this legislation provide how a potential donor may apply to the Board, by giving his full consent to the donation of any of his tissue, whether regenerative or non-regenerative. Strict control measures have been provided for. An application for donation requires not only the consent of the donor, but it must also be accompanied by a certificate from two specialists stating that the removal of the tissue is not likely to endanger the donor's health and in the case of a non-regenerative tissue, for example, a kidney, an application by the donor should also be accompanied by a certificate issued by an authorised specialist stating that the latter has explained to the donor the effect of the removal of that non-regenerative tissue from his body.

Madam Speaker, section 10 of this legislation provides for a donation by a living minor. It is worth noting here that this donation relates to a regenerative tissue only. What I mean by 'regenerative tissue', it is like bone marrow, for example. What differentiates this section from section 6 of the 2006 Act is that the donation is not restricted to a relative of the minor.

In law, a minor cannot consent. As such, consent from the parental authority is of paramount importance. This new legislation provides the framework as to how a person who exercises parental authority over the living minor may consent to the donation of only regenerative tissue and how such an application may be made to the Board.

In case where there are more than one person who lawfully exercise parental authority over the living minor and one of them is unwilling to consent to such donation, this legislation provides a framework whereby one of the parents may make an application to the Judge in Chambers to authorise an application for donation. This highlights the very essence of the rule of law, Madam Speaker, whereby the Judiciary becomes a fortress, in order to prevent any abuse of the system on a living minor.

Madam Speaker, I have already circulated an amendment to section 11 of this legislation which caters for donation of tissue by a deceased person, that is, cadaveric donation.

This section provides for a person who wishes and consents to make a donation to the Board of any of his tissue, not during his living but for that donation to be effective after his death.

This section also provides for a person who, during his living, has not applied to the Board for a donation but who also has never expressed his objection for a donation of his tissues.

Madam Speaker, I wish to elaborate on this point. The new legislation provides for two different means if a person dies, and that person has not applied for a donation to the Board during his living nor has he objected to the donation of his tissues during his living, namely sections 11(1)(b), 11(1)(c) and 11(3).

Section 11 (b) and (c) clearly state that if such an instance occurs, the spouse of the dead person or his children or his legal guardian in the case of a minor, may willingly make an application to the Board for a donation of any tissue from the body of the dead person.

Madam Speaker, section 11(3) of this legislation deals with the scenario where there is no application to the Board by the relatives of the dead person and where the latter has never applied for a donation nor has he objected to the donation of his tissues during his living.

In such an instance, Madam Speaker, this legislation provides that the deceased person shall be presumed to be a donor, but the Board can only authorise removal of tissues from the deceased only after consultation with the family members of the deceased, and if there is no objection by the family members to the removal and donation of the tissue.

As such, Madam Speaker, the onus has shifted on the Board to consult the family members and to get their consent before effecting any removal of tissues from the dead person's body.

Of course, Madam Speaker, consent is the key for the proper functioning of this legislation, be it consent of the donor himself, consent of the legal guardian or consent of the family members in the case of a dead person.

Madam Speaker, I am fully aware that the phrase 'presumed to be a donor' has caused a lot of concern amongst the civil and religious societies. However, let me here reassure this House and the population that no removal or transplant of any tissues will be permitted if the Board has not consulted the family members and if there is an objection raised by the family members.

Of course, Madam Speaker, it is not this Government's intention to exploit the tragedy of a family member, the more so when it occurs as a result of road traffic accidents. We fully understand the emotional grief and turmoil of the dear ones at that time, but I wish to draw the attention of the population to the dire needs of some people, who are slowly dying, just because of a lack of compatible donors. And I wish to point out that the removal of a tissue from a dead person's body is neither immoral nor does it impede on any religious belief, but instead such a generous act can save a person's life, gives a sense of purpose to the recipient's life and that of his family.

Madam Speaker, provisions have also been made in this legislation for a person to be allowed to revoke his application and consent to a donation, under section 13. This, of course, caters for those people who were willing and consenting at one point to make a donation and who, at a later stage in his life, has changed his mind and wishes to revoke such consent.

Madam Speaker, with the new trends in life, many of our citizens, mostly senior citizens, now enjoy their last years in a specialised institution. Section 14 makes provision for the donation of tissues by those persons who die in such institutions, but only for those persons who have previously consented and applied to the Board for such donation and where such consent and application have never been revoked.

Madam Speaker, I now wish to talk about the Tissue Donation, Removal and Transplant Board. Sections 4 to 7 of the legislation provide for the setting up of a Board, which will have a regulatory responsibility to safeguard the donation and transplantation process, to maintain confidentiality of donors and recipients and most importantly, to prevent any form of abuse, including organ trafficking. The Board will be responsible to hold a list of authorised experienced specialists, thereby not allowing any other medical practitioner or health workers to conduct removal or transplantation of any tissue. The Board will also have a database of potential donors and expected recipients for the sake of transparency and to avoid any clandestine activities.

The Board will consist of the Director General Health Services as Chairperson, a representative of the Attorney General's Office, one medical consultant, two specialists, and three members from the civil society who will be appointed for a period of two years. Furthermore, other members may be appointed where appropriate depending on their field of expertise.

The Board will appoint such subcommittee as may be necessary to assist in the discharge of its functions under the Act and co-opt any such persons possessing appropriate qualifications, knowledge and experience as may be necessary.

I wish to reassure this House that this Board will be fully independent, highly technical and will comprise of members who are highly qualified and experienced, in order to discharge its functions properly and adequately.

The main functions and powers of the Board shall be, *inter alia*, to -

- grant or refuse applications for the donation of tissue;
- decide upon the donation to an unspecified recipient;
- draw a waiting list for unspecified recipients;
- ensure that the donation is made to the intended institution or purpose and, if same is not specified, the Board can then determine the institution;

- to ensure that the removal, preservation and transplant of tissue is carried out in approved institutions;
- to establish tissue banks for the purpose of storing and preservation of tissues;
- to be responsible for granting authorisation for the importation of any tissue;
- to keep records and registers accordingly, and
- most importantly, to ensure that any application is done in the prescribed manner, whereby consent has been obtained and such consent has never been revoked.

Madam Speaker, pertaining to the removal of tissue, it is proposed that only an authorised specialist shall be allowed to remove any tissue from the body of a living or deceased person, for the purpose of giving effect to a donation. This shall occur only after the Board has approved such donation in the prescribed manner. The tissue shall be removed only in an approved health institution and within a prescribed time frame.

In the case of a deceased person, two specialists must certify in writing that the donor is clinically dead before any removal takes place.

It is worth highlighting, Madam Speaker, that the specialist who issues a certificate for a person under this proposed legislation will not be allowed to participate in the removal of any tissue from the body of that particular person. Again, here, the legislation provides for an appropriate safeguard to prevent any abuse of the system.

Most importantly, Madam Speaker, under this legislation, no body part shall be removed from a person suffering from mental impairment, as was allowed in the previous legislation.

Section 17 of the proposed legislation deals with post-mortem examinations. It is a general rule that no person shall remove any tissue from the body of a dead person, when that body will be lawfully required for the purpose of determining the cause or circumstances of that person's death. Such removal can be performed only after the post-mortem examination, and with the authority of a judicial officer.

However, if a specific tissue is deemed not to be required for the purpose of the post-mortem examination, and after consultation with the police medical officer, the authorised

specialist may remove such tissue in the prescribed manner from the dead person's body before the examination.

Madam Speaker, we cannot consider the removal of tissues without preservation of same. Section 18 provides details on the preservation of the tissues removed. It is stipulated that the person who has removed the tissue shall forthwith ensure that it is preserved under strict conditions as will be prescribed.

Section 19 of the legislation gives details on the transplant of the tissue. Only an authorised specialist shall be allowed to perform a transplant and, as I mentioned before, in an approved health institution.

I wish to lay emphasis, Madam Speaker, on section 19 (4) of the Bill. This new legislation ensures that, if an authorised specialist has reason to believe that the transplant is subject of a commercial transaction, then that specialist shall not engage and shall not assist in the transplant procedure. The slightest doubt he has, he must not take part in the transplant operation.

For the sake of transparency and in an attempt to curtail any illicit activity, section 19 (5) provides for a recipient waiting list. This shall ensure that the allocation of a donated tissue is made in accordance with the best match - I am talking about HLA genetic matching - and in the order of priority, as warranted by the said waiting list. Furthermore, the Board will work out the guidelines in line with WHO best practices to ensure fairness in all cases of organ donation.

Madam Speaker, section 20 of the Bill mentions about the essential requirements for any transplant. Every person involved with the removal of any tissue shall ensure that the Board's written approval has been duly obtained for the donation of such tissue. He or she must also ensure that the said consent for donation has not been revoked. It is to be noted that the Bill does not allow the transplant of any tissue which is infected with any known virus or bacteria or presents any visible anomalies.

What also differentiates this legislation from the 2006 Act is that the removal of organs will be carried out only in approved health institutions. These institutions will be prescribed by law. In the 2006 Act, under section 10, harvesting of the eyes on a dead person was permissible to be carried out at home.

Madam Speaker, removal of eyes on a dead body has to be done within 4 hours of a person's death. Now, imagine the hardship and suffering that a family encounters following

the death of a beloved one. Added to this, imagine a doctor coming to their house at this particular time to remove the dead person's eyes in front of the family members! This, to me, Madam Speaker, is totally unacceptable and uncalled for. This is why in the new legislation proposed, if a donor has consented to a donation of an eye or any other organ, following his demise, the removal of the organ can only be done in an approved health institution, after all the procedures have been followed and not at home.

Madam Speaker, undoubtedly, the first apprehension about introducing such a legislation is the issue of organ trafficking which may arise if left unchecked. Such an apprehension is not restricted only to the Mauritian context. Every country which has presented such a Bill has encountered criticisms and fears related to organ trafficking and Mauritius shall be no exception.

Madam Speaker, should our health system then lag behind and not provide a framework for such an essential and demanding service? Should we, as a caring and responsible Government, not cater for the needs of those who are suffering and slowly dying, as there is no legislation available to allow them to benefit from such a donation? Should we, just because of some unscrupulous, unethical people, who would want to abuse of the system, not provide what is right and what is best to our patients? No, Madam Speaker!

As a responsible Government, we cannot backpedal just because of some unscrupulous people. This is why in the new legislation, robust provisions have been made in PART V of the Bill entitled FURTHER PROHIBITIONS. This will discourage and eliminate any malpractices or illegal transactions that may arise.

The relevant sections under Part V of the Bill make provisions and safeguards against 'commercial dealings in tissue', 'importation and use of tissue' and against 'disclosure of information'.

Section 24 of the Bill provides for the offences which arise if any person contravenes the various sections of this legislation, and provides for a term of imprisonment not exceeding 15 years.

Madam Speaker, my Ministry and I have left no stone unturned regarding consultations with different persons from different spheres of society. I must inform the House that since August 2015, consultations started with the Civil Society, religious bodies, different federations and foundations, including the Council of Religions, ISKCON,

Assemblée de Dieu, Mental Health Federation and Mauritius Heart Foundation, just to name but a few.

Seminars were thereafter held in November 2015 and December 2016 with members of the public, Press, Academia, NGOs and other associations to gather ideas, suggestions, advice and cautionary notes etc. Besides, my Ministry has had several technical consultative meetings with various stakeholders, including “*L’Assistance Publique–Hopitaux de Marseille*” and “*Aix-Marseille Université*”.

The views of Professor Alan Jardine, Professor of Renal Medicine, Head of School of Medicine from University of Glasgow were sought. Dr. Joseph Amalopavanathan, former Director of the Institute of Vascular Surgery, Madras Medical College, Chennai, India was also of great help in defining this new legislation.

Madam Speaker, to conclude, I would like to stress that without a proper education and sensitisation programme, undoubtedly many questions will be raised. A proper communication strategy will be adopted at the level of my Ministry to disseminate the provisions of this legislation to the wider public. This would be the very first assignment of the Tissue, Removal and Transplant Board.

For sure, this will be a new development in the Mauritian Health System. We cannot forego this chance to help those people who are yearning for it, who are dying in silence, because they have waited too long for such a piece of legislation. It is our duty as a responsible Government, as elected Members of the population, to provide what is right and what is fundamentally important for our people.

We are certainly a few decades behind the other nations who have adopted this legislation some time ago. But I am sure that with the right framework, with proper education, with the right expertise and knowhow, we shall be able to achieve what we have started, i.e. to provide a better health care system free of charge to everyone.

Lastly, Madam Speaker, I wish to make an appeal to all hon. Members of this august Assembly. Let us put aside our political differences. Think of those people who have been waiting for a long time for such a piece of legislation. Those people who have found compatible donors, but are not related to them, which means that they could not do the operation. Those people who cannot afford to travel abroad to have a transplant. Those people who are willing and consenting to donate their organs, but do not have the right legal framework to do so.

I am sure that some of us here have or will have a family member in such a dire situation, in need of an organ or a kidney, and today is our chance to start giving them some hope. I am waiting to hear about your concern, your views and your suggestions. So many of our countrymen have been waiting for this Bill, we should not fail them.

With these words, Madam Speaker, I commend this Bill to the House. Thank you.

Mr Gayan rose and seconded.

Madam Speaker: Hon. Leader of the Opposition!

(7.32 p.m.)

The Leader of the Opposition (Mr X. L. Duval): Madam Speaker, I am happy to hear that the hon. Minister is open to suggestions because it is exactly what I will do at least and I am sure other Members of the Opposition.

Madam Speaker, a significant number of our citizens - you mentioned 10% of the population - are suffering from diabetes or something like that. A significant number of our citizens suffer from major illnesses and require transplant of an organ or some other form of fusion tissue. They have to go for dialysis two or three times a week and if they can afford it, they go overseas, as you mentioned, for a transplant.

So, the presentation of this Bill a few weeks ago ought to have been a moment of rejoice for everyone: we are so happy; here is the remedy that is being proposed by the hon. Minister Husnoo! We ought to have been happy. But my first point is that with the amateurishness that at least the first Bill was versioned without the amendment was proposed, that has given rise to unnecessary contention, opposition in the population and in the Opposition itself because it was not done properly. It was not done with appropriate dialogue, with consultations, otherwise the hon. Minister would have found out himself that he was barking up the wrong tree, the formula based on the French system that he was proposing, was not acceptable to the Mauritian society and indeed is found shocking by many other countries. But I will come to that in a moment.

So, my first point is that this Bill ought to have had blanket support and has not had and even now, we have points to discuss and to raise and to object to because there has not been sufficient dialogue. There has not been sufficient *écoute* and I presume there must have been some arrogance, some amateurishness as I said, which has led to this unfortunate first version of the Bill, which is now, hopefully, to some degree, being corrected.

Madam Speaker, my worry is that whilst we are bringing some relief - not total relief - to people who suffer, we should not, at the same time, put other members of our society in peril, especially members from vulnerable groups who may be tempted one way or the other to participate as donors if they are not sufficiently protected. But there are also other issues relating to the waiting list, etc., which I feel ought to be changed and strengthened so that vulnerable groups are protected, not only as donors but also as future recipients of organs and other forms of tissue.

Madam Speaker, I will tell you a little story before I start back in 2015, my colleagues in Government may remember, one fellow came up from overseas and made an offer - maybe a viable offer I do not know - for Apollo Hospital, lots of money. This offer was not accepted by Government. Although it was a lot of money, it was not accepted. Why? Because at that point, one of our colleagues raised the issue that condition for purchase of the hospital was that that particular buyer wanted to carry out transplant of organs, obviously, for humans. That was the reason why three years ago, in 2015, Government flatly turned down this offer to purchase Apollo Hospital. So, what I am saying here is - and this is the point - that within three years, Government has changed completely from flatly refusing transplant to the first version of the Bill, an almost open door policy for everyone to have their organs harvested in a certain way. So, we have had this change in the way that the Government has dealt with the issue of organ transplant in Mauritius. And I quite remember this incident, Madam Speaker, if I may call it that way. Why then did we resist at that time? Because, rightly so, there were real fears that we were putting in danger Mauritians who would be subjected to some sort of illegal trade, monetary incentives and other incentives to give their organs to this hospital so that it would be transplanted and put into some other human body. So, that was the reason, Madam Speaker, why it was turned down.

Madam Speaker, the population, as I mentioned, was initially shocked at this first version of Section, I think, 11 of the Bill which provided a policy, which is, I believe, the French policy, that their citizens should not opt in, should not physically agree to donate their organs but, on the opposite, they should be made to opt out, that is, they should themselves have some sort of deliberate action, advise the authorities that they do not want their organs to be harvested at their death, for them, therefore, not to be subjected to this organ transplant. So, this was the opt-out policy that, I think mistakenly, the Minister had included in the previous Bill. As if you were to die tomorrow in hospital and when they want to deliver your body to your family, what would happen? There would just be skin and bones; everything

else had been taken out. I mean, is that acceptable? Who would accept this sort of policy? I would not accept this sort of policy. I would die and they would just harvest everything and just give my skin and bones to my family! But this is what the Minister had proposed. *C'était aberrant! Inacceptable! Aberrant!* And, rightly so, there have been objections to this from all sorts of religious leaders, etc., and it has been taken out because, Madam Speaker, it was a nightmare situation *digne d'un film d'horreur* that was being proposed to the Mauritian population.

And since, Madam Speaker, as I mentioned, we have got these few amendments that are being proposed. Since the last Bill, which was passed in Parliament in 2006, 12 years have elapsed, many, many things have happened in these 12 years. In particular, Madam Speaker, I would like to draw the attention of Government and the Minister - I do not think he has spoken about that at all - to the whole issue of organ trafficking in the world. It is a very real issue. It is a very serious problem, especially, Madam Speaker, targeting vulnerable groups, and this has led, around the world, in a new type of tourism which I do not think is particularly welcomed tourism. It is tourism that is called transplant tourism; people from rich countries will take a flight and go to a poor country, in the East, Pakistan, Indian sub-continent, etc., other countries as well, Eastern Europe, and they would find a donor there and, of course, the hospital would take the donor's organs and put into the 'tourist' and the guy would go back to his country, Madam Speaker. That is called transplant tourism and it has led to a lot of organ trafficking. I have read, Madam Speaker, articles in the Press which give the prices of certain organs. A heart, I think, Madam Speaker, is about Rs15 m.; kidney is about half that price. So, you can actually buy. There is a going market price for organs that people will sell.

Madam Speaker, I will refer now to the Istanbul Declaration on Organ Trafficking and Transplant Tourism. It is an international organisation. It is going to happen again, I think, this year, this Istanbul meeting. And, Madam Speaker, it raises a lot of doubts, a lot of concerns about organ trafficking.

It does say that organ trafficking is on the rise in the world. Diabetes, the Minister will know, is on the rise. The Internet allows communication. All these issues permit a tremendous rise in organ trafficking around the world, which other countries like Nepal, Eastern Europe, Costa Rica and China. It is estimated, Madam Speaker, that there are about 10,000 black-market operations every year where these organ transplants are done. I am sorry, I gave Rs15 m., but a heart can fetch Rs50 m. not Rs15 m. Madam Speaker.

Madam Speaker, another statistic that will be of interest is that, on average, if you look at what is happening around the world, a typical donor - these are official statistics - is a poor person. He earns on average Rs15,000 a year, that is a typical donor whereas a typical recipient is a very rich person and will earn an average about Rs2 m. a year. Not very rich, but it is on average. So, you can see the disparity between a donor (Rs15,000 a year) and a recipient (Rs2 m. a year). That shows, Madam Speaker, that it is the poor who are giving and the rich who are receiving. So, it prompts the question: 'Why would the poor give if it is not for a commercial reason?' Therefore, trafficking is increasing. We have corrupt doctors. We also have corruption also that affects the whole system.

Madam Speaker, therefore, this is why when we consider the global context, we see that some countries have succeeded in the whole sector and, generally, there are not many complaints. These are countries which have developed expertise, have years and years of experience, have effective laws, have discipline and have controlled corruption. These countries are working well. In other countries, Madam Speaker, it is a disaster for the population. It is almost a nightmare. You hear of people being kidnapped. Recently, we have heard of an Air Mauritius pilot who had been kidnapped, thankfully, it was not to harvest his organs which his family had thought first. I think he was in Thailand or Malaysia that he had been kidnapped, so that his organs could be removed - one organ I presume - and then returned. So, this is a real situation that happens - trafficking, kidnapping of people and even murder happen and it is common place. This is why, Madam Speaker, I mention the need to protect the most vulnerable parts of our population.

This is why also, Madam Speaker, at a first step, I would like to say that Mauritius is going on a new path completely for us, untravelled; completely virgin path. This is why, although I support the fact that we should have transplants for our locals, I believe that, in a transitional period, transplant tourism should not be allowed in Mauritius until we have sorted out the right guidelines, until the situation has settled, until we have satisfied that we have the right specialists, the right safeguards and the right *garde-fou*. So, I would like to invite the hon. Minister to consider, in a first instance, a transitional provision so that this transplanting applies only to Mauritian citizens. We have to protect our citizens from any transplant tourism. When it works out well in a few years, if we are happy that it is working well, then we can try and see and make money from it by allowing our hospitals and clinics to do these operations on foreigners. This is my first request to the hon. Minister. If you are dead, obviously priority also will be given to Mauritian recipients. If you are alive, you will not be

allowed to transplant your organ to a foreigner because obviously there would be a lot of doubts as to why you would do that unless there were some commercial considerations. I cannot see myself giving a kidney to a French man unless obviously there are some reasons for me to do so other than really very, very rare reason.

Madam Speaker, the next question is: 'Does the Bill contain sufficient safeguards to allay other justifiable fears of the population?' That is the situation. We know that we can have two types of donations: one when you are alive, you want to give something and when you are dead. When you are alive, you will give one kidney maybe, part of a lung, part of a liver, some bone marrow, maybe some skin. When you are dead, it does not really matter, you can take both kidneys, you can take the whole liver or you can take the heart. So, there are two types. As the Minister said - because I have some points following that - time is of the essence. It has to be done quickly. Some people say 90 minutes or so before you take out - you said four hours for an eye, I am not a doctor. It has to be done quickly. Firstly, it has to be removed from the body and then there is a limit of time that it can be kept before it is transplanted. I have read that for a heart, you can keep it up to six hours, for a lung also six hours and for a liver 24 to 36 hours, etc. So, there is a time limit. There is urgency. Once a person is certified brain dead or circulatory dead, there is urgency.

Madam Speaker, coming to this Board, the Tissue Donation (Removal, Preservation and Transplant) Board is appointed by the Minister, himself, chaired by an employee of the Ministry, the Director of the Health Services with people entirely appointed by the Minister. Now, something as serious, as sensitive as removing organs and as importantly as having a priority list of recipients. Do you want them to be a political appointment of the people there? Do you want this Board to be politically motivated, appointed by a Minister who has powers anyway, which I would object to the moment? I do not think so, Madam Speaker. So, the first thing is, I believe, that it should not be the Minister who appoints, at the least, it should be the President of the Republic acting on his own deliberate judgement. I do not believe we need to have political intervention in this.

Madam Speaker, we all know - the Minister of Housing is not here - of this famous list of NHDC houses. Are NHDC houses given on a first come first serve basis or are they given upon the whim and fancy of each Housing Minister that comes? We know how it is given. It is given on the whim and fancy of every Housing Minister. That is how it is. That is how the NHDC Board allocates houses. This cannot be like the NHDC Board, Madam

Speaker. There must be safeguards in this law. I am going to be perhaps a bit clearer, Madam Speaker.

Once a person has died, an organ becomes available, what happens to it is important. Who gets it is important. Will there be meritocracy? Will there be fairness? Are we going to go on the waiting list or will there be other considerations? There are four things that come to my mind when the decision to allocate an organ is made by the Board because that is what the Board will do. The Board will allocate the organ to someone; it can decide to allocate it to a friend, to a family member of theirs, to someone who has given gifts, to someone who has been chosen by the Minister, by the Prime Minister, by whoever. How is that going to be decided? There are four things: firstly, the date of application; secondly, the urgency of the operation; thirdly, the compatibility, maybe that is first. And the next thing also is the geographic region. You don't want to give the organ to someone who has to come let's say from Rodrigues. So, these are the things that you will decide. But urgency, Madam Speaker, is subjective. It is not objective; it is someone's opinion. So, all the others, once okay, let's say - you can tamper with the date of application - there are systems that are put in place. It has to be proven that you cannot tamper with the date of application. We have seen worse in Government. We have seen worse! Tampering with tenders every day! So, tampering with the date of application, that can be done.

The urgency, Madam Speaker, as I said, is subjective. The Board is going to decide which particular patient is more urgent to have the transplant, and that is the issue. That is why, Madam Speaker, I am unhappy about the composition of the Board and about how it is going to operate. And this is why, Madam Speaker, because the Board has this power of appointing a specialist, of deciding who may give or who may not give an organ whilst living and even whilst dead. I think this Board is too important, firstly. It is crucially important, this Board, for all our health because I would not like to be in a position of a vulnerable person living in some corner of Mauritius, who sees himself eternally on the waiting list whereas some other people are favoured for transplant. That would be the worst thing for our society and we must prevent that. We must prevent that there is *préférence*, *guette figire* and other things when we are allocating these organs. I can see that the NEF was very careful. This is Mauritius! Some guy will have priority over that poor person who is suffering. Some guy who is going to have a friend, a family relation, whatever else, money, is going to get priority. So, this is why this Board has to work in all transparency, Madam Speaker, appointed, as I mentioned, by the President but subject to some control.

Now, what is the control that I am suggesting? I hope I will get the full backing of my colleagues on this, in the Opposition at least. What is the control? I believe the control should be a Standing Parliamentary Committee. We have one on broadcasting. Is it more important than people's lives? We have one on ICAC, nobody believes in anyway, but it exists. I suggest, Madam Speaker, to the hon. Minister now - I know he is a good man - that we must do our utmost, go the extra mile to ensure that our poor population does not stay forever on the waiting list while some lucky few get the transplants that they don't deserve, at least so long as waiting is concerned. Madam Speaker, I would propose some amendments to the House at Committee Stage. I would propose, Madam Speaker, certain things that I have mentioned: the President to appoint, a Standing Committee to monitor the operation of this Board and the operation of transplanting in Mauritius.

There are so many countries. I just mentioned one about pilots disappearing sometimes, where it is nightmarish; people are kidnapped; people are murdered; people are paid to give their organs. The hon. Minister mentioned that we must not be political. Let us not reject any suggestion because it comes also from the Opposition. It works on both ways, Madam Speaker. So, I hope that my amendment will find favour. It is in everybody's interest. The Opposition will participate, Government will participate, and we will monitor the operations of the Board and of the whole transplanting system.

Madam Speaker, there are also other things that bother me. Madam Speaker, section 26 of the Bill gives powers the Minister. What powers does it give to the Minister? It gives powers to the hon. Minister, believe it or not, to give directions to the Board, any direction in the public interest. It does not say directions of a general nature. It just says 'directions to the Board in the public interest'. These are the directions that I am going to give you. It does not even say that the Minister should give the directions in writing. He picks up the phone; these are directions. It does not say 'directions in writing'. I looked at the Australian law. The Australian law says that the Minister may give directive of a general nature, firstly, in writing by legislative instrument. That is protection against Ministerial and political interference. That is protection! What protection is being given here? Only the good intentions of the Minister said in a speech. He may change one day - he will change, I am sure. Then, what happens? Is the next Minister going to respect what he has said? What protection are you giving us, hon. Minister? You don't give directions in writing; you give directions on the phone. You give directions of a specific nature, and not just of a general nature. That is no protection to the population! So, again, Madam Speaker, I will suggest

some amendments in due course because I think we ought to go by the Australian model, in writing and of a general nature.

Madam Speaker, again some are these points. Section 4 (2), it is the Minister who will appoint a specialist, not the Board, who is going to appoint a specialist to advise them on a specific issue. It is the Minister. This time the Minister is a doctor. The previous one was a lawyer. He did not understand much anyway.

(Interruptions)

Okay, I will forget that! But anyway, what we see, it is the Minister who will choose a specialist. Let the Director of Health Services, let the Board choose a specialist that they want. Not the Minister! It is not the job of the Minister to interfere in who is going get an organ or not. It is not his job!

Madam Speaker, I will propose these amendments in due course. Also, Madam Speaker, this quorum of three, this is why I brought the timing issue. I understand that in some situations, you will only have a small number of people available, at night, during weekends, to approve donations, someone has died, etc. I understand that. But this is a blanket provision that out of nine people, only three people be in it and have a quorum, and only two need to be in favour because this is the majority. Two are in favour of a particular decision, the other six are absent, one is against, and there you go, you have a decision of the Board of this organisation. Two people only agree! That is unacceptable. I would accept, Madam Speaker, that for emergency situations, specific situations, the quorum is three. But for general decisions of the Board; which specialist should go on the list; what are the guidelines; all these issues that have come up with the Board; how the registers are to be kept; what is the criteria for urgency, all these things should be approved as usual, Madam Speaker. The quorum should be a majority of the members of the Board, that is, 50 % plus one in this case - even hon. Rutnah will agree - it comes to five.

(Interruptions)

Nine divide by two plus one equal to five. That is what it should be. Normal decisions of the Board: five. Decisions where there is emergency, we will accept a smaller quorum. I think, Madam Speaker that would be a necessary amendment and a positive amendment to protect again, as I said, the people of Mauritius.

Madam Speaker, another thing, the hon. Minister said that the Board will be independent. That's it, just one word 'independent', finish with it! However, these members,

Madam Speaker, I presume they will be fairly well remunerated because it is not a nice Board. It is an annoying Board and you have to sit on weekends, sit at night, etc. It is not a pleasant Board. They will be, I hope, reasonably paid. They should not be eligible for reappointment. They should be appointed for two years, and so that that they are independent, they should not be eligible for re-appointment. Everybody knows that when somebody wants to be reappointed, then he just bows down to whatever the Minister will tell him, because it is the Minister who appoints. We hope it is going to be the President, but even so, there should not be reappointment. He should be appointed two, three years, fixed term, and then after, change, have someone else, because we want them to be independent, we do not want them to be subservient to the Government of the day, to the political power of the day, Madam Speaker.

And also, Madam Speaker, we would like to see in the law a proviso like there is in ICAC, although it does not work, still that the Board should not be under the control or direction of any person or authority, be it a Minister or a Prime Minister. It should be dealing with people's organs. It should be dealing with people's health. It should not be under the control of any authority or other person, Madam Speaker.

I mentioned the Parliamentary Committee. It is important, especially in view of section 27, which gives immunity to the Minister himself, other members of the Board and other persons when they act in good faith. So, this immunity is even more important than you should have constant monitoring of the actions of this Board.

Madam Speaker, now we come to this issue, section 11 where someone has died, he may have given his option: 'Okay, take my organs', in which case there is no problem, he may have opted out, he said: 'I don't want you to touch my body', in which case there is no problem also. But, if like most of us have presumed, would not either have opted in or opted out of the system, what will happen? This is where the devil is in the detail! What will happen? Someone from the Board will contact a family member. I cannot see all family members, or if I am mistaken, I would like the Minister eventually to clear it. I understand from the law that it will contact a family member. Now that family member may say yes or no. What about the other family members? What if there are two or three family members, one says yes, one says no. What will you do? It is not clear.

The previous law in 2006 has said that for doing so, all the children will have to agree before the body is subject to transplant. Here, Madam Speaker, unless I may be mistaken, I

hope I am mistaken, but I do not want things to go to Court or people looking for injunction, one brother has said: 'You can donate the organ', the other sister has said: 'No don't do so', what happens then? It is not clear. At least, to my mind, I would like that to be very clear that it should be all the family members who agree and that something like that should be made clear and amended in the law. If I am right, at least, in my mind, some of the people I have spoken to, there is confusion, as far as who can give consent, once someone has died, who has neither opted in nor opted out.

Now, I see also Madam Speaker, in this law, that when someone is about to die, he can decide who to donate his organ after death. That is unusual in the law. I have seen a number of counties, when you die, you are not supposed, in these counties, at least, to say where the organs go to. I presume it is to stop people taking money before dying and say, 'Okay, I am not very well and I am going to sell my organs to you when I die.' So, here in this law, you can actually decide, when you die, to whom you are going to give your organs to. It is unusual, and perhaps the Minister can give us some clarification, Madam Speaker.

So, Madam Speaker, I have not got much longer to go. I think this law ought to be without contention. At least, I hope that the Government will make the effort, will go the extra mile to satisfy some of the issues that I have raised, some of the issues that no doubt other Members of the Opposition will raise, so that something as important as organ transplant in Mauritius is done, firstly, in a step by step way, secondly with all the safeguards that you have humanly possible to protect our population, especially, the vulnerable groups, to ensure fairness in the allocation of organs and to ensure, in fact, that we are all live happily, much happier after this legislation is passed, and we do not go into some of the nightmare situations that pertain in some other countries of the world.

Thank you, Madam Speaker.

Madam Speaker: Hon. Dr. Joomaye!

Dr. Joomaye: Madam Speaker, I move that the debate be now adjourned.

Mr Leopold rose and seconded.

Question put and agreed to.

Debate adjourned accordingly.

ADJOURNMENT

The Deputy Prime Minister: Madam Speaker, I beg to move that this Assembly do now adjourn to Tuesday 22 May 2018 at 11.30 a.m.

The Vice-Prime Minister, Minister of Local Government and Outer Islands (Mrs F. Jeewa-Daureeawoo) rose and seconded.

Question put and agreed to.

Madam Speaker: The House stands adjourned.

Hon. Members, I have a short announcement to make.

It has been observed of late, that when hon. Members intervene at Adjournment Time to raise issues in relation to complaints or grievances from their constituents and members of the public in general, the names of these persons are mentioned in full in the House. I do not think it is proper that the names of these persons who seek the hon. Members' assistance should be made public.

So, I shall invite hon. Members to refrain from the practice as it is only out of respect to these persons.

Secondly, I have a long list of 18 Members who wish to intervene on adjournment matters. We have only half an hour, so I ask you to be very brief. Thank you.

Hon. Baloomoody!

(8.20 p.m.)

MATTERS RAISED

HOSPITALS - DIABETES PATIENTS - INSULIN INJECTION

Mr V. Baloomoody (Third Member for GRNW & Port Louis West): Thank you, Madam Speaker, I will be very brief.

I will raise an issue with regard to the Minister of Health, the shortage of syringes to diabetes patients. In fact, I met a lady, but I will not mention the name. We have just learned about the statistics with diabetes. People are being provided with the insulin injection and so does the lady whom I met. I listened to a private radio this morning, there were several complaints all around the island. People were saying that they have to do two insulin injections per day, one in the morning and one in the afternoon. However, they are given only seven syringes. Some would get 10 or 15 syringes. These syringes are disposable ones; they

are being told to use it until they get hurt when they inject themselves, then they change the syringes.

I do not know whether there is a shortage, but I listened to the radio this morning, many people from all around the country were complaining, be it in Cité Vallijee, be it in Curepipe where I stay. I stay in front of a *dispensaire* and I met a lady there. What is worse, these people cannot buy these syringes even if they want to because most of the pharmacies ask for a prescription.

I am asking the hon. Minister to look into the matter urgently. Thank you.

The Minister of Health and Quality of Life (Dr. A. Husnoo): Yes, Madam Speaker. Firstly, I would like to inform my colleague that there is no shortage of insulin syringes. I have got the statistics, I can circulate it to the hon. Member now. As far as using an insulin syringe, sometimes you can use it twice. As I said, there is no shortage of insulin syringes and it can be used twice.

Thank you.

Madam Speaker: Hon. Ameer Meea!

CHICKEN MEAT - SHORTAGE

Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East): Yes, thank you, Madam Speaker.

The issue I am raising tonight relates to the Ministry of Agro-Industry and also to the Ministry of Commerce. Actually, there is a shortage of chicken meat on the market, especially in the region of Port Louis. This is happening three consecutive years now. This happens only in the months of May and June and, unfortunately, this coincides with the coming of the month of Ramadan, which is most probably starting on this Thursday. This is why I am raising this issue tonight so that the hon. Minister of Agro-Industry and Food Security may conduct any study, any enquiry to know the exact reason of this shortage of chicken meat. As I said, I do not know whether there are any scientific reasons behind it and that is why I am asking for an enquiry and also, if he could convey to his colleague, the hon. Minister of Industry, Commerce and Consumer Protection so that, in view of the scarcity, there is no abuse in price.

Thank you, Madam Speaker.

The Minister of Agro-Industry and Food Security (Mr M. Seeruttun): Madam Speaker, a few weeks back, I was made aware of that supposedly shortage. I did enquire with the main producers and I was told that there was no shortage at all on the market. Anyway, I will look into it further and see whether what the hon. Member is claiming is founded or not, and I will make sure that necessary measures be taken, if need be.

Madam Speaker: Hon. Osman Mahomed!

(I) ELECTRICITY - POWER SURGES - ROAD ACCIDENTS

**(II) WASTEWATER MANAGEMENT AUTHORITY - MUSLIM FAITH
GENERAL WORKERS - JUMU'AH PRAYERS**

Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central): Thank you, Madam Speaker. I have two issues and I am going to be very quick. Both are addressed to the hon. Deputy Prime Minister, Minister of Energy and Public Utilities.

The first one is about a reply that was given earlier for Parliamentary Question No. B/368 by the hon. Minister of Public Infrastructure and Land Transport, hon. Bodha, about the accident at Labourdonnais Street which happened because of the surge of power and the traffic lights went flashing and the accident occurred.

Yesterday or the day before yesterday, the same thing happened in Rose Hill. I believe there must be a problem with the transmission and distribution of electricity because this can happen anywhere on the island. So, I am requesting the hon. Deputy Prime Minister to cause an inquiry to be conducted about what is going on so that so often we are having power surges in the country. In my constituency, it took the lives of people and in his constituency, it was only material loss because people lost their household appliances.

Quickly, the second one is about the Wastewater Management Authority regarding a group of Muslim faith general workers who came to see me regarding Jumu'ah prayers on Fridays. They have been circulated paragraph 2.215 of the Human Resource Management Manual, asking them to go for prayers between 12.30 and 2.00 p.m. Fine! This is not a problem. But these people in particular deal with the sewer lines, very dirty business. So, they at least need to clean themselves some time before for them to be in time at the Mosque when the prayer call is read at 12.30.

So, my request to the hon. Deputy Prime Minister is to maybe relax a bit on this one, discuss with them on how they can compensate, if ever there is a need to, and to go for a derogation of that particular clause, especially for this class of workers who deal with sewer lines.

I thank him for a prompt and positive consideration.

Thank you.

The Deputy Prime Minister: Well, two points have been raised. I shall deal with the two points one by one.

Power surges are not infrequent. They are luckily not frequent. We have had many and when current is re-established, sometimes these power surges occur. I have spoken to the General Manager of the CEB only yesterday who told me that he was carrying out an inquiry. For Plaisance, he had already obtained the results and for Port Louis, I do not know what has been the outcome.

With regard to the Wastewater Management Authority, I shall convey this request to the Chairman of the Board and ask him to see what can be done about it.

Madam Speaker: Hon. Lepoigneur!

FEDERATION MAURICIENNE DE JUDO – CARETAKER COMMITTEE

Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière): Merci, Madame la présidente. Ma requête s'adresse au ministre de la Jeunesse et des Sports concernant le *Caretaker Committee* de la Fédération mauricienne de Judo et qui dure depuis plus d'une année. C'était supposé être en place pendant au moins 3 mois, et en plus la fédération internationale avait écrit une lettre le 04 août 2017 et avait donné encore 5 mois pour que les élections de la fédération soient organisées. Ce n'est toujours pas organisé à ce jour et cela fait 9 mois depuis que le ministère et le *Chairman* ont reçu la lettre. La situation est très alarmante au niveau du judo. Depuis 1968 à ce jour, c'est la première fois que le judo n'emmène pas de médaille au niveau de l'Afrique en 2018. Donc, je crois qu'il est grand temps de remettre de l'ordre dans cette fédération. Aussi, la semaine dernière, j'avais envoyé une question qui n'a pas été répondue au cours de la tranche *Question time* et le ministre m'avait promis qu'il allait déposer la réponse à la Librairie. J'ai vérifié, c'est la question B/348, mais je n'ai toujours pas eu la réponse et j'aurais bien aimé avoir une action urgente, s'il vous plait.

Merci.

The Minister of Youth and Sports (Mr S. Toussaint): Je vais voir de quoi il s'agit, Madame la présidente. Définitivement, je n'ai pas les réponses avec moi. Mais ne vous en faites pas cher ami, je vais voir.

Madam Speaker: Hon. Thierry Henry!

MAHEBOURG - AQUACULTURE FARMING - INCIDENT

Mr T. Henry (Fourth Member for Mahebourg & Plaine Magnien): Merci, Madame la présidente. Je voudrais attirer l'attention du ministre de la Pêche, qui malheureusement n'est pas là, sur ce qui s'est passé à la ferme d'aquaculture à Mahebourg. Il y a eu un incident et les filets ont été détruits, et des milliers de poissons sont partis dans la mer, des ombrines comme on les appelle. Je voudrais savoir si ces poissons sont un danger pour l'environnement marin et s'ils se reproduisent vite quels sont les problèmes, et quelles sont les mesures que le ministère a prises pour remédier à ce problème et qu'est ce qui a causé cet incident. Donc, je voudrais interpeller le ministre pour qu'à la prochaine séance il puisse venir nous éclairer pour rassurer les pêcheurs de l'endroit.

Merci.

The Deputy Prime Minister: Madam Speaker, I shall convey this request to the hon. Minister.

Madam Speaker: Hon. Mrs Perraud!

LA COLOMBE SHELTER - BUGS INFESTATION

Mrs A. Perraud (First Member for Port Louis North & Montagne Longue): Merci Madame la présidente. Ma question ce soir est adressée à la ministre de l'Égalité du genre, du Développement de l'enfant et du Bien-être de la famille. Il s'agit de la situation qui prévaut au *shelter* la Colombe. Donc, d'après mes informations, le *shelter* est infesté de punaises et de poux. Non seulement les résidents et les enfants font face à ce problème, mais aussi les *carers* ramènent les poux et les punaises chez elles quand elles rentrent. Donc, j'aimerais demander à la ministre quelles sont les mesures qui sont prises justement pour éradiquer ce problème dans ce *shelter*.

The Minister of Gender Equality, Child Development and Family Welfare (Mrs R. Jadoo-Jaunbocus): Thank you, Madam Speaker. There has recently been certain

renovation work carried out there; improvement work. But I will certainly look into this matter and address it if that is the case.

Madam Speaker: Hon. Ms Sewocksingh!

CUREPIPE - ROGUE & VAGABOND

Ms M. Sewocksingh (Third Member for Curepipe & Midlands): Thank you, Madam Speaker. Tonight's issue is addressed to the Rt. hon. Minister Mentor who, unfortunately, is not here, and it is related to rogue and vagabond in the town of Curepipe. There are some areas in the town, more specifically near Monoprix Supermarket, Loreto College and Square Teste de Bush where we can see fights happen very often. There have been complaints from inhabitants about perverts roaming around in some places like near Manhattan Complex, Renaissance College, Jan Palach Bus Terminal. I would request the Rt. hon. Minister Mentor if he could please inform the Police Force if more frequent Police patrols can be made in these specific areas. Thank you.

The Deputy Prime Minister: Again, I shall take note, Madam Speaker.

Madam Speaker: Hon. Armance!

PAILLES, CARDINAL 1 ROAD - BRIDGE

Mr P. Armance (First Member for GRNW & Port Louis West): Thank you, Madam Speaker. My request goes to the hon. Minister of Public Infrastructure and Land Transport It is regarding a Parliamentary Question we had in the House on 27 March regarding the bridge at Cardinal 1 Road at Pailles. Unfortunately, I have checked in the Library and there is no answer for the Parliamentary Question yet, and my request was to make a survey there and to see whether we can take any remedial action and clean the obstruction in the rivers. So, I will ask the hon. Minister if he could please have a look at the bridge that collapsed during the last rain at Cardinal 1 Road, Pailles. Thank you.

The Minister of Public Infrastructure and Land Transport (Mr N. Bodha): I will certainly look into the matter. My colleague also mentioned this to me. I will come back to the hon. Member.

Madam Speaker: Hon. Abbas Mamode!

LINE BARRACKS - FACEBOOK VIDEO - INCIDENT

Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East): My request is addressed to the Rt. hon. Minister Mentor, but unfortunately, he is not present right now. So, I will address myself to the hon. Deputy Prime Minister. An incident occurred on 09 April 2018 at Line Barracks, and there is a video entitled '*mo laisse zot guet sa video la, public faire so la justice*'.

There was a Police Sergeant, R. - I will not mention names; we are told not to mention names, Madam Speaker - who used a very harsh and foul language to a lady. The article was saved on a motorcycle. I am not talking about law and order. Police are here to make people respect law and order. But the language! I have personally watched the video; it is on Facebook, on every social media. If the hon. Deputy Prime Minister could please talk to the Commissioner of Police so that this does not occur again, especially to a lady.

The Deputy Prime Minister: Whether to a lady or to man or to whomever, nobody has got the right to use foul language when he is in a public function! If it is a video circulated - I have my doubts about these Facebook videos and all that. We have to check the authenticity; I am sure the Commissioner of Police must have taken note of this. If you know about it, the Commissioner of Police knows about it.

Madam Speaker: Hon. Ganoo!

LABOUR LEGISLATION - AMENDMENTS

Mr A. Ganoo (First Member for Savanne & Black River): Madam Speaker, I wish to raise the question of the amendment to be brought to our Labour legislation. As we all know, there were two Acts, the Employment Rights Act and the Employment Relations Act. Both were passed in 2008, 10 years ago. Since then, all the trade unions and different workers' associations have asked the Ministry of Labour to bring the necessary amendments to past Government and to the present Government.

In fact, in the Government Programme, it was mentioned that amendments would be brought to the Labour legislation and several questions have been put in this House in 2015, 2016, 2017, and the hon. Minister of Labour has explained that there is a technical committee currently reviewing the legal framework, chaired by the Director of Labour or by his peers.

So, I want to ask the hon. Minister today - in spite of all the prejudice and all the commitments that he has given to this House, he has even in a PQ said that the Bill will be introduced in the National Assembly by the end of this year, that was in 2016. And in 2017, the hon. Minister said: "Following consultations with workers and employers..."

(Interruptions)

Madam Speaker: Hon. Ganoo, I have to interrupt you on this issue.

(Interruptions)

Please, sit down! Usually, at Adjournment Time, hon. Members raise matters about their constituents, on their constituencies, but matters as you are now discussing, I think, should be brought, maybe, as a specific matter on Adjournment. That would be better.

Mr Ganoo: With due respect, Madam Speaker, I can give you evidence that other Members in this House have raised problems of a national relevance at Adjournment Time. So, I am asking the hon. Minister to explain to the House why these amendments are being delayed.

The Minister of Labour, Industrial Relations, Employment & Training (Mr S. Callichurn): Madam Speaker, I wish to inform the House that a Ministerial Committee has been set up by Cabinet, which is being chaired by the hon. Deputy Prime Minister to look into the different proposals that are to be brought to the Labour legislation. The Ministerial Committee has met on several occasions and there is this one last meeting that we need to fix. Once this meeting is fixed, and we come up with the recommendations, it will be presented to the Cabinet and ultimately I will bring the amendments in this very House.

Thank you.

Madam Speaker: Hon. Tarolah!

FATAL ACCIDENTS - BLACK SPOTS - SPEED CAMERAS

Mr K. Tarolah (Third Member for Montagne Blanche & GRSE): Thank you, Madam Speaker. I would like to raise an issue with regard to the increasing fatal accidents which are mainly due to over speeding. I have been informed by the public that in order to prevent such fatal accidents, several requests have been addressed to the Traffic Management and Road Safety Unit (TMRSU) and even to the Ministry of Public Infrastructure and Land Transport for speed cameras to be placed at those so-called 'black spots', namely at Montagne Blanche, Mont Ida, Bel Air and other parts of the island.

Madam Speaker, I would request the hon. Minister to please look into the matter and come with necessary measures the soonest possible for the safety of the public in general.

Thank you.

The Minister of Public Infrastructure and Land Transport (Mr N. Bodha):

Madam Speaker, I will ask the TMRSU to do a survey and see what can be done.

Thank you.

Madam Speaker: Hon. Rughoobur!

RICHE TERRE - TREES - FELLING

Mr S. Rughoobur (Second Member for Grand Baie & Poudre d'Or): Thank you, Madam Speaker. Madam Speaker, very briefly, I wish to raise a very disturbing issue. Maybe it relates to the Ministry of Public Infrastructure as well as the Ministry of Agriculture. It is the issue of felling down and disposal of trees from Jumbo roundabout, Riche Terre to Roche Bois. There is a project, I think, for the extension of the road. May we know from the hon. Minister whether there is a procedure concerning this issue? We are talking of sustainable development while so many trees are being cut and disposed of.

Madam Speaker, I would request both Ministers to please look into this matter and ensure that we have a control, at least, on these.

Thank you.

The Minister of Public Infrastructure and Land Transport (Mr N. Bodha):

Madam Speaker, it is really heart breaking to see all those trees cut. The problem is we are having two additional lanes from Jin Fei to the Port and in order to be able to accommodate those corridors, we have no other solution. But what I am proposing, in fact, is a meeting with my colleague Minister of Agro-Industry and myself, together with the builder, because for each tree which is being felled, three new ones have to be planted. But the most interesting thing which I am thinking of is to have a landscaping. It is an avenue now with six lanes. So, maybe, we can have a landscaping of the whole area between Jin Fei to the Port with lawns in the middle and trees on both sides of the six lanes. Thank you.

Madam Speaker: Hon. Rutnah!

PITON - METHADONE DISTRIBUTION

Mr S. Rutnah (Third Member for Piton & Rivière du Rempart): Thank you, Madam Speaker. Madam Speaker, the issue that I propose to raise tonight is addressed to the hon. Minister of Health and Quality of Life. It is in relation to the distribution of methadone in Piton, which is part of Constituency No. 7.

In Piton, until a month ago, methadone was distributed at the Police Station quite safely. Since three weeks ago, that distribution has been shifted to an old dispensary which is limited in space, firstly. Secondly, it is near to a mosque and a temple. It is frequented daily by senior citizens for their health treatment. It is frequented by pregnant women and children. However, since the distribution of methadone has been shifted to that old dispensary, there is a strong apprehension by the inhabitants of Piton for their safety. Because after taking the methadone, either they are trading the methadone there itself or they are loitering around for hours, which is causing a lot of discomfort to many inhabitants in Piton.

Madam Speaker, I will urge upon the hon. Minister to see whether that distribution could be reverted back to the Police Station or elsewhere, where people can feel safe as compared to the way it is being distributed at the moment.

Thank you.

The Minister of Health and Quality of Life (Dr A. Husnoo): Madam Speaker, the problem of methadone distribution has been speeding on all the time. I mean, we get a lot of criticisms when we give it to the Police Station; we say that we just give it automatically; we do not have follow-up of these people. If you want to do something positive for these people who are taking methadone, it is not just to give the methadone, but to have treatment as well. I mean, psychosocial treatment. At a Police Station, we cannot do it. That is why we are trying some kind of pilot project. We did it in Piton because it is a small place and only a few people coming. The methadone is being given between 6 a.m. and 8 a.m. when most people come to the dispensary after 8 a.m. That is why we are giving it a bit early. If we want to - as we should - treat these people, we have to do psychosocial management; that is the weak point in our methadone treatment. We have to start somewhere. I know it is difficult, I appreciate that, but giving it at the Police Station won't solve our problem in the long-term. I take the point of the hon. Member, but if he can find alternative places, please let me know. We will look into it.

Thank you.

Madam Speaker: Hon. Ramano!

BELLE ROSE MARKET - PARKING

Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes): Madame la présidente, je souhaite adresser mon premier point à l'honorable ministre Mentor, mais je demanderai à l'honorable *Deputy Prime Minister* de bien vouloir lui transmettre le message.

Madame la présidente, je souhaite soulever aujourd'hui ce désordre indescriptible qui prévaut le jour du marché les dimanches à Belle Rose. C'est un problème que j'ai soulevé dans cette auguste Assemblée, mais je dois dire que rien de concret n'a été entrepris à ce jour.

Ce problème, Madame la présidente, concerne toute la région de Victoria, Ollier, Pasteur, Charles Lees, Doyen, toute la région de Belle Rose, à part du fait que le parking sauvage est monnaie courante. Les habitants de la région éprouvent d'énormes difficultés à entrer chez eux.

Mon appel au ministre Mentor et aussi à l'honorable *Deputy Prime Minister*, c'est de demander au Commissaire de Police de déléguer des policiers en permanence pendant toute la durée de la foire car trop souvent les policiers sont là rien que pour quelques minutes alors que le problème persiste jusqu'à la fermeture de la foire à midi. Ainsi ces policiers comme il est de leur *duty* de régler le trafic routier dans la région et aussi de sévir contre le parking sauvage.

The Deputy Prime Minister: I shall endeavour to transmit.

Mr Ramano: Madame la présidente, le ...

Madam Speaker: Can I kindly request the hon. Member to postpone his second point because we have only seven minutes left and last time, I think, hon. Ramful did not have the opportunity to raise his point. So, I will just ask you to postpone it to next time so that we can give hon. Barbier and then hon. Ramful. Please!

MORCELLEMENT RAFFRAY, PAILLES - ACCESS ROAD

Mr J. C. Barbier (Fourth Member for GRNW & Port Louis West): Thank you, Madam Speaker. My plea today is addressed to the hon. Minister of Public Infrastructure and Land Transport on behalf of the inhabitants of *Morcellement Raffray, Pailles*.

Madam Speaker, I received representations from the inhabitants of *Morcellement Raffray, Pailles* and it concerns an access road which formerly was used by the inhabitants there to catch the Sorèze road and the M1 through the South. Unfortunately, for unknown reasons, since some time back now, the access has been closed. A gate has been fixed there and with the traffic jam in the morning, it is very difficult for them to catch the M1 through the village of Pailles and through the *Cité* which is nearby.

So, I will ask the hon. Minister to see to it that the road is reopened in favour of the inhabitants of *Morcellement Raffray, Pailles*.

Thank you.

The Minister of Public Infrastructure and Land Transport (Mr N. Bodha): Madam Speaker, we will see what can be done.

Thank you.

Madam Speaker: Hon. Ramful!

CHICKEN MEAT - SHORTAGE

Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien): Thank you, Madam Speaker. In fact, the issue has already been raised by hon. Ameer Meea. I wish to bring some precisions with regard to the shortage of chicken meat on the market.

In fact, I have been informed by the poultry breeders as well as those poultry meat shops that the problem lies in the shortage of the availability of boilers on the market. All these large companies, they have a large demand both locally and internationally. They can only produce boilers for their market so that very little is left for the local breeders. They have even contacted the section at the Ministry of Agro-Industry and Food Security, they call it the production centre, Poultry Breeding Centre at Moka. They were told that they only produce 1,000 small chicks per week which is hardly enough for the whole population.

So, may I request upon the hon. Minister to kindly look into the matter if the production of those boilers can be increased?

The Minister of Agro-Industry and Food Security (Mr M. Seeruttun): Madam Speaker, this is another issue that he is raising. The one that was raised by hon. Ameer Meea was with regard to shortage for the consumers. I mean, chickens that have been sold at retail outlets, but this issue is for the breeders. So, I will look into that as well and see what is the problem, if there is any.

Madam Speaker: Hon. Ramano, you have got four minutes!

HILLCREST AVENUE, QUATRE BORNES - HANDRAILS

Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes): Merci, pour votre générosité, Madame la présidente. Madame la présidente, le deuxième problème que je souhaite aborder s'adresse au ministre des Infrastructures publiques. Je souhaite me faire le porte-parole des habitants de l'Avenue Hillcrest à Quatre Bornes et de tous ceux qui fréquentent cette région.

Étant un fait que le parcours de Hillcrest a fait l'objet d'un *upgrading* important en 2014/2015, il faut le souligner que ce boulevard est censé être *double lanes* des deux côtés. Mais il est aujourd'hui un fait que les véhicules éprouvent pas mal de difficultés pour pouvoir doubler ou encore se servir des deux *lanes* car après les travaux entrepris, il y a eu un rétrécissement des routes en cas où les véhicules qui se font doubler sont dans l'obligation de rabattre sur le trottoir et dans certains cas cela constitue un danger sérieux pour les habitants de la région.

Donc, la solution proposée par les habitants c'est de considérer la possibilité de rétrécir ce bout de terrain qui se trouve au milieu de l'Avenue Hillcrest pour pouvoir donner suffisamment d'espace des deux côtés ou bien encore l'installation des *handrails* dans certaines régions spécifiques de l'Avenue Hillcrest.

Je demanderai au ministre de faire un *survey* des lieux avec les techniciens de son ministère car le ministre lui-même a, à plusieurs reprises, souligné que l'Avenue Hillcrest fait partie de ses priorités pour décongestionner l'entrée principale de la ville de Quatre Bornes. Je demanderai au ministre de faire diligence.

Je vous remercie.

The Minister of Public Infrastructure and Land Transport (Mr N. Bodha): Madame la présidente, c'est une priorité. Je le confirme, et on va envoyer une équipe faire une visite sur le terrain et voir tous les travaux qu'on pourrait éventuellement exécuter en ce moment, mais aussi dans le cadre de la nouvelle interface qu'on va avoir entre l'autoroute et la nouvelle entrée de Hillcrest.

Merci, Madame la présidente.

At 8.39 p.m., the Assembly was, on its rising, adjourned to Tuesday 22 May 2018 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

LOANS (SECURED) - COMMISSION OF INQUIRY -

RECOMMENDATIONS

(No. B/364) Mr S. Baboo (Second Member for Vacoas & Floreal) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Report of the Commission of Inquiry on Processes/Practices for Granting Loans Secured on Immovable

PropeRty and Sale by Levy, he will state where matters stand as to the recommendations thereof which had not been implemented as at April 2017.

Reply (The Attorney General, Minister of Justice, Human Rights and Institutional Reforms): The Report of the Commission of Inquiry on Processes/Practices for Granting of Loans Secured on Immovable Property and Sale by Levy was submitted in August 2014. It was made public on 08 May 2016 and copy of which was tabled in the House at the sitting of 17 May 2016.

The Report contained 10 main recommendations, which are as follows -

First, borrower and guarantor should be provided with a copy of the Loan Agreement prior to the signing of the said Agreement. This has already been implemented.

Second, borrower be given a *délai de réflexion* of 10 days as well as a *délai de retraction* of 10 days. This recommendation has already been adopted. In fact, commercial banks are giving up to three months for *délai de réflexion*. In the case of *délai de retraction*, following his acceptance to the facility offer, the borrower is given a delay until the date of disbursement.

Third, clients to be informed regularly of outstanding amount. This is already in force.

Fourth, application of Article 2202-6 of the *Code Civil Mauricien* to be in conformity with Article 1154 of the Code relating to Capitalisation of Interest. This has been implemented in the Finance (Miscellaneous Provisions) Act 2016.

Fifth, the Borrower Protection Act to cover all loans secured on immovable property contracted for a residential purpose. The First Schedule of the Borrower Protection Act was amended by way of regulations to increase the maximum sum under a credit agreement from the previous limit of Rs2 m. to Rs3 m. Therefore, all credit facilities up to Rs3 m. will fall under the purview of the Borrower Protection Act.

Sixth, to replace the Office of Commissioner for the Protection of Borrowers by a Commission. This recommendation has not been retained.

Seventh, National Solidarity Fund to provide assistance to deserving families who have lost their residence by the system of Sale by Levy. This recommendation is under consideration.

Eighth, all Loan Agreements secured on immovable property should be by authentic deed. Consultations are actually ongoing with stakeholders concerning the secured transactions reforms, which will entail amending the *Code Civil Mauricien*. This proposal will be considered within the review of the *Code Civil Mauricien*.

Ninth, the family residence should not be given in guarantee of loans except when the loan is for the purpose of purchasing land to erect the family residence or the improvement of such residence. This recommendation is under consideration within the secured transactions reforms. It will not be appropriate for me to comment further on the matter at this stage.

Tenth, to replace the current system of Sale by Levy by a system in line with international best practice. I have, pursuant to section 6(1) of the Law Reform Commission Act, referred the issue of Sale by Levy to the Law Reform Commission so that it may come up with appropriate recommendations in relation to this matter. As soon as there is a recommendation, I will take the matter to Cabinet so that appropriate amendments may be made.

I am informed that the Bank of Mauritius is enlisting the services of a consultant to assist in the setting up and operationalization of the Asset Management Company and I understand that the Bank of Mauritius has made good progress on this work but needs to finalise all issues.

With regard to the Insolvency Act, it is apposite to note that it does not contain any provision in relation to the granting of loans.

The House will undoubtedly appreciate that reform of the Sale by Levy procedures is by no means an easy task. It is, however, apposite to note that by Act 10 of 2017, i.e. the Finance (Miscellaneous Provisions) Act 2017, the Sale of Immovable Property Act has been amended so that the *mise à prix* for a sale of immovable property is not less than half of the open market value of the seized property. Any debtor may request that the sale be postponed for a period of two years from the date of reading of the memorandum of charges where the mortgaged property is the sole residence of the debtor and the said debtor has been made redundant on economic grounds.

I wish to reassure the House that, in line with what is provided in the Government Programme 2015-2019, the Government stands committed to bringing necessary reform to the Sale by Levy procedures, but this is an issue of great complexity and great care must be taken before proceeding with amendments.

STATE LAND - LEASE

(No. B/390) Mr A. Ganoo (First Member for Savanne & Black River) asked the Minister of Housing and Lands whether, in regard to State land leased for the implementation of projects, he will state if there are cases wherein the lessees have breached the lease conditions and, if so, indicate the number thereof, further indicating in each case –

- (a) the promoters concerned therewith;

- (b) the nature of the project;
- (c) the conditions breached, and
- (d) if consideration will be given for the cancellation of the lease.

Reply: The Ministry of Housing and Lands grants leases over State land for various purposes in accordance with provisions of the State Lands Act. The grant of a lease is formalised through a Lease Agreement. In case of breach of the conditions and in accordance with the provisions of the Lease Agreement, the Ministry may proceed with cancellation of the lease and resumption of the land.

As the hon. Member has not specified any time frame, my Ministry is compiling a list of industrial site leases for the past 10 years pertaining to State land leased for extension of projects and whereby the lessees have breached conditions of their lease agreements. The list will be tabled in the Library of the National Assembly after compilation.

EX-CHA/EDC HOUSES - ASBESTOS

(No. B/391) Mr A. Ganoo (First Member for Savanne & Black River) asked the Minister of Housing and Lands whether, in regard to the ex-EDC houses containing asbestos, he will state the number thereof, which are still occupied, indicating the –

- (a) location thereof constituency-wise, and
- (b) measures that will be taken to do away therewith.

Reply (The Minister of Social Security, National Solidarity, and Environment and Sustainable Development): The issue of ex-CHA/EDC houses containing asbestos materials is a complex one which successive Governments have attempted to tackle but in vain.

As stated in my reply to PQ B/647 of 31 October 2017, in August 2015, an inter-ministerial Technical Committee was set up at the level of my Ministry to look into the issue. The Committee took note that there were 3,113 such houses which had been constructed using asbestos materials. Out of these 3,113 houses –

- (a) 665 houses have been removed and replaced by new houses by the owners;
- (b) 2,106 owners of existing housing units have carried out extension works to their houses using concrete materials;
- (c) 278 housing units are in their original state, and
- (d) 60 houses are in a deplorable condition.

Information pertaining to the location of these houses on a constituency basis as requested by the hon. First Member for Savanne and Black River, is not available as such

information is usually compiled on a district-wise basis by the Ministry of Housing and Lands. I am accordingly filing a document which indicates the location of the 3,113 houses in their respective districts.

With regard to part (b) of the question, the House may wish to note that in November 2017, Government agreed to the setting up of a Ministerial Committee comprising the then Vice-Prime Minister and Minister of Housing and Lands, the Minister of Social Security, National Solidarity, and Environment and Sustainable Development, the Minister of Local Government and Outer Islands, the Minister of Health and Quality of Life, the Minister of Social Integration and Economic Empowerment, and the Minister of Civil Service and Administrative Reforms, to look into the phasing out of buildings in general containing asbestos, including EDC houses.

Subsequently, a Technical Committee met on 09 February 2018 under the chairmanship of the Supervising Officer of my Ministry to take stock of the situation and to make appropriate recommendations. The Committee agreed that the following steps be taken

-

- (i) a list of the 29 occupiers of the occupied houses found to be in a dilapidated state would be submitted to the National Empowerment Foundation (NEF) for a social inquiry;
- (ii) the Ministry of Housing and Lands would carry out a fresh survey on the ex-EDC houses and would also submit the list of all the 3,113 houses to the Mauritius Fire and Rescue Service;
- (iii) the list of the 18 unoccupied houses found to be in a dilapidated state would be submitted to the Ministry of Local Government and Outer Islands for onward action at their end regarding the pulling down of those houses;
- (iv) the Ministry of Civil Service and Administrative Reforms would submit the list of all Government buildings containing asbestos materials to the Mauritius Fire and Rescue Service, and
- (v) the Ministry of Health and Quality of Life would carry out a representative sample on the health effects of asbestos on the people living in the EDC houses.

A second meeting of the Technical Committee has been held last month, i.e., on 11 April 2018 to review progress and plan the way forward. The following has been agreed upon -

- (i) the issue of EDC houses will be dealt with in a phased manner, giving priority to houses which were occupied and which had not been modified by the owners;
- (ii) there is a need to determine the willingness of the owners to have their houses pulled down and an exercise will be carried out to seek their formal consent thereto;
- (iii) the Mauritius Fire and Rescue Service will first examine the list of buildings containing asbestos materials for preventive purposes in case of fire, and
- (iv) the Ministry of Health and Quality of life will consider the advisability of conducting a fresh study on the initial sample of EDC occupiers examined in a previous study in order to ensure consistent monitoring.

As I mentioned earlier, the issue is complex and sensitive. We are also here dealing with people in private ownership. It is important to look into all aspects of the issue such as temporary relocation and construction of new housing units which are of an acceptable standard.

DRUG-RELATED OFFENCES - DETAINEES

(No. B/392) Mr A. Ganoo (First Member for Savanne & Black River) asked the Rt hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to drug-related offences, he will, for the benefit of the House, obtain from the Commissioner of Prisons, information as to the number of detainees presently in prisons in connection therewith, indicating the percentage thereof in each of the reform institutions.

Reply: I am informed by the Commissioner of Prisons that as at date, there are 716 detainees in our prisons who are concerned with drug-related offences. 403 of these detainees are on remand.

As regards the percentage of such detainees prison-wise, I am herewith tabling the information.

PUBLIC HEALTH INSTITUTIONS & CENTRES - DRUG ADDICTION - TREATMENT

(No. B/393) Mr A. Ganoo (First Member for Savanne & Black River) asked Minister of Health and Quality of Life whether, in regard to the drug addicts, he will state the number of –

- (a) public health institutions and centres that presently provide services to cure convicted persons of their drug addiction, and
- (b) addictologues presently employed by his Ministry.

Reply: With regard to part (a) of the question, I wish to inform the House that at present there are three centres under my Ministry dedicated to people, whether convicted or not, with drug addiction problems. These centres are located at Ste Croix, Cassis and Mahebourg.

Over and above these three centres, my Ministry has set up addiction units in five Health regions at -

- Dr. A. G. Jeetoo Hospital;
- Victoria Hospital;
- Flacq Hospital;
- SSRN Hospital, and
- Mahebourg Hospital under the aegis of Jawaharlal Nehru Hospital.

For convicted persons in jail, the Prisons Services in collaboration with my Ministry provides services with regard to drug addiction namely Methadone Substitution Therapy supported with counselling and rehabilitation services.

With regard to part (b) of the question, my Ministry has hired the services of a Psychiatrist with extensive experience in addiction medicine, as Advisor on Substance Abuse and Harm Reduction Programme to offer his services in respect to drug addiction, since 2013.

Moreover, the five addiction units as mentioned in part (a) are under the direct responsibility of a Psychiatrist of the respective Regional Hospital.

SOLID WASTE MANAGEMENT

No. B/394) Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac) asked the Minister of Social Security, National Solidarity, and Environment and Sustainable Development whether, in regard to solid waste, he will state where matters stand as to the proposed construction of a new compost plant for the disposal thereof.

Reply: At the outset, I wish to inform the House that solid waste management is a challenge for Mauritius due to the increasing amount of wastes generated annually. In 2017, nearly 500,000 tons of solid wastes were generated on the island, with over 97% of these being disposed of at the Mare Chicose landfill.

An Agreement for the supply of 600 tons/day of solid wastes was signed in 2011 between the then Government and a Company Solid Waste Recycling Ltd for the operation of

a composting plant at La Chaumière, Bambous. However, the operator has, at all material times, been able, at best, to receive only between 160 to 180 tons of municipal wastes daily, which is much below the agreed amount.

I wish to inform the House that the landfill at Mare Chicose is expected to reach the end of its lifecycle soon. Action has already been initiated to optimise the existing landfill in view of the difficulties encountered in securing land for a new site. The following actions are therefore being initiated by my Ministry to ensure continuity in waste disposal facilities –

- (a) The existing landfill will be vertically extended. An Expression of Interest (EOI) to shortlist Consultants who will prepare bidding documents for the works has already been launched with a closing date of 23 April 2018, and
- (b) Pending the implementation of the Vertical Expansion Works, my Ministry is proceeding with Wedge Works which involve the optimisation of space available between old closed cells and the last active cell. Works have started in January this year and it is expected that, through these works, additional disposal capacity will be available by June 2018.

An important development in this respect is a project of Waste to Energy (WtE) by the Central Electricity Board. Requests for Proposals have already been launched and the closing date for submission of bids is 08 June 2018. The Waste to Energy Project of the Central Electricity Board is expected to use 1,000 tons of solid waste on a daily basis, which amounts to more than 70% of the waste generated every day.

The issue of the proposed construction of a new compost plant accordingly does not arise for the time being.

CEB - PV SOLAR PLANT - SETTING UP

(No. B/395) Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac) asked the Deputy Prime Minister, Minister of Energy and Public utilities whether, in regard to the contract awarded to Messrs Voltas Green Ltd. for the setting up of a 12.2 MW PV Solar Plant, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the mode of transmission of the power generated therefrom.

(Withdrawn)

POUDRE D'OR - TAXI STAND

(No. B/396) Mrs D. Selvon (Second Member for GRNW & Port Louis West) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the

Village of Poudre d'Or, he will, for the benefit of the House, obtain from the National Transport Authority, information as to if –

- (a) consideration will be given for the provision of a taxi stand thereat and, if so, when and, if not, why not, and
- (b) decision has been taken for the issue of about 20 additional taxi licences for operation thereat over and above the 17 existing permits therefor for a population of 4,100 thereat.

Reply: In regard to part (a) of the question, I understand that, so far, there has been no such request made to the NTA. However, being given the Authority is envisaging the grant of additional taxi licences to ply from the Village of Poudre d'Or, a preliminary visit has been conducted by the NTA Inspectorate to assess the possibility of setting up a taxi stand in the village.

I am advised that the village is a built-up area and that a joint site visit with all stakeholders, including representatives of the Traffic Management and Road Safety Unit, the Police and the local authority, will be carried out to identify an appropriate location for the setting up of a taxi stand.

With regard to part (b) of the question, I am informed by the National Transport Authority (NTA) that there are presently 20 taxis which have been licensed to operate from the Village of Poudre d'Or. These taxis mainly operate as '*taxi train*' between the Village of Poudre d'Or and Goodlands, Rivière du Rempart and Central Flacq.

I am further informed that applications for taxi licence have been invited by the Authority on 17 April 2018 and, as at the closing date of 27 April 2018, six applications have been received. These applications are under enquiry and will be heard by the Authority shortly.

POLICE FORCE – SUICIDE CASES

(No. B/397) Mrs D. Selvon (Second Member for GRNW & Port Louis West) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the Police Officers, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof who have committed suicide over the past five years, indicating the –

- (a) respective posting thereof, and
- (b) follow-up and counselling policies in place, if any, to accompany the families of the deceased officers.

Reply: I am informed by the Commissioner of Police that there have been nine reported cases of suicide in the Police Force during the last five years.

As regards part (a) of the question, eight Police Officers concerned were posted to Saint Pierre, Rivière du Rempart, Floreal, Curepipe, Piton, Albion, Tombeau Bay and Beau Bassin Police Stations and one to the Special Support Unit.

Concerning part (b) of the question, I am informed that the Police Force provides immediate support to the bereaved family through counselling by Psychologists of the Police Department. Other support provided include -

- (i) visits to the bereaved families by colleague officers;
- (ii) voluntary donation by Officers of the Police Force;
- (iii) provision of logistic facilities for funeral purposes, and
- (iv) provision of administrative support, such as fast tracking for pensions and funeral grant.

I am also informed by the Commissioner of Police that a consolidated Policy Paper is under preparation at the level of the Police which will define the Protocol providing the appropriate emotional care and support to Police Officers seriously injured, ill or deceased including suicide cases.

POLICE OFFICERS - DISMISSAL & INTERDICTION

(No. B/398) Mrs D. Selvon (Second Member for GRNW & Port Louis West) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the Police Officers, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof who have been -

- (a) dismissed since October 2015 to date, indicating in each case, the –
 - (i) reasons therefor, and
 - (ii) respective posting thereof, and
- (b) suspended since December 2016 to date, indicating in each case, the –
 - (i) reasons therefor, and
 - (ii) respective posting thereof.

Reply: I am informed by the Commissioner of Police that since October 2015 to date, 35 Police Officers have been dismissed from the Force.

As regards part (b) of the question, I am informed that since December 2016 to date, 38 Police Officers have been interdicted from duty.

Details regarding the reasons for dismissal and interdiction as well as the posting of the above-mentioned Police Officers, are being tabled.

NATIONAL ANTI-DOPING ORGANISATION - SETTING UP

(No. B/399) Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the National Anti-Doping Organisation, he will state where matters stand as to the introduction in the House of proposed amendments in relation thereto, as requested by the African Continental Office.

Reply: My Ministry has been informed by the World Anti-Doping Agency of a few non-compliance issues raised which do not have a direct relevance to doping but are more related to the setting up and operation of the National Anti-Doping Organisation (NADO), which should be independent from my Ministry.

WADA has also proposed that some definitions and wordings in the Sports Act 2016 should be harmonised with the WADA Code.

My Ministry is working on the proposals and the Sports Act 2016 will be accordingly reviewed as soon as possible to address both the WADA requirements and the recommendations which will emerge from the National Sports Policy which is currently being prepared by Portas Consulting.

In the meantime, my Ministry has worked out an agreement with the Regional Anti-Doping Organisation of Indian Ocean, based in Seychelles, which is the main body in regard to doping in the Indian Ocean region, for the latter to carry out the functions of NADO, pending the amendments of the Sports Act 2016.

POLICE - PASSING-OUT CEREMONY - PRIME MINISTER - STATEMENT

(No. B/400) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the recent statement made by the Prime Minister during the Passing-Out Ceremony on 05 May 2018 to the effect that some Police Officers are attempting to sabotage the fight against drugs, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if due diligence is being carried out to identify the Police Officers suspected of involvement therein for urgent actions to be taken against them.

(Withdrawn)

POLICE OFFICERS - TRADE UNIONS

(No. B/401) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the Police Officers Solidarity Union, he will, for the benefit of the House, obtain

from the Commissioner of Police, information as to the number of times he has had meetings therewith to discuss the complaints of the Police Officers, indicating the reasons for his absence at the last meeting therewith.

Reply: I am informed by the Commissioner of Police that the Police (Membership of the Trade Union) Act 2016 came into operation on 09 January 2017.

As at date, four trade unions of Police Officers have been registered, namely: Police Officers Solidarity Union (POSU), All Police Officers Unity (APOU), Junior Police Officers Union (JPOU), and Union Policière (UP).

It is to be noted that none of the abovementioned trade unions has submitted any application to the Commissioner of Police for recognition as Trade Union of Police Officers in compliance with section 36 of the Employment Relations Act 2008. They have neither communicated the number of Police Officers affiliated to their respective trade unions.

However, with a view to promote constructive dialogue between the Police Management and the trade unions of Police Officers, the Commissioner of Police has set up a common platform since November 2017 to discuss with the Unions on matters pertaining to conditions of service of Police in general.

I am also informed by the Commissioner of Police that the common platform has met on three occasions, namely on 15 December 2017, 29 January 2018, and 02 May 2018. He personally presided over the first meeting of 15 December 2017. Although the representatives of POSU were invited to the meeting, they did not turn up.

The other two meetings were chaired by a Deputy Commissioner of Police.

At the second meeting, representatives of POSU were present, but they did not complain about the chairmanship of the meeting. As, for the last meeting held on 02 May 2018, two representatives of POSU were present and made a walkout on ground that the Commissioner of Police was not personally chairing the meeting. Representatives of the other Unions continued to attend the meeting.

I wish to point out that, in a correspondence dated 11 December 2017, which the Commissioner of Police addressed to all Trade Unions of the Police, it was spelt out that the common platform will be chaired by the Commissioner of Police or his representative.

I am further informed by the Commissioner of Police that he has taken note of all the matters raised and discussed with the Trade Unions during the three meetings and actions as appropriate have been initiated accordingly.

POTATOES - PRODUCTION

(No. B/402) Ms M. Sewocksingh (Third Member for Curepipe & Midlands) asked the Minister of Agro-Industry and Food Security whether, in regard to ware potatoes, he will state –

- (a) if there has been any delay in the current plantation thereof as compared to the past three years on a monthly basis, and
- (b) the cost of production thereof for the past five years.

Reply: The House may wish to note that the first potato season is from 15 April to 30 June every year. However, in view of the exceptionally adverse climatic conditions that prevailed since the beginning of this year, whereby it was practically raining heavily every 2-3 days until end of April, growers could not proceed with potato plantation during the month of April.

I am informed that the growers started to purchase potato seeds from the AMB mostly by the beginning of May 2018.

The AMB and FAREI are foreseeing that the harvest of local potatoes will be as from early August instead of mid July 2018.

With regard to part (b) of the question, I am tabling the necessary information.

I am advised by the AMB that the current cost of production has been fixed by the National Potato Committee at Rs151,236 per *arpent* for this campaign.

SUGAR CANE LAND - FALLOW PERIOD

(No. B/403) Ms M. Sewocksingh (Third Member for Curepipe & Midlands) asked the Minister of Agro-Industry and Food Security whether, in regard to land under food cultivation, he will state the extent of fallow land thereof, since 2018 to date.

Reply: I assume that the hon. Member is referring to sugar cane land which remains fallow and not abandoned cane land.

I am informed by the Mauritius Cane Industry Authority (MCIA) that the extent of sugar cane land, that is left fallow each year, is estimated to be around 3,900 hectares and excludes the estimated 7000 hectares of abandoned sugar land.

Sugar cane is normally replanted every seven years, on average. The usual practice is to replant a sugar cane field either during the crop season (*petite saison*) or the inter-crop season (*grande saison*).

In the case of the *petite saison* plantation, replantation of sugar cane is carried out shortly after harvest, implying that there is no fallow period.

As regards the *grande saison* plantation, the cane fields are replanted during the period January to March, whence there is a fallow period.

As a rule of thumb, approximately 7,800 hectares are replanted under a new crop cycle every year. This figure has been calculated on the basis that the land under sugar cane approximates a total extent of 55,000 hectares.

This estimate of 3,900 hectares has been reached given the fact that about 50% of replantation is carried out during the *grande saison*.

However, during the fallow period, the land is not left idle in that most of the 3,900 hectares are used for vegetables and food-crops cultivation. This practice not only contributes towards food security, but also restores land fertility.

The fallow period allows the soil organic to mineralise and thereby improves the soil nutrients status as well as the soil structure, thereby improving the soil health.

Fallow land, having a leguminous crop cover, is most desirable as it returns nutrients and organic matter to the land, thus improving the soil health.

IAN PALACH BUS STATION - ACCIDENTS

(No. B/404) Ms M. Sewocksingh (Third Member for Curepipe & Midlands) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the Ian Palach Bus Station in Curepipe, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported accidents and incidents having occurred thereat over the past 12 months.

Reply: I am informed by the Commissioner of Police that, since April 2017 to date, eight cases of road accidents and 59 incidents have occurred at Ian Palach Bus Station, Curepipe.

BOTANICAL GARDEN - GARDEN PARTY - CATERING SERVICE

PROVIDER

(No. B/405) Ms M. Sewocksingh (Third Member for Curepipe & Midlands) asked the Vice-Prime Minister, Minister of Local Government and Outer Islands whether, in regard to the garden party held on 11 March 2018 at the Botanical Garden in Curepipe by the Municipal Council of Curepipe, she will, for the benefit of the House, obtain from the Council, information as to the—

- (a) cost thereof, and
- (b) name of the catering service provider therefor, indicating the date on which the services thereof were retained.

Reply: I am informed by the Municipal Council of Curepipe that with regard to the garden party held on 11 March 2018 at the SSR Botanical Garden in Curepipe in the context of the 50th anniversary of the Independence, a sum of Rs190,000 was disbursed by the Council.

With regard to part (b) of the question, I am informed that the name of the catering service provider is A. Gungadoo Catering Services. The services of this caterer were approved by the Executive Committee of the Council on 09 March 2018.

BRAMSTHAN - VILLAGE HALL - CONSTRUCTION

(No. B/406) Mr K. Tarolah (Third Member for Montagne Blanche & GRSE) asked the Vice-Prime Minister, Minister of Local Government and Outer Islands whether, in regard to the proposed construction of a Village Hall of Bramsthan, she will, for the benefit of the House, obtain from the District Council of Flacq, information as to where matters stand.

(Withdrawn)

DRIVERS – SYNTHETIC DRUGS - TESTS

(No. B/407) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the testing of drivers driving under the influence of synthetic drugs, he will state if appropriate equipment will be procured therefor and, if so, when.

(Withdrawn)

RICHELIEU - EX-CHA HOUSING UNITS - UPGRADING

(No. B/408) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Minister of Housing and Lands whether, in regard to the ex-CHA houses units sold to the inhabitants of Richelieu, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., information as to number thereof who have benefitted from each of the schemes available thereto to effect the upgrading thereof.

Reply: I am informed that there are two schemes available at the NHDC Ltd for land owners who wish to construct a new housing unit. These families can benefit from either a grant for the casting of roof slab or for the purchase of building materials for those who cannot start the construction of their housing unit.

These schemes are also extended to ex-CHA house owners who wish to upgrade or reconstruct their respective housing unit.

I am informed by the NHDC Ltd that with regard to Richelieu ex-CHA Housing Estate, 24 families have applied and benefitted from the roof slab grant and a total amount of

Rs894,345 has been disbursed for either re-roofing or roofing for extension to the existing houses up to a limit of 100 m².

FISHERMAN REGISTRATION CARD - APPLICANTS – TRAINING

(No. B/409) Mr J. C. Barbier (Fourth Member for GRNW & Port Louis West) asked the Minister of Ocean Economy, Marine Resources, Fisheries and Shipping whether, in regard to the fishermen, he will state if any training is offered thereto prior to obtaining the Fisherman Registration Card and, if so, give details thereof.

Reply: I wish to inform the House that prior to obtaining a Fisherman Registration Card, eligible applicants have to follow the General Course for Fisher at the Fisheries Training and Extension Centre of my Ministry.

Prior to enrolment for the training course, all eligible applicants between the age of 18 and 50 have to undergo medical tests to ensure that they are fit to work at sea. Arrangements are made with the Ministry of Health and Quality of Life to carry out medical tests at hospitals nearest to the residences of the applicants.

The duration of the course is six weeks and it includes both taught modules and practical sessions. The session comprises, *inter alia*, an overview of the Fisheries sector, Oceanography and Marine Science, Fishing Techniques, Navigation and Safety at Sea.

LES SALINES - MARINA - CONSTRUCTION

(No. B/410) Mr J. C. Barbier (Fourth Member for GRNW & Port Louis West) asked the Minister of Ocean Economy, Marine Resources, Fisheries and Shipping whether, in regard to the proposed construction of a Marina at Les Salines, Port Louis, he will state where matters stand.

Reply (The Prime Minister): I am informed by the Director General of the Mauritius Ports Authority that the development of a marina at Les Salines, Port Louis, was part of the ex-Neotown Project.

In accordance with the Port Master Plan 2016, no marina development is being planned at Les Salines.

MASA - FEES & CHARGES

(No. B/411) Mr J. C. Barbier (Fourth Member for GRNW & Port Louis West) asked the Minister of Arts and Culture whether, in regard to the Copyright Act, he will state if consideration will be given for the introduction of proposed amendments thereto to prescribe tariffs to be applied by the Mauritius Society of Authors (MASA) to users of musical works and, if so, when and, if not, why not.

Reply: I wish to inform the House that the various sections of the Copyright (Amendment) Act 2017 have been proclaimed in December 2017 and March 2018.

The Mauritius Society of Authors is now empowered to administer the economic rights and equitable remuneration and negotiate, on behalf of its members in Mauritius, with users of a work on the conditions, and the fees and charges payable.

Following the elections held on 22 April 2018, the new Board of the Society has been constituted and its composition has been gazetted last Saturday, 12 May 2018.

It is now incumbent on the Mauritius Society of Authors (MASA), through its Board, to look into, amongst others, the implementation of the Act.

No proposed amendment is, for the time being, envisaged.

PAILLES - GREEN SPACE

(No. B/412) Mr J. C. Barbier (Fourth Member for GRNW & Port Louis West) asked the Vice-Prime Minister, Minister of Local Government and Outer Islands whether, in regard to the football pitch situated near the Police Station in Pailles, she will, for the benefit of the House, obtain information as to who is responsible for the management thereof.

Reply: I am informed by the Municipal Council of Port Louis that there is no football pitch near the Police Station in Pailles. However, a plot of land of an extent of 1,065m² was vested in the Municipal Council of Port Louis in July 2016 for the creation of a green space. The land is fenced and is lying bare.

TERRE ROUGE/VERDUN LINK ROAD – REHABILITATION WORKS

(No. B/413) Dr. A. Boolell (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Public Infrastructure and Land Transport whether, in regard to Professor Jean Pierre Magnan whose services were retained in relation to the rehabilitation works that are being carried out following the embankment failure at the Terre Rouge/Verdun Link Road, he will, for the benefit of the House, obtain from the Road Development Authority, information as to the terms and conditions of appointment thereof.

Reply: I would like to refer the hon. Member to the reply I made to Parliamentary Question B/253 on 24 April 2018 wherein I informed the House while works were being carried out under the contract for the “Repair to Embankment on Motorway M3 at Ripailles” by Transinvest Construction Ltd, new cracks appeared in July 2017 after torrential rains.

The works had to be stopped and, consequently, the Project’s Consultant, that is, the Korean Expressway Corporation (KEC), through the geotechnical specialist, Dr. Kim made an in-depth investigation of the causes of the cracks. Dr. Kim, in his report, highlighted that

there was a suspected deep-seated movement below formation level. He recommended reinforcement measures through the use of piles.

I wish to highlight that under the Conditions of Contract, the Contractor has the obligation to ensure adequacy of all methods of construction and decided to investigate the causes of the cracks. The Contractor, therefore, invited Prof. Magnan, an internationally recognised geological expert from the *Institut français des sciences et technologies des transports, de l'aménagement et des réseaux*, a public body. No consultancy fees were paid by Government to him.

In his report, he concluded that the failure mechanism included a slope failure and that this slide had to be stopped by additional measures to the replacement of fill material and upper soil. Prof. Magnan also recommended the use of piles to counteract suspected deep lateral movement.

After thorough discussion with Prof. Magnan and experts from KEC, CEREMA (*Centre d'études et d'expertise sur les risques, l'environnement, la mobilité et l'aménagement*), a public body under the aegis of the *Ministère chargé de l'Ecologie, du Développement durable et de l'Energie et du Ministère du Transport, de l'Egalité des territoires et de la Ruralité de France* was enlisted by the RDA on 05 March 2018 for the sum of MUR 531,330.80, exclusive of VAT, for the design of the reinforcing piles. KEC as the consultant on the project would review the design submitted by CEREMA.

CEREMA has submitted a preliminary design on 29 April 2018 and it is being examined at the level of the RDA jointly with the KEC. After the final design, which is expected by end of May 2018, is received, contract for the piling works will be awarded as per the most appropriate procurement method.

EXCLUSIVE ECONOMIC ZONE - MARINE SPATIAL PLAN

(No. B/414) Dr. A. Boolell (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Ocean Economy, Marine Resources, Fisheries and Shipping whether, in regard to the development of the ocean economy, he will state if his Ministry has prepared a Marine Spatial Plan therefor and, if so, give details thereof and, if not, why not.

Reply (The Rt. hon. Minister Mentor): I shall reply to this Parliamentary Question.

On 16 December 2016, Government agreed to the elaboration of a Marine Spatial Plan for the Exclusive Economic Zone (EEZ) of the Republic of Mauritius in view of the increasing demand for marine space in the EEZ for various purposes, particularly, fisheries and aquaculture, coastal development, tourism and leisure.

The main purpose of marine spatial planning is to identify the utilisation of marine space for different sea uses in accordance with national policies and legislation, while taking into consideration the preservation, protection and improvement of marine environment, including resilience to climate change impacts. It will also contribute to the effective management of marine activities and the sustainable use of marine and coastal resources through the creation of a framework for consistent, transparent, sustainable and evidence-based decision making.

The elaboration of the Marine Spatial Plan is in line with the implementation of the 2030 UN Agenda for Sustainable Development and the Sustainable Development Goals (SDGs).

A Coordinating Committee on Marine Spatial Planning comprising relevant Ministries, Departments, Parastatal Bodies and NGOs, has been set up at the level of my Ministry since February 2017. The Coordinating Committee has, so far, met on three occasions under the chairmanship of the Senior Chief Executive of my Ministry.

Following discussions held at the level of the Coordinating Committee, a questionnaire survey has been carried out among the relevant stakeholders to identify ongoing and potential projects within the maritime zones. Based on the information gathered, three Working Groups have been constituted to focus on specific issues namely –

- (i) Planning for New Economic Activities;
- (ii) Conservation and Coordination of Marine Spatial Planning Related Projects, and
- (iii) UNDP Project for Mainstreaming Biodiversity Online Platform.

The Working Groups have met on several occasions and their work is ongoing.

A Marine Spatial Plan is a long-haul participatory process requiring the collaboration of each and every stakeholder. Although Marine Spatial Plan is now gaining momentum, few countries have adopted an elaborated plan. Government has taken the commitment to elaborate the Marine Spatial Plan in the maritime zones while employing the best of the practices.

I am placing in the Library a full brief on the elaboration of a Marine Spatial Plan for the Republic of Mauritius.

CHITRAKOOT GOVERNMENT SCHOOL - RELOCATION

(No. B/416) Mrs A. Perraud (First Member for Port Louis North & Montagne Longue) asked the Minister of Education and Human Resources, Tertiary Education and

Scientific Research whether, in regard to the Chitrakoot Government School, she will state where matters stand as to the proposed relocation thereof outside the land slide prone area.

Reply: The school population of Chitrakoot Government School, consisting of some 43 pupils, has been transferred to Raoul Rivet GS, Villiers René GS and Lower Vallée des Prêtres GS; out of which 6 are in Grade 1.

Chitrakoot, Vallée des Prêtres is located in a potentially high-risk Landslide Zone and this has been confirmed after a feasibility study carried out by the Japan International Cooperation Agency (JICA) in 2013.

The proposed relocation of the school will depend on the availability of suitable plots of land outside the landslide prone area, a critical mass of inhabitants to operate a school and assurance from experts that the land will not be prone to landslides and that the ground is stable. Further, geotechnical tests would have to be carried out on any plot of land identified so as to ensure that the overall project is technically viable and sustainable in the long run.

PRIMARY SCHOOLS - HISTORY CURRICULUM

(No. B/417) Mrs A. Perraud (First Member for Port Louis North & Montagne Longue) asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the primary schools, she will state if the history of the Mauritian population is being taught to the students thereof.

Reply: History is taught in primary schools from Grade 3 in line with the National Curriculum Framework 2015. The topics involve include –

- the child's immediate environment (covering the Locality – Past and Present and People living in the Locality);
- the discovery of Mauritius & Rodrigues;
- settlement in Mauritius people on the island in the past: settlers, slaves & immigrants;
- celebrating independence, and
- our heritage.

The aims of the History Curriculum are, *inter alia* –

- to develop an interest and curiosity about the past;
- to appreciate how people and events in the past have shaped the local community and the environment;
- to understand the concept of sequence time and chronology change and continuity;

- to develop a range of inquiry skills in interpreting the past and a sense of personal and national identity, and
- to understand the importance of their historical heritage and care for its preservation.

Furthermore, educational outings at historical sites and monuments as well as video projections complement classroom teaching.

I wish to also add that History and Geography is being assessed at PSAC level and candidates are required to sit for modular assessment at the level of Grades 5 and 6.

COMMONWEALTH GAMES - FINANCIAL ASSISTANCE

(No. A/5) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the 21st Commonwealth Games held in Gold Coast, Australia, he will state if his Ministry has allocated any special budget for the preparation of the 54 athletes who participated therein and, if so, indicate the amount allocated to each participant.

Reply: The training and preparation of athletes for international games is an ongoing activity, including the Commonwealth Games. My Ministry has earmarked a budget of Rs20 m. for that purpose for this financial year.

It is the responsibility of the Federations to ensure that their athletes are properly prepared. Whenever, they make requests to the Ministry, a global amount is allocated to the Federations and not to the individual athletes.

For the Commonwealth Games, the Mauritius Olympic Committee (MOC) has requested financial assistance for the purchase of equipment, medical kits, insurance covers and uniforms for the selected athletes. Assistance from my Ministry was to the tune of Rs2 m.

The MOC is required to submit a breakdown of their expenditure for the games, including any particular assistance to Sports Federations and athletes.

APPENDIX

The complaint is in respect of allegations made by the Hon S. Mohamed in the course of an interview on Radio Plus in the Radio Programme: Le Grand Journal of the 19 April 2018 on the conduct of the Speaker in the discharge of her duties.

Inter alia, the Hon. Mohamed made the following comments –

Aujourd'hui seki pe arriver que Madame Speaker fine choisir ène methodologie ki très interessant et ki mo pas d'accord. Et ki mo pou explique bann dimoune kipe ecoute nous zorki ki li pe fer. Li finn fer en sorte ki tout dimun kapav avoy question 5-6 mois en avance ki le calendrier parlementaire li bloquer jusqu'à juin-juillet. Tout questions ki nou pou poser ki concerne l'actualité présente, en d'autre mot si nous envi pose enn question lor seki pe arriver, lor le nombre de personne ki pé moRt dans bann accidents, le nombre de personne ki pé ki pé perdi la vie dans bann accident vraiment chagrinant et triste. Enn exemple. Tout sa bann scandale lors scandale ki pé arriver la, pour le moment, bann nominations de bann familles de certains ministres ki pé continuer. Par exemple dans certains institutions paraétatique. Sa bann questions la, pas pou arrive dans l'agenda, pas pou capav être répondu jusqu'à juin-juillet valeur du jour lors time-table parlementaire.

Further,

.....La population pou reste lor so faim, pas pou capave gagne banne reponse à banne questions important. Et qui sanla qui responsable sa strategie anti démocratie la?

C'est Madame Speaker ensemble avec le Whip du gouvernement qui responsable parce qui si ou pé choisir ène methodologie pour empeche banne questions d'actualite présente arrive lor l'agenda et qui dimun dans l'île Maurice capave écouter et trouver qui réponse Minis là pe donner, sa veut dire quelque part ou pe détruire la démocratie".

Further,

.....Li maintenir li constant, dans dans dans le fait ki li pas comprend ce que s'est la démocratie. En tout cas nou pena même l'opinion en ce qui concerne la transparence, nou pena même definition de ce que s'est la démocratie parlementaire. Li ena pou li, nou ena pou nou, mais en tou cas, mo penser que so definition de de de de démocratie parlementaire li beaucoup plus adapter aux besoins du gouvernement du jour. Li Claire, c'est mo l'opinion.

Further,

.....Nou pou, nou pou par exemple mo finn trouve enn lot zafer ki finn arriver, ki pour moi c'est potentiellement enn violation des Standing Orders de l'assemblée Nationale par Madame Speaker, euhh mo finn attire l'attention du staff du bureau du Clerk récemment, paski li finn fer enn conference de presse avant ki li

fin lay on the table of the Assembly bann documents parlementaires. Parce que les Standing Orders dire ki li bizin lay on the table of the Assembly avant, pas simplement ecrire dans enn papier laid on the table, li bizin physiquement fer li et finalement c'est après so conference de presse ki li finn lay on the table of Assembly les affaires de Gender Caucus et so bann rapPorts ki techniquement peut être dimoune trouver peut être li banal, mais techniquement li potentiellement enn violation de bann standing orders. Enkor enn fois ki nous supposer fer? Enkor enn lot motion de blâme contre madame speaker, enkor enn enn lot appel à ki nou ena enn façon de gérer les affaires de l'Assemblée nationale ki est juste et equitable. Comié fois nou pou continuer fer appel? Et mo penser ki li necessaire ki dimun koner ki c'est ki pé arriver dans l'Assemblée nationale aujourd'hui c'est du semblant, en d'autres mots, soit disant ène démocratie parlementaire, mais - non – par banne manoeuvres qui fine mett en place pour empess qui banne questions poser lor banne zaffaire d'actualités presentes et récents, nou pé en d'autres mots couveRt le Gouvernement. Voila

-Tous les partis rejoindre moi lor là – qui péna justice dans la façon qui pé gère les questions – les questions essentielles – pou la démocratie – la transparence.