



**SIXTH NATIONAL ASSEMBLY**

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**FIRST SESSION**

**FRIDAY 09 NOVEMBER 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
Hon. Mrs Fazila Jeewa-Daureeawoo	Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare
Hon. Seetanah Lutchmeenaraidoo, GCSK	Minister of Foreign Affairs, Regional Integration and International Trade
Hon. Yogida Sawmynaden	Minister of Technology, Communication and Innovation
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
Hon. Anil Kumarsingh Gayan, SC	Minister of Tourism
Dr. the Hon. Mohammad Anwar Husnoo	Minister of Health and Quality of Life
Hon. Prithvirajsing Roopun	Minister of Arts and Culture
Hon. Marie Joseph Noël Etienne Ghislain Sinatambou	Minister of Social Security, National Solidarity, and Environment and Sustainable Development
Hon. Mahen Kumar Seeruttun	Minister of Agro-Industry and Food Security
Hon. Ashit Kumar Gungah	Minister of Industry, Commerce and Consumer Protection
Hon. Maneesh Gobin	Attorney General, Minister of Justice, Human Rights and Institutional Reforms
Hon. Jean Christophe Stephan Toussaint	Minister of Youth and Sports
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. Soodesh Satkam Callichurn	Minister of Labour, Industrial Relations, Employment and Training
Hon. Purmanund Jhugroo	Minister of Housing and Lands
Hon. Marie Cyril Eddy Boissézon	Minister of Civil Service and Administrative Reforms
Hon. Dharmendar Sesungkur	Minister of Financial Services and Good Governance

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**MAURITIUS**

**Sixth National Assembly**

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**FIRST SESSION**

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**Debate No. 30 of 2018**

**Sitting of Friday 09 November 2018**

The Assembly met in the Assembly House, Port Louis at 3.00 p.m.

**The National Anthem was played**

*(Madam Speaker in the Chair)*

## **PAPERS LAID**

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

**A. Prime Minister's Office**

- (a) Certificate of Urgency in respect of The Special Education Needs Authority Bill (No. XVIII of 2018). (In Original)
- (b) The National Accounts of Mauritius 2017.
- (c) The Statutory Bodies Pension Funds (Amendment of Schedule) (No. 3) Regulations 2018. (Government Notice No. 139 of 2018)

**B. Ministry of Energy and Public Utilities**

- (a) The Energy Efficiency (Energy Consumer and Energy Audit) (Amendment) Regulations 2018. (Government Notice No. 136 of 2018)
- (b) The Energy Efficiency (Labelling of Regulated Machinery) (Amendment) Regulations 2018. (Government Notice No. 137 of 2018)

**C. Ministry of Public Infrastructure and Land Transport**

- (a) The Construction Industry Development Board (Amendment of Schedule) Regulations 2018. (Government Notice No. 140 of 2018)
- (b) The Construction Industry Development Board (Appeal Fee) Regulations 2018. (Government Notice No. 141 of 2018)
- (c) The Construction Industry Development Board (Registration of Consultants and Contractors) (Amendment) Regulations 2018. (Government Notice No. 142 of 2018)
- (d) The Construction Industry Development Board (Registration of Service Providers other than Consultants) Regulations 2018. (Government Notice No. 143 of 2018)
- (e) The Construction Industry Development Board (Registration of Suppliers) Regulations 2018. (Government Notice No. 144 of 2018)

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

The Consumer Protection (Ban on Importation and Sale of Umbrella Resembling Shot Gun) Regulations 2018. (Government Notice No. 138 of 2018)

## ORAL ANSWER TO QUESTION

### METRO EXPRESS - SINGAPORE COOPERATION ENTERPRISE – EIA STUDY

**The Leader of the Opposition (Mr X. L. Duval)** (*by Private Notice*) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Metro Express, he will table copy of the Environment Impact Assessment study effected by Singapore Cooperation Enterprise and state whether all the recommendations contained therein have been or will be implemented concerning the construction, as well as, the operation thereof, following the public outcry and anxiety expressed by the citizens living or working in the regions to be served by the Metro Express.

**Mr Bodha:** Madam Speaker, as you are aware, the Metro Express Project is the first Light Rail Transit system to be introduced in Mauritius. The project will produce a world class and sustainable LRT system stretching over 26 kilometres from Port Louis to Curepipe. It will go through major conurbations, including Beau Bassin, Rose Hill, Quatre Bornes and Vacoas. It will consist of 19 stations, of which six are multi-modal interchanges. It will be implemented in two phases. Phase 1 is from Port Louis to Rose Hill and is expected to be in operation by September 2019.

Madam Speaker, to demonstrate the magnitude and complexity of the works involved, may I inform the House that works are currently being carried out at 32 sites at the same time over 12 kms. The works have progressed substantially according to schedule and as at to date, 48% completed for Phase 1. The status in respect of the different components of the works is as follows -

- (i) earthwork in excavation completed - 88%, which is 470,000m<sup>3</sup>;
- (ii) earthwork in filling completed - 55%, which is 104,000m<sup>3</sup> ;
- (iii) piling - 149 piles out of 204 completed;
- (iv) open foundation completed - 100%;
- (v) pile caps completed - 10%;
- (vi) pier and pier cap - 14%, and
- (vii) culverts - 47%.

Madam Speaker, in order to ensure that the works are implemented in accordance with international norms, including technical, environmental management and sustainability, traffic, engineering design, safety management, the Employer's Requirements have been

clearly specified in the Request For Proposal and incorporated in the Engineering, Design and Construct Contract awarded to Larsen and Toubro Ltd.

Madam Speaker, as regards the environmental impact, the contract provides for the following responsibilities of the contractor -

- (i) acquire all relevant environmental approvals from Government authorities prior to commencing works on sites;
- (ii) to develop, implement and maintain -
  - an Environmental Management System for the works;
  - an Environmental Management Plan for the works;
  - a draft Operation & Maintenance Environmental Management Plan for future Operation & Management activities consistent with the Contractor's Environmental Management System;
  - a Sustainability Plan for the works and draft Sustainability Plan for future Operation & Maintenance activities;
  - a live environmental risk register and environmental incident management procedures for the works linked to the Environmental Management System, and
  - site specific environmental and sustainability inductions, training and awareness programmes.

Madam Speaker, the Environmental Management Plan submitted by the design and build contractor, Larsen and Toubro Ltd, has been approved by Metro Express prior to the start of works.

In addition, though the Metro Express project had been delisted from the list of undertakings requiring an EIA under section 96 subsections (1) and 2(a) of the Environmental Protection Act 2002, Government decided that as an added precautionary measure, an EIA should be carried out to ensure that all the mitigating measures are taken. The Singapore Cooperation Enterprise (SCE) has been entrusted with this task. This only attests to Metro Express Ltd and Government commitment to environmental protection for the benefit of the population.

Madam Speaker, the SCE has submitted its report in February 2018. The EIA covers the most important environmental parameters, namely-

- socioeconomic impact;
- noise and vibration;
- air quality;
- geotechnical, soils and contamination;
- hydrology and surface water;
- utility services;
- heritage, and
- ecology.

Madam Speaker, I am informed that Larsen and Toubro Ltd has confirmed that the recommendations of the EIA Report have been incorporated in its Environmental Management Plan.

Madam Speaker, I am informed that the following measures are being implemented -

#### **Dust Control**

Road cleaning is being done daily and washing is being carried out overnight on Vandermeersch Street by sprinkling water twice daily to suppress the dust. Barricading to prevent access to work site and to prevent the construction of dust from dispersing to outside.

#### **Siltation control of all drains and channels**

Notifying people in advance when noisy work is to be carried out.; L&T is proactively conducting community engagement through Press release, leaflets, communiqués, social media posting, one to one interactions with individuals. Prevention of noise at the source and control measures for reducing and managing noise levels at work.

#### **Waste monitoring and control, including waste avoidance and control of hazardous waste**

Waste collected is temporarily stored at site for not more than 3 days at site.

Environmental monitoring tests for noise, dust and water quality are being conducted at regular intervals and reported accordingly.

In addition, the following environmental mitigation measures will be taken during operations of the system –

1. lubrication of rail and wheel at tight curves;
2. regular inspection and maintenance of the rail, and
3. regular inspection and maintenance of the wheel on the LRV and trade waste.

In the depot of Richelieu, facilities will be provided to manage the waste produced by the maintenance of the LRVs. They include –

1. waste compacter and skip area;
2. waste oil tanks;
3. water filtration plant, and
4. effluent treatment plant.

Furthermore, I have been advised that the EIA, prepared by the SCE, is a benchmark and contains a checklist of measures as well as monitoring regime, for the contractor to be assessed against.

Furthermore, the SCE has confirmed that the Contractor, Larsen & Toubro Ltd has adequately addressed the relevant environmental impacts as a result of its construction and project activities.

Madam Speaker, several mechanisms have been put in place to closely monitor the smooth implementation of the Metro Express, including any impact on the environment along the alignment.

Every Monday, I personally chair a Monitoring Meeting with all stakeholders concerned, including the Contractor, the Consultant, the utilities providers and Municipal Councils concerned. Major issues are flagged and discussed so that appropriate remedial measures and actions are taken. Subsequently, I report to Cabinet every week on pertinent issues.

To better prepare for the Monitoring Meeting on Monday, Metro Express conducts a Progress Review Meeting with the Contractor and the Consultant every Friday.

Every Wednesday, another collaborative meeting on Traffic Diversions and Utilities interfaces is held at Metro Express with the relevant parties to address all upcoming measures

in order to minimise impact on people in the concerned regions. For example, for the M1 diversion at St Louis, there is a contingency plan to implement a contra-flow measure for northbound traffic towards Port Louis.

Madam Speaker, in order to ensure timely communications to the public on diversions and closure of roads and disruption at any utility supply, a Communication Cell, chaired by Metro Express and comprising representatives from the MPI, Police, L&T and utilities providers meets every week to take stock of the situation. It monitors communication issues and decides on the appropriate medium of communication, including flyers, pamphlets, communiqués and TV and radio programmes to adequately inform the public. Moreover, constant social media interactions and regular updating of the Metro Express website and Facebook page are undertaken. The Police ensure a daily monitoring of all diverted traffic at the various concerned locations.

Furthermore, to monitor the situation at the construction sites and to ensure the safety of the public and workers, a weekly, including an *ad hoc* and at night, Quality, Health and Safety, and Environment Patrol is undertaken by representatives of MEL, RITES, L&T, RDA, TMRSU and the Police.

Madam Speaker, furthermore, the Mayor of the Municipal Council of Beau Bassin meets all stakeholders on a weekly basis to closely monitor the situation in the region of Beau Bassin and Rose Hill and to take cognizance of any complaints for appropriate measures.

Madam Speaker, moreover, the Prime Minister chairs a Steering Committee on the Metro Express Project on an *ad hoc* basis requiring, for prompt and appropriate decisions on major issues.

Madam Speaker, it is quite normal that during the implementation of a project of such magnitude and complexity, especially in an urban environment and busy area, comprising numerous old underground utilities, which have been put in place decades before, that disturbances may occur that could give rise to inconveniences.

However, I wish to point out that only two localised utility-related incidents have occurred, namely –

#### **CWA incident at Vandermeersch**

While working at Roland Armand during the diversion works CWA pipes got damaged from 06 to 08 August and same was restored with the help of CWA and affected residents were provided the water with tankers.

While laying the Lay By for the household connections to connect to the new diverted pipeline on the Vandermeersch Street, leakages due to old age

Asbestos pipes caused inconvenience to the public on the Vandermeersch Street and nearby residents from 09 August to 12 August 2018.

After detailed discussions with CWA and finding the root cause, CWA decided to lay a temporary diversion above ground from Malartic Street to Beau Bassin to resolve the issue. CWA supplied the water with tankers to the affected residents during these disruptions.

#### **WMA works at Place Margeot**

Then we had a second incident with the WMA works at Place Margeot, Madam Speaker. On Sunday 28 October 2018, a waste water/sewer overflow was observed on Sir Virgil Naz Street (off Vandermeersch Street). Larsen & Toubro immediately informed the WMA of the incident, which mobilised appropriate equipment, such as sewage trucks, to evacuate all waste water as from Sunday 28 October 2018. Larsen & Toubro mobilised additional sewage trucks as from Monday 29 October 2018. The road was closed to carry out the evacuation of the waste water and measures have been taken to counter the odour.

After extensive efforts by WMA and L&T, and following the dewatering process on Tuesday 30 October 2018, WMA and Larsen & Toubro were able to identify the extent of the blockage which caused the overflow of the WMA pipeline. It is likely that different types of soils along different layers, including boulders around the concerned manhole and the pile, might have led to damage the manhole during the drilling works, despite all precautions taken by the Contractor and the Site Supervisor.

As at Wednesday 31 October 2018 morning, the overflow at Rose Hill was under control, with no waste water on the roads. The WMA, in collaboration with L&T, has put in place a mechanism to divert the waste water further down the WMA network, while permanent repairs are in process. The absorption of previously leaked waste water as well as deep cleaning of the affected areas have been completed. The road is now open for local access. L&T have gifted air fresheners and cleaning products to affected shops and inhabitants and business has resumed.

Madam Speaker, I wish to reassure the House and the population at large that all reasonable precautionary measures are being taken to minimise environmental impacts as per the contractual obligations of the Contractor and as per the EIA Report. In a few months'

time, our country will be endowed with the most modern public transport system that will constitute one of the core elements of the new smart Mauritius we are constructing.

I have brought here, Madam Speaker, three documents. The first document is in the Request For Proposal, which was made to Afcons and to Larsen & Toubro. We have the conditions which were laid as regard to Environmental mitigating measures. I have requested Metro Express to lay a copy of that document in the days to come.

The second document is the Environment Management Plan of LMT as regard to those requirements. I have requested L&T to give us a copy of that. The third document is the EIA Report which has been conducted by Singapore Corporation Enterprise. I am laying a copy of the Executive Summary. The main document is 916 pages. I have made a request to Metro Express to consider the possibility of laying it on the Table of the National Assembly.

**Mr X. L. Duval:** I thank the hon. Minister. May I ask the hon. Minister, now that we have technology, to put the 960 pages on the website of the Metro Express, and if it can be done immediately? Can he do that, please?

**Mr Bodha:** As I have said, I have made a request to the Metro Express Board about that particular document.

**Mr X. L. Duval:** Is it, yes, you are going to or are you going to ask for their permission to put it on the website? I am asking you: will you put it on the website?

**Mr Bodha:** I have made a request to the Board and the Board will take the final decision. But I am laying a copy of the Executive Summary, Madam Speaker.

**Mr X. L. Duval:** Madam Speaker, the House and the nation expect a full copy of the EIA study paid for by public money, not by Larsen & Toubro - by public money - to be published, and we hope that it can be done today, Madam Speaker, if at all possible. Madam Speaker, I would like to ask the hon. Minister, concerning the incident in Vandermeersch. Now, everyone, every engineer knows that the only way to be able to tell where underground pipes are, is to use, what is called, a ground penetrating radar.

My information is that on the ground of cost, because it would cost Rs13 m., Larsen & Toubro have not used that technology. They are not using ground penetration radar. What has happened at Roland Armand, CWA, WMA, is happening now, as we speak, will happen again and again, unless this stupid cost cutting measures are stopped and Government...

**Madam Speaker:** Hon. Leader of the Opposition, are you providing information or are you digging information from the hon. Minister, please?

**Mr X. L. Duval:** I will be shorter, Madam. Can the hon. Minister ask Larsen & Toubro immediately to use the latest technology so that this sort of incident does not repeat itself all around the *trajet*?

**Mr Bodha:** Madam Speaker, Larsen & Toubro is an international company of repute. They have done a number of very sophisticated projects. From what I have been told that particular pipe was at 7 metres. I have been told that, in fact, this has been used for identification and mapping of the utilities.

**Mr X. L. Duval:** Madam Speaker, it is unheard of, for such major incidents to happen and, therefore, Madam Speaker, I am going to ask the hon. Minister what comfort can he give to the population of these regions that, in fact, this sort of incident will not keep on recurring for the next three or four years?

**Mr Bodha:** Madam Speaker, I thank the hon. Leader of the Opposition for asking that question. We have had 140 piles which have been dug and this incident occurred at the 139<sup>th</sup> pile.

*(Interruptions)*

Yes, it is, I agree. It is one incident which should not have happened in spite of all the precautions. In fact, I have asked - and I thank him for this question - RITES, Larsen & Toubro, SCE and Metro Express to re-examine the construction technology where required to avoid recurrence as far as possible. I think the hon. Leader of the Opposition is right because such incidents do cause a lot of - in fact, we had such a big goodwill, this project was going on so well and we were working on 32 sites, Madam Speaker. I have mentioned that we have excavated 400,000 m<sup>3</sup> of earth and now they are telling me that there are three levels of assurance, L&T, RITES and Metro Express and SCE. What I am saying, I am going to repeat it, Madam Speaker, and I thank the Leader of the Opposition for this, I have requested RITES, SCE, L&T to re-examine the construction methodology where required to avoid recurrence as far as possible and I think the most important thing is the mapping of utilities. We should know exactly if some areas have to be revisited, they will be revisited, Madam Speaker.

**Mr X. L. Duval:** Madam Speaker, the hon. Minister is contradicting himself. He says he has a technology to map and then he says: "I have asked them to map." I am going to ask the hon. Minister now about this, a communiqué was issued on 30 October by the Ministry of Health - it is still valid as far as I can see - to request that everyone in Rose Hill and Beau Bassin to boil water because the water is unsafe. Can he tell us now whether the

water is still unsafe in the whole of Beau Bassin/Rose Hill and what is he going to do? When can we expect the water to be drinkable?

**Mr Bodha:** From what I have understood from my hon. colleague is that it was a precaution and today's answers which have been submitted to me by the Deputy Prime Minister says this: "the result shows that the treated water and water distributed throughout Port Louis network fully complies with the drinking water standards and the Pailles Water Treatment Plant is a sophisticated plant capable of treating all types of water."

**Mr X. L. Duval:** We are not talking about Pailles, we are talking about Beau Bassin/Rose Hill which is far upstream from Pailles. We are talking about Beau Bassin/Rose Hill, not Pailles. Pailles Water Treatment Plant is in Pailles. His answer also goes to Pailles Treatment Plant. I am going to ask the hon. Minister whether, in fact, he is aware that this is still ongoing and, therefore, why the Ministry of Health has not removed this communiqué and, secondly, is it because 50% of the raw sewage is still, as we speak - and I visited the site only two days ago - flowing into the ground water of Beau Bassin/Rose Hill and anyone can go there and take a picture and put it on the net.

**Mr Bodha:** 50% of the sewage is still on the water - this is not true. As regard to why this has not been removed, I asked the question to my hon. colleague, it is as a precaution.

**Mr X. L. Duval:** What is the percentage of raw sewage water - and anybody can go and see, the pipe is still broken and still overflowing - that is currently, as we speak, going to the ground water of Rose Hill? Please, tell us!

**Mr Bodha:** I need a specific answer to this question, but from the information which has been given to me is that this is not the case.

*(Interruptions)*

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

*(Interruptions)*

**Mr Bodha:** It is a precaution!

**Mr X. L. Duval:** The hon. Minister mentioned the test just now. Is he telling us that CWA or whoever does bacteriological tests, which, I am sure, they do, but do they also do chemical tests to test whether there are the *éléments cancérigènes* which are in these waters due to the treatment, that is a fact also. Can he give the assurance to the House that he is also carrying out chemical tests? I am happy if it is. Are you carrying out chemical tests and please let us have a copy of the results?

**Mr Bodha:** Well, I have the results which have been given to me and the latest analysis which was given. The hon. Deputy Prime Minister - that was on Friday - gave the insurance to the House of what has happened.

Now, as regard to chemical testing, I do not have the answer. I will request the answer from the CWA.

**Mr X. L. Duval:** The bacteriological, but the chemical testing, in particular, for Trihalomethane which is a highly dangerous element which causes cancer. So, I would like the hon. Minister to tell the House a little bit later on whether the Deputy Prime Minister has kindly accepted to do these tests as well before issuing his statement, Madam Speaker.

Madam Speaker, now let us look at the houses that were, in fact, affected with faecal matter everywhere. I have been to see these houses. They tell me, Madam Speaker, that nobody has come, apart maybe they gave them some air freshener, as he said, from Larsen & Toubro, Metro Express to clean their grounds, clean their terraces because the sewage has overflowed and thrown out this rubbish, faecal matter everywhere in Rose Hill.

**Mr Bodha:** First of all, I would like to say that there is no overflow which has been pointed to me. Second, I would like to say also that these are reports for chemical examination of water and wastewater. Third, as regard to what he has been saying that nobody came to see the inhabitants, this is not true, because the whole team has been working 24 hours a day and there have been RITES, be it Metro Express, be it Wastewater, be it the Mayor of Beau Bassin/Rose Hill, everybody has. This area has been under scrutiny for 24 hours, Madam Speaker. I requested personally for the Fire Services to clean the station; they have.

*(Interruptions)*

**Mr X. L. Duval:** They have not done anything and the people are going to sue him. I let him know that they will take him to Court. Madam Speaker, I am just finishing with Beau Bassin in a moment, *Canal Anglais* has been destroyed for kilometres, right through to Barkly. As he may be aware, cyclone season has started a few days ago. He is putting the whole population in danger. A few weeks ago, he told us that there was going to be a new design. Where is the design for the new flood drains in Beau Bassin/Rose Hill, please?

**Mr Bodha:** Well, the designs have already been made and we are working according to a schedule of works, Madam Speaker.

**Mr X. L. Duval:** What will happen if tomorrow there is a big flood? Where is his schedule? People would look at his schedule if they have water in their houses?

**Mr Bodha:** Madam Speaker, we have the drains and we have a schedule of works and I have asked them, in fact, to see to it. This drainage problem is not only with Metro, it is a drainage problem which pertains to the NDU, to the Municipality and Larsen & Toubro is working with the NDU and the Municipality to see to it that all the drains are being treated.

**Mr X. L. Duval:** Madam Speaker, I grew up in Vandermeersch Street, there was always a drain, *Canal Anglais*, always there, right through, that has disappeared. This is not a thing for NDU. What will happen if tomorrow there is a flood in this region?

**Mr Bodha:** The drain which has disappeared, Madam Speaker, we have shifted it.

**Mr X. L. Duval:** No!

**Mr Bodha:** Yes.

**Mr X. L. Duval:** Madam Speaker, the Minister does not know what he is saying. There is no drain! I will take pictures, there is no drain. It will annoy the hon. Minister on Facebook, but I will take pictures and I will show him.

Madam Speaker, last week, at Quatre Bornes, on Saturday, all the MPs were there. We were invited by the *Forces Vives de Belle Rose* to come and discuss the Metro Express. *Les grands absents*, the Ministry, Metro Express, Larsen & Toubro etc. who are being paid huge amounts from public funds, Madam Speaker, and this despite the assurance that there will be transparency. Why were you, people, absent from last week's meeting?

**Mr Bodha:** As for the drains, the information that I have is that drains are being constructed as part of the alignment and it is an ongoing exercise.

Now, Madam Speaker, there was this letter from the *Forces Vives* of Quatre Bornes. There were the hon. Leader of the Opposition, hon. Ramano also was there, there was another hon. Member, I think hon. Dr. Arvin Boolell was there. I have said in this House that when it comes to Quatre Bornes, I will agree to *Forces Vives* being part of a team which is going to implement the project. We were requested to come to a meeting and I sent a letter, I explained: 'give us all your worries and all your constraints'. We have to come with answers, Madam Speaker.

*(Interruptions)*

Listen!

**Madam Speaker:** Don't interrupt hon. Leader of the Opposition!

**Mr Bodha:** Let me give an extent of the problem. There were 100 encroachments between St Jean and Quatre Bornes. We have to deal with each encroachment and we have been able to save all of them, Madam Speaker.

When you go to a *Forces Vives* and you have a meeting with people, you need to have answers to their queries. We are having all the answers to their queries and I reiterate my invitation that we need *Forces Vives* to help us, but we need *Forces Vives* to help us make the project happen and not *Forces Vives* to destroy the project. This is...

*(Interruptions)*

But, yes, I do agree with the hon. Member. He has said that...

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

**Mr Bodha:** Quatre Bornes! Madam Speaker, in the former project which was costing Rs37 billion, what was decided for Quatre Bornes? They had two lanes of traffic and there has always been a question whether the former project was on piles or was at grade. Now, let me just ask one question. I think we have about 60 piles around Place Margéot and all the hassles we are having. Just imagine what we would have had to do if we were to do piles from St Jean to Quatre Bornes!

Now, Madam Speaker, what I am saying is that we want the project to be implemented. I can totally understand the constraints people are going to have, the problems they are going to have. Just imagine that all those retaining walls in Quatre Bornes were encroaching on the alignment. These are the answers that people need, Madam Speaker.

**Mr X. L. Duval:** What I asked was, why he did not attend. He is going on for minutes and minutes about walls and falling and all that.

**Madam Speaker:** I wish to draw your attention also that you have only two more minutes.

**Mr Bodha:** Okay. We are working on the mapping of utilities; we are considering the alignment...

*(Interruptions)*

No, we are considering a new traffic system with entry at Hillcrest so that we re-engineer the whole traffic in Quatre Bornes. We need these answers, Madam Speaker.

**Madam Speaker:** Please, go on!

**Mr X. L. Duval:** Madam Speaker, in a response to PQ B/493...

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan!

*(Interruptions)*

Hon. Bhagwan!

*(Interruptions)*

Hon. Bhagwan, it's the third time that I am calling you to order. From a sitting position, it is out of order to intervene.

*(Interruptions)*

Hon. Bhagwan, don't you know the Standing Orders that, from a sitting position, it is out of order to intervene?

*(Interruptions)*

Hon. Bhagwan, please! No crosstalking! I am trying to put some order in the House!

*(Interruptions)*

Hon. Bhagwan, you seem to ignore the Speaker!

*(Interruptions)*

You cannot! I have told you that, from a sitting position, it is out of order to make interruptions in the House.

*(Interruptions)*

I will put order in the House, but you have ignored what I am saying. Three times, I have called you to order, you are ignoring.

*(Interruptions)*

But, then, you see what happens when there are interruptions in the House. You have got one more minute to go now.

**Mr X. L. Duval:** I have two questions, Madam Speaker, with your permission. Firstly, I would like to ask the hon. ...

*(Interruptions)*

Just two.

**Madam Speaker:** One, because it is 15:33; time is already over. So, I give you your last question, I grant that and that is extension time that I am giving to you - extension time!

**Mr X. L. Duval:** Sorry, I did not hear what you said.

**Madam Speaker:** I am giving you extension time for your last question so that the Minister may reply to your last question, please.

**Mr X. L. Duval:** Okay, thank you. I have two questions, one is of very great importance to children in the region. If you would allow me, I just have the two questions.

**Madam Speaker:** But don't make a statement!

**Mr X. L. Duval:** Yes. I am talking to you.

**Madam Speaker:** Just be quick, I give you two minutes!

**Mr X. L. Duval:** Okay. It depends on his answer also.

Madam Speaker, in reply to PQ B/493, this is what the hon. Minister said on the traffic situation in Quatre Bornes –

‘is going to be chaotic’

This is what he said –

‘and we have to plan for it’

Can we now have the plan what he gave us for Quatre Bornes, which the hon. Minister, himself, said chaotic because the tram is going to intersect with about 25 roads at major arteries?

**Mr Bodha:** The plan is being implemented, Madam Speaker, with the first phase which is the Hillcrest entry into Quatre Bornes on two lanes. So, we are going to enter Quatre Bornes by the Hillcrest over the motorway to Sodnac and we are going to exit Quatre Bornes via what is today the main road towards St Jean, and we are working now on how to connect these two main arteries.

**Madam Speaker:** Last question!

**Mr X. L. Duval:** But the question was on the intersections between the Metro Express and the arteries.

**Madam Speaker:** Yes, but you are losing time.

**Mr X. L. Duval:** This is the last question, Madam Speaker. I went myself to Vandermeersch and to Barkly. The security is appalling, Madam Speaker. Now, we heard last week, or a week before that...

**Madam Speaker:** Ask your question!

**Mr X. L. Duval:** ...they can take fire, they have not taken fire yet. Are we waiting for a child to drown or get hurt on one of these construction sites because it is hardly fenced at all and anybody can walk? I walked in myself and out, nobody even cared about it. Is that the sort of whatever standard the hon. Minister said himself he is going to apply to Mauritius? This is the standard where all these constructions sites are a huge mess, anyone can come in and out.

**Mr Bodha:** Madam Speaker, the construction sites are not a huge mess.

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

*(Interruptions)*

**Mr Bodha:** But I said we are working on 32 sites, we don't have only Vandermeersch and Barkly; we have 30 others, Madam Speaker.

**Madam Speaker:** Proceed with your reply!

**Mr Bodha:** We are focusing on Vandermeersch, and I think we have given a lot of attention to Vandermeersch. There was this issue about trees, we had only the obligation to plant three times as many, but we are doing a park for Rs100 m. and it has been cleared, the preliminary design is there.

Madam Speaker, let me come down...

*(Interruptions)*

**Madam Speaker:** Hon. Jhugroo!

**Mr Bodha:** Let me come down to this issue of security. I go regularly on the Vandermeersch Street, and to Barkly, and there is something else, Madam Speaker, we are extending the urban development of Barkly towards Richelieu, so that Barkly is no longer *un cul de sac*. So, we are working on all this.

Now, I will pay attention to what the hon. Leader of the Opposition is saying and I will impress on L&T...

*(Interruptions)*

*Non, non!* It is very easy to come and speak here, Madam Speaker.

*(Interruptions)*

The hon. Members are not the only ones who go to Vandermeersch every day, we have many of my colleagues, they also have been asking...

*(Interruptions)*

I have been talking to my colleagues as well. I go there personally...

*(Interruptions)*

No. Madam Speaker...

*(Interruptions)*

**Madam Speaker:** Order!

*(Interruptions)*

Order, please!

*(Interruptions)*

Please proceed with your reply whether they listen or not! Whether anybody will listen or not, please proceed with your reply!

**Mr Bodha:** I will impress on L&T, I will impress on the Police to consider this issue of additional security.

**Madam Speaker:** Time is over!

## MOTION

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

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

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

*Question put and agreed to.*

## STATEMENT BY PRIME MINISTER

(3.38 p.m.)

### WORLD BANK - EASE OF DOING BUSINESS REPORT 2019

**The Prime Minister:** Madam Speaker, with your permission, I would like to make a statement with regard to the performance of Mauritius in the Ease of Doing Business Report 2019 by the World Bank which was published on 31 October 2018.

This year again, Mauritius has made a significant climb in the ranking. Our country is now ranked 20<sup>th</sup> out of 190 economies. This is a 29 places leap in just two years. Mauritius has maintained its leading position among African countries and is also among the top 3 upper middle income economies in the world.

Madam Speaker, according to this year's Report, Mauritius has improved its scores in 8 out of the 10 indicators, namely -

- Starting a Business;
- Dealing with Construction Permits;
- Getting Electricity;
- Registering Property;
- Protecting Minority Investors;
- Paying Taxes;
- Trading Across Borders, and
- Enforcing Contracts.

Moreover, our country's overall score improved from 77.54 last year to 79.58. We are thus closing the gap with respect to the world's best performers.

I would like to highlight the commendable performance in the Paying Taxes Indicator where Mauritius is ranked 6<sup>th</sup> in the world, principally for the efficiency of the taxation process in filing of returns and in terms of refunds.

Mauritius is among the top 25 countries in the world where it is less cumbersome and less costly to start a business. SMEs can now incorporate their companies online and the e-certificates of incorporation are issued free of charge. It is noteworthy that the 1<sup>st</sup> ranked country in the world on this indicator has achieved a score of 99.98 and Mauritius obtained a score of 94.34.

The country improved its ranking from the 51<sup>st</sup> position in the previous survey to 34<sup>th</sup> this year on access to electricity.

The impressive performance of Mauritius this year is not fortuitous. We have brought about a number of reforms particularly in the past two years to improve the ease of doing business. Today we are seeing the dividend of the policies we have implemented and the measures we have taken.

The House will recall that in April 2017 the Business Facilitation Act 2017 which was enacted brought amendments to 26 legislations.

Also a Technical Committee for Streamlining of Permit and Licenses has been set up under my Office. This Committee which is chaired by the Secretary to Cabinet and comprises Heads of relevant Ministries, coordinates and monitors the implementation of several major projects related to ease of doing business.

Madam Speaker, we will not rest on our laurels. Two major projects are under implementation and these will further improve the doing business environment in Mauritius.

Firstly, the National e-Licensing System has been launched on 25 October this year for processing of applications for Occupation Permits. The Building and Land Use Permits will, as from mid-December 2018, be processed on the platform. The National e-Licensing System will later be used for the processing of applications for *Morcellement* Permits as well as EIA licenses.

And secondly, some 150 permits and licenses are being streamlined under the Business Process Re-engineering exercise.

Madam Speaker, the House will recall that this year the Finance Act brought amendments to no less than 15 legislations which are related to improving the business environment. These would certainly impact positively on the next year's World Bank survey.

Madam Speaker, we will relentlessly continue our efforts to further improve our ranking on the ease of doing business.

Thank you.

## **PUBLIC BILLS**

### *First Reading*

*On motion made and seconded, the Special Education Needs Authority Bill (No. XVIII of 2018) was read a first time.*

(3.43 p.m.)

### *Second Reading*

## **THE RADIATION SAFETY AND NUCLEAR SECURITY BILL**

**(No. XV of 2018)**

*Order for Second Reading read.*

**The Deputy Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** Madam Speaker, I beg to move that the Radiation Safety and Nuclear Security Bill (No. XV of 2018) be read a second time.

As we go through the Explanatory Memorandum, we see that the object of the Bill is to repeal the Radiation Protection Act of 2003 and then to replace it by this Bill which is an up-to-date and comprehensive legislative framework to enable Mauritius to meet its obligations under the international legal instruments which it has ratified in the field of radiation safety, nuclear security and safeguards.

Madam Speaker, Mauritius became a member of the International Atomic Energy Agency (IAEA) in 1974. IAEA is, I quote –

“The world's centre for cooperation in the nuclear field and seeks to promote the safe, secure and peaceful use of nuclear technologies.”

The IAEA looks after standards of safety everywhere where nuclear energy is involved. Health and the environment are amongst matters of prime consideration as well as Non-Proliferation of Nuclear Weapons. Mauritius ratified the Treaty on Non-Proliferation of Nuclear Weapons.

In 1996, together with some 40 other African countries, we signed and ratified the African Nuclear Weapon Free Zone Treaty, which is also known as the Treaty of Pelindaba, which is the place where South Africa was building a nuclear facility and a nuclear bomb at that time. Now, under this Treaty, the use, manufacture, storage, stockpiling, acquisition, testing, possession, control or stationing of nuclear explosive devices is prohibited and so is the dumping of radioactive waste in the African zone.

“Africa nuclear-weapon-free zone” means the territory of the continent of Africa, island states that are members of OAU, and all islands considered by the Organisation of African Unity in its resolutions to be part of Africa; ‘Territory’ means the land territory, internal waters, territorial seas and archipelagic waters and the airspace above them as well as the seabed and subsoil beneath.

The African Nuclear-Weapon-Free Zone (ANWFZ) covers the entire African continent as well as several islands, which include: Agalega Islands, Cargados Carajos, Chagos Archipelago - Diego Garcia, Comoros, Madagascar, Mauritius, Mayotte, Reunion, Rodrigues, Seychelles, Tromelin Island, and many others.

Madam Speaker, I hope that the House will understand that in view of the pending litigation before the International Court of Justice, I would not wish to pass comment on any matter which might bear any relationship with the questions now pending before the ICJ. This is all that I am going to say with regard to the Pelindaba Treaty.

I would also urge my colleagues in the House to exercise extreme restraint when dealing with this very sensitive matter as any word spoken may have adverse consequences on our pending litigation.

Madam Speaker, the Radiation Protection Act of 2003 laid emphasis on radiation protection. The emphasis has now shifted, it is now on Radiation Safety. These are not just words. “Safety” is primarily concerned with maintaining control over radiation sources whereas “Protection” is primarily concerned with controlling exposure to radiation and its effects.

As for the words “Nuclear Security” appearing in the title, this is intended to make clear that this Act, when passed, will cater for various aspects of nuclear security. I shall come later to the specific clauses dealing with nuclear security.

Madam Speaker, this Bill has been worked out after consultations with all the relevant Ministries and relevant agencies. Throughout the exercise, my Ministry and the Radiation Protection Authority have solicited the advice of the Office of Legal Affairs of the IAEA. On 30 November 2017, I, myself, had a full working session with Mr Abdelmadjid Cherf, the Senior Legal Officer of the Office of Legal Affairs of IAEA. I took the opportunity of brainstorming with him the need to balance our local context with the standards which were exacted by the IAEA and I am glad to say that insofar as the legal points were concerned we were able to reach agreement at the end of our working session.

Then, in 2018, I met Dr. Shaukat Abdulrazak, the Director of the Division of Africa of the IAEA. This was on policy aspects which had then been incorporated in the draft Bill

and again we were able to reach a happy consensus. The uppermost consideration was that the Bill should be comprehensive but at the same time should comply with all the recent International Basic Safety standards and all other international instruments. Time has passed since 2003.

Madam Speaker, it was after World War II that international concern on the destructive use of nuclear technologies started to grow. This eventually led to an appeal made on 08 December 1953 at the United Nations General Assembly by President Eisenhower in his memorable “Atoms of Peace” speech, for an agency to regulate and promote the safe, secure and peaceful use of nuclear technologies.

Subsequently, the IAEA was set up in 1957. Today, the IAEA has 170 member States and in 2005, it was awarded the Nobel Prize for its contribution in making the world safer and more peaceful.

In June 1994, after the devastating nuclear accidents one at Chernobyl, the other one at Three Mile Island, the Convention on Nuclear Safety was adopted. This Convention set international nuclear safety standards to which States should subscribe and has made it mandatory for member States to submit compliance reports.

The concern of Mauritius over nuclear security is not new. In 1990, the then Prime Minister, Sir Anerood Jugnauth, had considered this so important that he appointed a special adviser on Disarmament at the Prime Minister’s Office to advise the Prime Minister on nuclear security issues.

In 1992, the first Radiation Protection Act was enacted in Mauritius and a Radiation Protection Board was set up at the Ministry of Health, with basic functions of regulating the use of ionising radiation and issuing licences and codes of practice.

In 2002, Government already felt that nuclear weapons could be a threat to our country. This is why the Prevention of Terrorism Act provides that an “act of terrorism” is an act which involves, *inter alia*, the manufacture, possession, acquisition, transport, supply or use of nuclear weapons amongst others.

In 2003, on the recommendation of the IAEA, the 1992 legislation had to be repealed and replaced by the present Radiation Protection Act. This led to the setting up of the Radiation Protection Authority in 2006. The Authority was placed under my Ministry,

because IAEA had advised that the radiation regulatory body should be under a Ministry which is not a user of ionising radiation.

Madam Speaker, this leads me to one of the fundamental provisions of this Bill and this is contained in Clause 3(2), simple words -

“This Act shall bind the State.”

Section 9(1) of the Interpretation and General Clauses Act provides that unless otherwise expressly provided, no enactment shall bind the State.

So had the previous legislation on radiation did not bind the State. The previous legislation did not bind the various Government departments which are the largest users of radiation material and this was a large anomaly. In this country, in Mauritius, we use radiation in medicine, agriculture, research and industry. We have some 900 radiation sources, including 300 diagnostic X-Ray equipment, which are being used in about 240 radiation facilities in Mauritius. One third of these facilities are found in public institutions. And there are about 1,100 radiation workers, 30% of whom are female. We can imagine what incidence that can have, especially on female workers who are pregnant, especially when they do not know that they are already pregnant.

Dentists - and this is why I am pleased to see Dr. Sorefan on the list of interveners - use radiation a lot and we have radiotherapy facility - my colleague, the Minister of Health, will be intervening at a later stage - for cancer treatment, nuclear medicine facilities are being contemplated. The proposed New Cancer Hospital, I understand, will introduce high technology radiation emitting equipment such as 3D radiotherapy machine and a PET/CT Scanner. Irradiators for Sterile Insect Technique are used in agriculture and mobile nuclear gauges, containing radioactive materials and these are widely used in industry and construction.

All these State institutions, we must put on record, gave the intense collaboration to the Radiation Protection Authority, although the Act did not bind them. They were culturally involved in collaborating with the Authority, but there was nothing binding upon them and the authority had no means to enforce the legal provisions vis-à-vis these institutions. This is changing today.

The Protection Authority, which is entirely independent, will be able to enforce the provisions of this Act vis-à-vis all Government institutions which are the major users of radiation techniques in Mauritius and that is a contribution to the health and safety of the population at large. There will be a legal mandate to the Authority and that Authority will be able to enforce.

After having said that, I have to place on record the formidable task achieved by the Radiation Protection Authority, under the chairmanship of Dr. Maudarboccus, a refined scientist - he has been in office since 2006 and he has contributed to Mauritius being very high on the international agenda within that very specific field - the Chief Radiation Protection Officer, of course, and his staff. They have vastly contributed to this. In fact, the result is that, in the assessment carried out by IAEA on the level of compliance with IAEA standards in all its Member States, Mauritius has, during the past five years, progressed from the 18<sup>th</sup> position to the 6<sup>th</sup> position, among 44 African countries. So, it is not only on Mo Ibrahim that we have got.

Last August, IAEA upgraded Mauritius to be one of the six countries in Africa to be categorised as “Green”, which is the highest ranking in the Agency’s Radiation Safety Management System. We owe a lot to the Board of the Authority and to the Authority generally.

Madam Speaker, it is now time for me to turn to nine aspects of the Bill instead of doing what we traditionally do, that is, going clause by clause of the Bill.

**(i) Compliance with International Basic Standards**

The Radiation Protection Act 2003 was based on International Basic Standards published in 1996. These standards have been superseded by a revised one of 2014 and these standards take into account the latest development in scientific evidence and experiences. They are the international benchmarks for radiation safety –

- Government should establish the legal and regulatory framework for radiation safety and should establish an independent regulatory body.  
That is what we are doing;

- the regulatory body must be responsible for adopting regulations and guides for radiation safety and ensuring their implementation. The Authority has been doing that ever since its inception;
- the holder of a licence or facility operator has prime responsibility for safety and for establishing and implementing an appropriate radiation safety programme, and that is what the Authority will enforce, and lastly
- the system of radiation safety needs to be fully integrated into the overall management system for safety. That is what the Authority will do under general policy directives which the Minister may from time to time issue to the Authority.

The proposed Bill, therefore, incorporates the requirements of the 2014 International Basic Safety Standards as well as the IAEA Code of Conduct on the Safety and Security of Radioactive Sources for an effective regulatory control of the use of radiation sources. This was the essence of the discussions which I had with the Senior Legal Advisor of the IAEA when he came over to Mauritius and that is where there was a need to build up to a compromise.

**(ii) Domestication of Conventions and Treaties**

We have ratified eight conventions and treaties. They are listed in the Second Schedule. I need not go over them. Now, what we are trying to do, is to incorporate in our domestic law, if Parliament so agrees, these eight conventions *in toto* and that is what clause 3 sub-clause (3) and the Second Schedule purport to do.

Nonetheless, in spite of a general incorporation, we have put in the Bill certain specific clauses which incorporate the requirements of these conventions as included in the Bill and I will be elaborating further on that in the course of my address to you.

**(iii) Nuclear Security**

This was not under the previous legislation. In 2003, the world was different. Clauses 26 and 42 provide for nuclear security as required by the Convention

on the Physical Protection of Nuclear Material and the Amendment to the Convention on the Physical Protection of Nuclear Material.

Nuclear security is defined by the IAEA as the prevention and detection of and response to theft, sabotage, unauthorised access, illegal transfer or other malicious acts involving nuclear material, other radioactive substances or their associated facilities.

**(iv) Safeguards**

Safeguards are technical measures which are applied by the IAEA to verify that nuclear facilities are not misused and nuclear material not diverted from peaceful uses. The Bill, therefore, introduces certain provisions at clause 28, specifying that IAEA can carry out inspections in Mauritius to ascertain that nuclear materials are used only for peaceful purposes. Of course, there is absolutely no inclination to use nuclear facilities otherwise than for peaceful purposes and contrary to what may have been written once or twice, there has never been any plan to put up a Nuclear Energy Plant in Mauritius, not even that, the uses are purely civil uses such as agriculture and medicine as I have spoken about earlier on. The Authority is bound to maintain a State system of accounting and control of nuclear material.

This clause will also meet our obligations under the UN Security Council Resolution 1540 (2004). This requires that all States should adopt and enforce appropriate laws to prevent any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes. This present Bill will thus complement Section 3 of the Prevention of Terrorism Act 2002.

**(v) Obligations under Treaty of Non-Proliferation of Nuclear Weapons**

Mauritius must meet its obligations under the Treaty. This Treaty entered into force on 17 December 2007.

The direct or indirect control over nuclear weapons or other nuclear explosive devices, the manufacture or other acquisition of such weapons or devices, or

seeking or receiving of any assistance in the manufacture of such weapons or devices will be prohibited. That is a new development in the present Bill.

**(vi) Response to Radiological Emergencies**

There has been a lot of talk of whether we are adequately prepared to respond to emergencies. At Clause 35, we have provision for an effective response to radiological emergencies. The Authority, that is, the Radiation Safety and Nuclear Security Authority to be set up by this Bill, will have the responsibility to develop a National Emergency Preparedness and Response for effective responses to radiological emergencies.

Clause 5 of the Bill provides for the Authority to be the point of contact for providing any information or assistance regarding nuclear or radiological emergencies under the Convention of Early Notification on Nuclear Accidents and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency. This will ensure timely request for assistance through the IAEA in emergency situations.

The House will recall the Fukushima nuclear accident in March 2011 after which prompt measures had to be taken to avoid any risk of radioactive contamination from goods imported from Japan, and the Authority had intervened immediately to stop and prevent that sort of contamination.

**(vii) Liability for Nuclear Damage**

Clauses 35 and 36 provide that an operator of a nuclear installation will be liable for liability for nuclear damage. This is required by the Vienna Convention on Civil Liability for Nuclear Damage, and the Convention on Supplementary Compensation for Nuclear Damage. Clause 37 provides for a Court in Mauritius to have jurisdiction to hear claims for compensation under this Bill in case of nuclear damage caused by a nuclear incident in Mauritius or on board a vessel or aircraft registered in Mauritius.

**(viii) Management of Radioactive Wastes and Disused Sealed Radioactive Sources**

Clause 32 makes provisions for the safe management of radioactive wastes and disused sealed radioactive sources. It prohibits the importation of any radioactive waste generated outside Mauritius, and it also provides for the Authority to impose financial obligations for the return of disused sealed radioactive sources to their suppliers. Clause 27 prohibits the importation of any radioactive waste generated outside Mauritius.

**(ix) Establishment of the Radiation Safety and Nuclear Security Authority**

The International Basic Safety Standards place an obligation on Member States to establish an independent regulatory body. Clause 4 of the Bill proposes the setting up of a Radiation Safety and Nuclear Security Authority which will be an effectively independent regulatory body, with powers to regulate and control all radiation sources and ensure nuclear safety.

The proposed Board will include a representative of the Ministry of Finance, the Attorney General's Office and the National Disaster Management and Risk Reduction Centre. The Ministry of Health and Quality of Life will no longer be represented on the Board, given that it would be itself subject to inspection as a major user of radiation sources.

**Protection of Workers**

I would like to say a word on protection of workers. They are the most exposed. There is specific provision in Clause 29 to protect workers against the risks of exposure to radiation and in particular of pregnant or breast-feeding workers. This goes together with Section 79 of the Occupational Safety and Health Act.

**Transitional Provisions – employees of the RPA**

The Chief Radiation Protection Officer will now be renamed Director. The present staff will become employees of the new Radiation Safety and Nuclear Security Authority, without prejudice to their length or conditions of service.

**Capacity Building**

With the enactment of this Bill, we will seek the support of the IAEA for strengthening the Authority and building specialised skills. In fact, IAEA has

been providing considerable assistance for training of Radiation Protection staff as well as implementation of several projects in the field of agriculture, health, energy and monitoring of aquifers.

### **Infrastructure Facilities**

A new building, including modern laboratory facilities is being constructed at Helvetia to house the Authority. It will be ready by June next year. Concurrently, a Centralised Radiological Source Storage Facility financed by the US Department of Energy is being constructed near the same site for the long-term storage of all disused radioactive sources which cannot be returned to their manufacturers or suppliers.

### **Implementation of the Bill**

Regulations will be made to give effect to specific requirements of the Bill.

With these words, Madam Speaker, I commend the Bill to the House.

**The Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daareewoo) rose and seconded.**

**Madam Speaker:** Hon. Bhagwan!

(4.16 p.m.)

**Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière):** Thank you, Madam Speaker.

Madam Speaker, on this side of the House, we have no quarrel on the presentation of this complex piece of legislation. The Explanatory Memorandum of this Bill clearly defines the subject which is to repeal the Radiation Protection Act of 2013, as stated earlier by the hon. Deputy Prime Minister, and replace it by a modern and comprehensive legislative framework with a view to enable Mauritius to meet its obligations under the international legal instruments ratified by the State of Mauritius in the field of radiation safety, nuclear security and safeguards. A Bill, which was long overdue, and now it is coming to the House after lengthy discussions with the international authorities concerned.

Madam Speaker, the Radiation Safety and Nuclear Security Bill accordingly provides for the establishment of a Radiation Safety and Nuclear Security Authority which shall, *inter alia* –

“(a) regulate and control all radiation sources and practices for the adequate protection of people and the environment against the harmful effects of ionising radiation, and for the safety of practices and the security of radioactive sources.”

The Radiation Protection Act, which was proclaimed on 11 September 2006, already makes provisions for the protection of people and the environment from the harmful effects of ionising radiation and also establishes the Radiation Protection Authority as an independent regulatory body to regulate all practices involving sources of ionising radiation and that authority has been working in the right direction and is giving results since its creation.

Five regulations have been promulgated under the Act, namely, for payment of application fees in 2011, and the personal radiation monitoring service in 2012. The Services Unit had to provide a radiation protection service known as Personal Radiation Monitoring Service for the purpose of measuring the exposure of radiation workers to ionising radiation by means of a PRD Badge provided to it.

The Radiation Protection (Conventions) Regulations of 2013 make provision, notwithstanding any other enactment for the following three Conventions –

- (i) the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management;
- (ii) the Vienna Convention on Civil Liability for Nuclear Damage, and
- (iii) Convention on Supplementary Compensation for Nuclear Damage to have the force of law in Mauritius.

Two other regulations pertaining to the safe transport of radioactive materials and licensing and registration were promulgated in 2016 and 2017 respectively. But in spite of the fact that the Radiation Protection Act has been regularly revised to enable the State to meet its international obligations, no such revision has been undertaken with regard to the coming into force of the Additional Protocol since 17 December 2007.

The Additional Protocol, Madam Speaker, is a legal document negotiated between the International Atomic Energy Agency (IAEA) and an individual State granting the IAEA further inspection authority to that provided in that State's Comprehensive Safeguards Agreement with the IAEA. The Additional Protocol aims to enable the IAEA inspectorate to provide assurance about both declared and possible undeclared activities and to get a more complete picture of the State's overall nuclear programme. Under the Protocol, the IAEA is granted expanded rights of access to information and sites.

Madam Speaker, the text of the Protocol Additional to the Agreement between Mauritius and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons was approved by the Board of Governors on 14 September 2004. It was signed on 09 December 2004 in Vienna. Pursuant to Article 17 of the Additional Protocol, the Protocol entered into force on 17 December 2017, the date on which the agency received from Mauritius written notification that Mauritius' statutory and constitutional requirements for entry into force had been met.

This new Bill, Madam Speaker, will, therefore, enable our country to meet its obligations particularly with regard to nuclear security which was not specifically addressed under the present legislation. This is why I said the presentation of this Bill was long overdue.

It is quite obvious that careful consideration must have been given for clarity while drafting this piece of legislation and some definitions have been improved. From what we have heard, assistance was sought from the IAEA for the drafting and that we shall benefit from its technical assistance for the implementation at the appropriate stage.

Let me highlight, Madam Speaker, a few of these drafting improvements - from what I have read, in the existing legislation, 'Minister' means the Minister to whom responsibility for the subject of energy is assigned. In the Bill 'Minister' means the Minister to whom responsibility for the peaceful application of ionising radiation is assigned. 'Ministry' means 'the Ministry responsible for the peaceful application of ionising'.

Under the present legislation, the power of the Minister is defined. Under the proposed Bill, the powers of the Minister have been amended and the Minister may now give directions in writing of a general character to the Board, not inconsistent with this Act, which

he considers necessary in the public interest, and the Board shall comply with those directions.

Madam Speaker, one cannot but agree that we need to create the conditions for the promotion of radiation safety and nuclear security culture, especially in the health sector. A regional training course was held in April 2018 in Mauritius with the IAEA support. The course was hosted by the Minister of Health and Quality of Life and some 25 radiotherapy professionals from 13 hospitals in 10 African countries developed plans to improve safety in their facilities.

According to the IAEA, I quote from the Press report on this workshop –

“Though radiotherapy generally is a safe medical procedure that benefits cancer patients around the world, significant errors with a negative impact on the patient and the radiotherapy facility can occur.”

The number and severity of safety incidents indicate a radiation oncology facility’s safety and quality performance. Robust safety systems tailored to each facility aim to reduce such risks.

Radiotherapy experts from Australia and the United States taught the course, which included the use of adapted analytical methods often used in engineering. Such methods help to determine the root causes and avoid repetition of mistakes.

Participants also, Madam Speaker, practised using the IAEA safety tools such as the Safety in Radiation Oncology reporting and learning system and the Quality Assurance Team for Radiation Oncology methodology.

Madam Speaker, we need to promote education, training, research and development in radiation safety and nuclear security. That is why I fail to understand why the Mauritius Research Council, and the University of Mauritius, and even the Commissioner of Police have not been considered as potential members of the Board.

We are a small country and we suffer from a lack of specific skills and we cannot afford to disperse our limited resources and effective linkages need to be put in place to harness our real potential.

Mauritius, Madam Speaker, deposited an instrument of accession to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste

Management (Joint Convention) on 14 April 2013. There was no declaration or reservations attached to the instrument of accession. The Convention entered into force in Mauritius on 14 July 2013.

According to the second national report of Mauritius under this Convention presented for the Sixth Review Meeting in June 2018, I quote -

“Mauritius is not a major generator of radioactive waste. Radioactive materials in Mauritius mainly originate from various activities in the medical, industrial and research fields which give rise to the generation of small quantities of radioactive waste.

Most of the waste is in the form of solid disused sealed radioactive sources, and some diagnostic and therapeutic medical applications give rise to liquid. The legislation in Mauritius on Radiation Protection was passed in November 2003. This legislation is currently under revision for a more comprehensive legal infrastructure on radiation safety and encompasses nuclear safety as well.

That’s why, Madam Speaker, what we are doing now, according to the same report, is a Radiation Protection Waste Management on Radioactive Waste and Disused Sealed Sources, and even regulation was under preparation. A set of draft regulations on radioactive waste management has been developed to complement the provisions made in the Radiation Protection Act of 2003. The regulations were intended to provide for the following –

- (a) safe management of Radioactive Waste And Disused Sealed Sources;
- (b) discharge and clearance of radioactive material;
- (c) location, design, construction and commissioning, operation and decommissioning of radioactive waste management facilities, and
- (d) physical protection and security of radioactive waste management facilities.

And I don’t know whether section 32 of the Bill now makes the necessary provisions. There is need also, Madam Speaker, for a point of contact for providing any information or assistance regarding nuclear or radiological emergencies under the terms of relevant international instruments, including the Convention on Early Notification of a Nuclear

Accident and the Convention on Assistance in the Case of a nuclear accident or radiological emergency.

Finally, the Authority shall discharge such other functions as may be necessary to protect people and environment from the harmful effects of ionizing radiation. Madam Speaker, we have up to now been talking solely on the harmful effects of ionizing radiation. Non-ionizing or non-ionising radiation refers to any type of electromagnetic radiation that does not carry enough energy per quantum to ionize atoms or molecules, that is, to completely remove an electron from an atom or molecule. Instead of producing charged ions when passing through matter, non-ionizing electromagnetic radiation has sufficient energy only for excitation, the movement of an electron to a higher energy state.

Ionizing radiation, Madam Speaker, which has a higher frequency and a shorter wavelength than non-ionizing radiation, has many uses but can be a health hazard. Exposure to it can cause burns, radiation sickness, cancer, and genetic damage. Types of non-ionizing electromagnetic radiation –

- near ultraviolet radiation;
- visible light;
- infrared;
- microwave;
- radio waves;
- very low frequency;
- extremely low frequency, and
- thermal radiation.

Non-ionizing radiation can produce non-mutagenic effects such as inciting thermal energy in biological tissue that can lead to burns. In 2011, the International Agency for Research on Cancer from the World Health Organisation released a statement adding radiofrequency electromagnetic fields including microwave and millimetre waves to their list of things which are possibly leading to cancer to humans.

In May 2011, the World Health Organisation and the International Agency for Research on Cancer have classified radiofrequency electromagnetic fields as possibly carcinogenic to humans (Group 2B), based on an increased risk for glioma and other types of brain cancer associated with wireless phones. Over the last few years, Madam Speaker, there

has been mounting concern about the possibility of adverse health effects resulting from exposure to radiofrequency electromagnetic fields such as those emitted by wireless communication devices.

The number of mobile phones subscriptions is estimated at 5 billion globally. The IARC Monograph Working Group discussed the possibility that these exposures might induce long-term health effects, in particular to an increase risk for cancer. This has relevance for public health, particularly to users of mobile phones as well as the number of users is large and growing particularly among the young adults and children.

The working group discussed and evaluated the available literature on the following exposure categories involving radiofrequency electromagnetic fields –

- (a) occupational exposures to radar and to microwaves;
- (b) environmental exposures associated with transmission of signals for radio, television and wireless telecommunication, and lastly
- (c) personal exposures associated with the use of wireless telephones.

International experts, Madam Speaker, shared the complex task of tackling the exposure data, the studies of cancer in humans, the studies of cancer in experimental animals and the mechanistic and other relevant data.

Madam Speaker, according to the results obtained, the evidence was reviewed critically, and the overall evaluated as being limited among users of wireless telephones for glioma and acoustic neuroma and inadequate to draw conclusions for other types of cancers. The evidence from the occupational and environmental exposures mentioned above was similarly judged inadequate.

The Working Group did not quantify the risk. However, one study of past cell phone use, up to the year 2004, showed a 40% increased risk for gliomas in the highest category of heavy users - reported average: 30 minutes per day over a 10-year period.

Dr. Jonathan Samet of the University of Southern California, overall Chairman of the Working Group, indicated that “the evidence, while still accumulating, is strong enough to support a conclusion and the 2B classification. The conclusion means that there could be some risk and, therefore, we need to keep a close watch for a link between cell phones and cancer risk.

“Given the potential consequences for public health of this classification and findings” said the IARC Director, Christopher Wild, “it is important that an additional research be conducted into the long-term, heavy use of mobile phones. Pending the availability of such information, it is important, Madam Speaker, to take pragmatic measures to reduce exposure such as hands-free devices or texting”

Madam Speaker, as Mauritius is a non-nuclear State, radiation safety primarily concerns the health sector where several disused sealed radioactive sources have been identified. We need to regulate and control all radiation sources and practices for the adequate protection of people and environment against the harmful effects of ionising radiation and non-ionising radiation, and for the safety of practices and the security of radioactive sources. For example, the Australian Radiation Protection and Nuclear Safety Agency is an Australian Government agency charged with the responsibility for protecting the health and safety of people, and the environment from the harmful effects of ionising and non-ionising radiation.

The hon. Deputy Prime Minister has informed us of the implementation of the infrastructure and the setting up of this new institution, and we hope, we pray that the right person be put there in the right place because this is a very important subject and we are sure that Mauritius has the necessary competence to ensure that the protection of our population is taken into consideration.

I thank you.

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

(4.37 p.m.)

**Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac):** Thank you, Madam Speaker, to give me the opportunity to debate on the Radiation Safety and Nuclear Security Bill. It was time for us to react to the evolving world. We all agree that the Radiation Protection Act no longer caters for all the hazards to which we are all exposed. I need, first and foremost, to congratulate the hon. Deputy Prime Minister, Minister of Energy and Public Utilities to bring this Bill to the House and I note with satisfaction that hon. Bhagwan said that the other side of the House welcomes this Bill too. The aim is definitely to enhance nuclear safety, protect the environment and provide a legal framework for professionals involved in the practice of therapeutic radiation. We have as well to be in line with the recommendations and guidelines of the International Atomic Energy Agency. As recommended, the establishment of the Radiation Safety and Nuclear Security Authority will

be an apex body regulating and controlling the use of radiation sources and ensuring safety and security at all times. The proper functioning of the Authority is well catered for in this Bill and this Bill is futuristic as well should we one day decide to move to nuclear energy. But for now, Madam Speaker, our main concern in our country in regard to radiation and radioactive sources is medical exposure and occupational exposure mainly for health care professionals.

Most of the radiation emitting devices are being used in health care, a little in agriculture as well, be it, for health care, be it, X-ray equipment in all hospitals and clinics, CT Scan in same places, X-ray equipment in dental surgeries, there is quite a lot actually. The Veterinary Surgeries are equipped with X-ray equipment as well. We have one radiotherapy equipment which uses radioactive sources in Victoria Hospital and one Nuclear Medicine Department in Jawaharlal Nehru Hospital. Non-ionising radiation is also widely used. Spas are using ultraviolet to give artificial suntan. Laser now is using medicine and needs to be regulated, but most laser equipment are used in acidic medicine for permanent hair removal. This is an occupational issue catered for in the Occupational and Health Safety Act.

However, light emission, ultra sound, high or low frequency as stipulated by hon. Bhagwan as well as magnetic waves do not fall under the purview of this Bill whose name is the Radiation Safety and Nuclear Security Bill. Scanners using radiation are used to scan people, luggage, containers in Airport and the Port - we all know - but it has become so normal that we do not figure out the risk. We walk through the detector at the Airport sometimes very happily, not knowing that we just expose ourselves to risks which might be harmful to our health.

The main questions remain: who controls these machines? Are they delivering the appropriate dose of radiation or too much? Are they well calibrated or are we only focused on the results whether the equipment is detecting what needs to be detected and we are totally neglecting the secondary side effects related to over exposure? Recurrent exposure or over exposure cause health issues, skin burn to cancer. The risk is real and well documented. That is why all these equipment mentioned have to be controlled. The Radiation Protection Authority has been doing a great job till now, I must say myself being a professional in that sector.

We are providing it with the legal framework to improve its activity. This whole segment of activity has to be monitored closely and permanently. We need to ensure that all

sources are firstly registered and they have to be licenced. Their calibration and working conditions have to be verified and this periodically. We have to make sure that those manipulating any category of equipment are appropriately qualified and trained to practise in their respective field. Dealing with radiation sources is a professional business and specialised training is mandatory. The staff working in these units or departments have to be protected. For this, they firstly have to be educated and they need to know about the risk for themselves and for exposed patients. The notion of scattered risk should be taken into account. I have noticed that there are sometimes neglectful staff in the radiology department who do not always wear their dosimeters. These are personal devices supposed to account for cumulative doses of exposure. This has to be made compulsory. They don't even wear other protective devices like lead aprons. I must say, Madam Speaker, that we should see that employers who fail to provide or check the dosimeters should be made more responsible, be it the Ministry of Health.

Madam Speaker, this is a very technical and specialised field. Setting up of this Authority is important, but, more importantly, we need to ensure that we have a functional body. To enforce all this, it has to be adequately staffed. The staff has to be well trained and training sometimes have to be done abroad, under the responsibility of the IAEA. I listened carefully to the hon. Deputy Prime Minister saying that we have almost 100 equipment functioning in our country. If we say that we have to control, at least once a year, all these equipment, that would mean that the enforcement team of this Authority has to visit at least 100 sites a month, that would mean that there need to be staff, the staff has to be trained and there need to be adequate staffing. The staff has to be well equipped with gamma cameras and dosimeters to perform checks and controls. I am appealing here to the Minister responsible for this Authority and to the Minister of Finance as well. All these cost money, but it is well spent money. Educational programmes have to be run at school and on TV about the risk of nuclear or most probable radiological incidents. People have to know about the risk. The protection of our environment is vital and has not been neglected in this Bill. Disposal of radioactive waste is an issue and provision has been made to cater for this aspect as well.

With these few words, Madam Speaker, I finish my humble contribution to this debate. I thank you for your attention.

(4.47 p.m.)

**Dr. A. Boolell (Second Member for Belle Rose & Quatre Bornes):** Madam Speaker, this is a Bill of utmost importance and as hon. Bhagwan has stated, there is and I am sure there will be absolute consensus on this Bill. The safe use of ionising radiation in Mauritius is regulated by the Radiation Protection Act of 2003 and the Radiation Protection Regulations which are administered by the Radiation Authority.

The success of this Bill rests on enforcement and the Authority should be given the resources. The Deputy Prime Minister has made a very bold and emphatic statement when he said that this Bill binds the State, and when it binds the State, the onus of responsibility is on all of us to make sure that enforcement is the be-all and the end-all of this Bill. As the Deputy Prime Minister stated in his Second Reading, this legislation is out of date and creates difficulties for Mauritius in meeting international standards of radiations: safety, security and complying with obligations under international treaties. These problems are being addressed by the new legislation that would change the powers and functions of the regulatory authority and change the responsibilities of licensees under the Act. The Bill provides for better clarification of regulatory function and development of a quality management system that in my opinion should be accredited to International Standards Organisation. The role of quality management in maintaining the independence of the regulatory authority is essential.

Madam Speaker, we have travelled a long way since 1969 when the occupational hazard was raised, and I have to pay tribute to the staff of the Ministry of Health, the Radiographers, the Radiologists, the Oncologists, the Radiotherapists of these days who impressed upon Government to set up a Committee, which was chaired by late Dayanand Burrenchobay, then Permanent Secretary. The contribution made by Dr. Bhaguant, Head of Nuclear Medicine, was stirring. Because of its occupational hazard, Civil Servants, who could be at risk, pleaded for an enhanced pension. The Bill was first introduced in 1992 and made provisions for the setting up of a Radiation Protection Board to be chaired by the then Chief Medical Officer, Dr. Sungkur. The Ministry of Health being the biggest user of radiation substances, unfortunately, was judge and party.

Government in 2003 was right to bring a new Bill, which was ushered in by hon. Ganoo, then Minister of Public Utilities. Today, there is a legitimate debate as to whether an authority is Government centric and a Council with fair representation of all stakeholders would be more appropriate to meet the objects since the licensee has an obligation to provide the services of a Radiation Protection Officer. The licensee can be private or public operators.

On this issue, I am in favour of the setting up of an authority, the State has a role to exercise on enforcement of safety, security and safeguard agreements. Enforcement, as I have stated earlier, is the key issue. New Zealand opted for a Radiation Safety Advisory Council to advise the Minister of Health and the Director of Authority on policy and security matters. Its authority acts with better legitimacy. I think there are lessons to be drawn from the New Zealand's experiences.

As the Deputy Prime Minister has stated ionising radiation has its merit in research and development, in the agricultural field, industrial, dental and medical field. The bulk of radiation is used in health and the industrial sectors. From information obtained, I have been told that there are more than 242 licensees and most of them are Dental Surgeons. As many as 120 dental surgeries are equipped with X-ray machines. The licensees have obligations under clauses 16 to 20. I will mention the two private licensees, the SGS and the APAVE, which are involved in non-destructing testing to deter cracks and fissures in buildings. The licensee in private or public sector has to appoint a Radiation Protection Officer whose duties are defined in section 21.

Of course, we cannot expect every Dental Surgeon to appoint a Radiation Protection Officer, but the Inspectorate Division of the authority should not leave them out simply because their X-rays emit low radiation. Five inspectors only would not be able to fulfil the mandate of the authority. Safety and security should be the overriding factors.

We must put our best endeavour, take all necessary precautions and put in place the appropriate safeguard to ensure radiation sources never get in the wrong hands or are lost. The source of the materials has to be protected. Any person with a devious mind can attach a nuclear material to an explosive, for example, to Cocktail Molotov for an attack, a letter bomb mixed with a timely amount of nuclear material can create havoc of major proportion. Are our enforcement agencies trained to detect letter bombs or these mails?

Madam Speaker, I do not think anyone of us is against comprehensive legislation - we are all for comprehensive legislation - nor are we against piecemeal legislation unless there is *force majeure*. In respect of this Bill, we cannot leave any stone unturned, because we know what are the consequences of a harmful effect of radiation from a likely or hopefully unlikely accident, and God spares us, if there is a nuclear accident from South Africa. As signatory to several conventions, I have to pay tribute to experts of the International Atomic Energy Agencies. You have been in the vanguard in the preparation of this comprehensive legislation

and other related matters. Training is a major component, it is spelled out in 2(b) of the Explanatory Memorandum. The main thrust of this legislation, the powerhouse of the Bill is the provision for the setting up of Radiation Safety and Nuclear Security Authority, which I will come to later.

As signatory, Madam Speaker, to the African Nuclear Free Zone otherwise known as the Pelindaba Treaty - and I am going to state facts, I agree that we need to have a culture of restraint of what we are going to say, but if it is going to be to the advantage of our country, I think we should speak openly and freely - may I remind the House that all Members have expressed concern over possible storage of nuclear goods in Diego Garcia. The International Atomic Energy Agency will never entertain the request of the Members of the Pelindaba Treaty to send an inspectorate team to the island as the decision will be vetoed by US and UK, Members of the UN Security Council.

UK may be in breach either of its obligation or of the spirit of those obligations under the Ottawa and Dublin Convention. These concerns have arisen due to the fact that UK has permitted or facilitated the stockpiling of antipersonnel mine and cluster munitions by the US Government on supply vessels in territorial waters surrounding Diego Garcia. The stockpiles on these vessels are reported to include 10,000 mines in cluster bomb unit such as the Aerojet Gator amongst other munitions.

As I have stated earlier, Madam Speaker, do you know how it is easy to cluster bombs with nuclear material? These supply vessels ferry cluster bombs to Saudi Arabia from our territorial waters to maim many innocent people in Yemen. I expect the Prime Minister to raise this matter with the offending parties. As a democratic Sovereign State, member of Regional and Multilateral Organisation, party to conventions as established in Schedule 2, Mauritius should neither forget nor ignore that there is a war in Yemen and many innocent people are trapped in civil war. How do we know? Facility as defined in the interpretation clause does not exist on Diego Garcia. The International Atomic Energy Agency is mandated to verify through its inspection system that States comply with the commitments under the Treaty on the Non-Proliferation of Nuclear Weapons and other Non-Proliferation Agreements. Mauritius ratified the Treaty on Proliferation of Nuclear Weapons on 08 April 1969.

Under the International Maritime Organisation provisions and Radiation Protection Act, any vessel which carries nuclear material goods or is powered by nuclear material has an

obligation to inform Ports Authority and the information is relayed to the Radiation Authority for monitoring and verification. When war vessels docked our port for friendly visit, there is also an obligation on the authority to collect seawater to assess if there is any level of contamination and I hope this obligation is fulfilled. Standards of safety to protect individuals and marine life are important. Compliance, as the Deputy Prime Minister has stated, with international basic safety standards is mandatory. As signatory to the 8 Conventions and together with like-minded countries, we must be mindful of some European countries which have exploited poverty-stricken countries to dump the toxic nuclear material.

Madam Speaker, following the 08 March 2011 Tohoku 9.0 magnitude earthquake and tsunami - the DPM mentioned it - which damaged the Fukushima Daiichi Nuclear Power Plant, the release of radioactive isotope spread over wide area of Japan and care was exercised by Mauritius over the import of vehicles. There was strict monitoring for four years. A Ministerial Committee was set up to monitor the situation and prompt action was taken. Any vehicle exposed with radioactive isotope was re-exported to Japan and there was a total ban on agricultural produce. 14 cars, as far as I can recall, were returned. Similarly, we stopped imports of dairy products from Denmark and Poland following the terrible nuclear plant disaster in 1986.

Madam Speaker, the safety level has tremendously improved with breakthrough in technology and with high precision use in nuclear medicines, industries and agriculture, better safeguards are being introduced. Secondary effects from radiotherapy in cancer patients are lesser. The most sensitive organs for secondary effects during the treatment are the gonads. The effectiveness of drugs in some cancer patients has mitigated the use of chemotherapy and radiotherapy. Unfortunately, the cost of these drugs can be prohibitive. Some women with advanced breast tumour can have significant relief from drugs and they do not have to have recourse to radiotherapy treatment with all its side effects, but, unfortunately, there is a cost to it. Let me highlight another treatment which is treated with the radiotherapy, the treatment of cancer of the lung which is called the non-oat cell carcinoma. The medical cost with drug therapy can be as high as Rs3 m. a year.

Madam Speaker, patients treated with radioiodine 1-131 to ablate the thyroid tissue in cancer or hypoactive thyroid are not allowed to go home and - I hope this is being implemented - for a few days until the radioactive traces are negligible. Risk of contamination if these patients are allowed to go home can be real. However, the case is

different for a patient who has angiography or angioplasty. But in this particular case, it is the cardiologist who needs adequate protection. Despite wearing lead jacket, cardiologists do not protect their heads and hands and they are at risk if they do not wear full protective gear. This is an issue. I am sure my friend who works at a clinic knows very well. Very often, basic protection is not taken on board. Doctors do not wear the protective gear and over the years with so many tests which are being carried out, the risk of contamination is high for those who carry out those investigations. Compliance to meet the international basic safety standards is paramount and regulations have to be spelt out very clearly. The personnel have to wear the protective gear and each need to have a Geiger counter and to wear the TLD badge.

The Bill makes provision for pregnant women. The Deputy Prime Minister stated earlier that more than 40% of the personnel who work in this sector are women and the Bill makes provision for pregnant women who need special protection and probably need to be relocated in other departments.

In Mauritius, those who are at risk are the radiographers and the radiologists, from the heavy-laden lead door and special glass screen to appropriate level of nuclear material for diagnostic much progress has been made in the field of medicine to improve safety and security. Today, ionising radiation is used in geotechnical studies to detect cracks and fissures in dams and high-rise buildings. In the field of agriculture for sterilisation of fruit flies, it is commonly used to control outbreaks of fruit flies. Radioactive materials are used also for high precision in drip irrigation of planters.

Nuclear materials have relatively short half-lives and we have to make sure that they are properly stored. Let me give an example of a nuclear material which has relatively short half-life. The technetium-99m injected in patients to detect metastases by gamma camera has a short life of six hours. Iodine has a short half-life of 30 days and it loses half of its potency over a short time. Those handling the dangerous chemicals have to be in compliance with the IBSS or the Code of Safe Practices. The Physicist and the Radiation Protection Officer have to monitor carefully to ensure maximum benefits and safety to end users.

Madam Speaker, I stated earlier that the powerhouse of this Bill is the Authority and the powers are clearly defined in Sections 4 to 12. The Authority has to deliver and the Board has to be above board. The Director and the staff will execute the decisions of the Board and the Director and his staff, of course, have security of tenure.

The Director shall be appointed by the PSC and, I am sure, because of the security of tenure, will be able to act without fear or prejudice. It has, under Section 24, the power to summon, and is bound to use this unfettered power according to the provisions of the Bill. The Authority has to be autonomous. Under Section 8 (6), committees may be necessary in the discharge of its function. Appropriate regulations have to be drafted; the regulators must be seen to be impartial and trustworthy.

Madam Speaker, on the issue of training, besides trained personnel, the public at large has to be fully sensitised on radiation safety and nuclear security. International Atomic Energy Agency has Core Training Programme which it dispenses, but often staffs of relevant Ministries miss the training opportunities because applicants' applications are not processed on time.

Let me mention one specific case. A Consultant in Nuclear Medicine was selected for a six-month training in UK by the International Atomic Energy Agency and the letter was forwarded from the Ministry of Public Utilities to the Ministry of Health for processing. But the outcome was unnecessary delay and the issue is still pending. The Ministry wants somebody else to attend, based on criteria best known to the then SCE or the Minister. Such decision could undermine trust.

Madam Speaker, in New Zealand the Ministry of Health also funds and sets high level policy for public health system, which includes all of the countries of radiation therapy facilities and about half of the diagnostic x-rays facilities. In this respect, in Mauritius or New Zealand, the Ministry can be considered to be the main user of radiation. I would like the hon. Deputy Prime Minister later on to enlighten us on inter and intra-institutional approach between the two Ministries. Overlapping can block the decision-making process and the onus of responsibility can be shifted, which should not be.

Madam Speaker, the primary control of the safe use of radiation is through licensing of the individual users. Everyone using radiation has either to have a licence or to work under the supervision or instruction of someone with a licence. Considerable time has been spent debating what 'under the supervision' or 'instruction' means.

Licences can be made subject to special conditions. Generally, there is a requirement for the user to comply with, a code of safe practice written by the authority for the particular use of radiation. These are prescribed, of course, in the code of safe practice that all of the

licensees must comply with. If there is an accident or non-compliance, it may be ambiguous if the matter is not sorted out as to who is responsible for remedying it.

Conventions on Physical Protection on Nuclear Material! The Convention, which we ratified, establishes requirement for the protection of nuclear material during international transport and requires States to incorporate offence provisions in the National Law relating to the theft of nuclear material.

Joint Convention! I think we have not signed this Convention. I would like the hon. Deputy Prime Minister to inform the House as to the Joint Convention on Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. The Convention establishes requirement for the safe management of spent fuel and radioactive waste that parallel the general radiation safety requirement of basic safety standards. I would like to know whether we have signed this Convention.

Madam Speaker, as required by the International Atomic Energy Agency Code of Conduct, it is proposed that the register should be confidential and not available to the public for reasons of public and national security.

Let me conclude by saying that this is a Bill of major importance, which constantly needs to be updated because the State has an obligation. It has to be updated to meet security and safety obligations. Enforcement to the strict maximum is vital. It is essential that the Authority is given the physical and skilled human resources to exercise its duties to function in an effective manner. Tight surveillance/ monitoring is of vital importance to ensure that materials do not fall in the wrong hands. Any mishap can have disastrous consequences for the environment and for human beings.

Thank you very much.

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

*At 5.13 p.m., the sitting was suspended.*

*On resuming at 5.55 p.m. with Madam Speaker in the Chair.*

**Madam Speaker:** Hon. Rutnah!

(5.55 p.m.)

**Mr S. Rutnah (Third Member for Piton & Rivière du Rempart):** Thank you, Madam Speaker. Madam Speaker, since there is consensus on the present Bill from all Members who have so far intervened, I am not going to be long...

*(Interruptions)*

... because I was anticipating taking the House back to 1942, when the Chicago Pile-1 nuclear reactor was developed in the United States, and thereafter, it was improved in order to use it for uranium enhancement, so that to manufacture nuclear atomic weapon that was used in Hiroshima and Nagasaki. So, there is no need for me to take the House to the history and the background of the development of nuclear energy and a great deal about radioactive material.

However, Madam Speaker, I would like to point out to the House that this is the third time, in our political history, that we are debating a Bill that concerns the radiation and the issue in relation to nuclear security. The first time, we debated in 1992, when Sir Anerood Jugnauth was Prime Minister, and his Deputy Prime Minister, the then hon. late Nababsing introduced the Bill. And, the reason that the Bill was introduced in 1992 was because, as a result of development in our country, we reached a position where scientific and technological advancement made it a must for us to cater in order to protect people who were working in areas where they were prone to be exposed to ionising radiation.

Then, thereafter, we experienced further improvement in science and technology in Mauritius. Thereafter, in 2003, a further Bill was brought in order to repeal the 1992 Bill and this time, again, it was an MSM/MMM Government, just like back in 1992, but this time Sir Anerood Jugnauth was the President of the Republic of Mauritius and he gave his assent to the 2003 Bill and, again, it was in order to improve on what the law was back in 1992, but since 2003 coming up to now, a lot of technological development has again taken place in Mauritius and we can say that we are almost at par with European countries insofar as medicine is concerned, agriculture is concerned, energy is concerned.

So, today, I would like to extend my gratitude to the Deputy Prime Minister who has used his foresightedness to bring this Bill into the House and this time with an emphasis not only on radiation but the emphasis is on radiation, security and nuclear security. In Mauritius, we have not had any issue in relation to radiation and nuclear security, but I know a case in England; at least, there is a case in England in which Rolls-Royce Marine Power Operations

Limited, in 2014, was fined by the Court in England. There was this investigation carried out by the Health and Safety Executive and the Environment Agency against Rolls-Royce Marine Power Operations Limited which failed to maintain a nuclear component which was used in nuclear submarine and, as a result of their failure, workers of the nuclear submarine were exposed to the risk of radioactive material. The main finding in that case was that Rolls-Royce Marine Power Operations Limited failed to carry out suitable and sufficient risk assessment in order to ensure that no nuclear leakage or radioactive material leakage could exist. And then when I looked at the recommendation on that case and when I looked at the present Bill in the House, I see that the recommendation in that case, as a result of the failure that happened, reflects in the present Bill, in particular, at clause 4 which establishes an Authority. I am not going to go into detail about what the Authority does because everybody knows in the House, everybody has got a copy of the Bill. So, I am not going to go into the security measures that are supposed to be provided there. There are clauses 14; 19 - safety assessment report; 20 - duties and responsibilities of licensees; 21 - duties of radiation protection officers; 22 in relation to inspection; 23 in relation to enforcement and we also know that the Bill provides for training.

So, the foresightedness today is what? It is to ensure that we do not fall in a situation where people, where our employees who are working in hospitals or in places where there is likely to have radiation that they are exposed to an excess dose that is going to contaminate them. So, we are really at the forefront of development, at the forefront of modernisation, and keeping up with the pace of technology and technological development in our country. At this stage, I would suggest that all workplaces like hospitals and elsewhere be equipped with what we call a Geiger Counter. The Geiger Counter costs about £250 in the United Kingdom. What it does, it measures the amount of radiation that is emitted from a machine which is used for that purpose. As soon as you measure it, you see that there is an excess dose which is being emitted, it can be controlled straightaway. So, it is an apparatus that is going to mitigate lots of incidents that are likely to occur in places where we have, for example, x-ray machines or CT Scan or the MRI, Magnetic Resonance Imaging machine.

So, Madam Speaker, overall when I read the Bill and after having heard what all our friends have said, in particular, I adopt everything that has been said by hon. Dr. Joomaye and also I adopt everything that has been said by my friends in the Opposition, save to say that it appears that there has been some misunderstanding in some quarters when reference was made to mobile phone waves and microwaves. We are not within the territory of mobile

phone waves and microwaves because microwaves and mobile phones have nothing to do with radiation because they are waves and those waves as yet have not been proved to cause cancer as it has been said. So, save that overall this is a very good piece of proposed legislation and what we are doing today, we are setting the stepping stone towards security and continuing sustained security as a result of training that is incorporated by virtue of the section in the law.

So, on these notes, Madam Speaker, thank you very much for having given me the opportunity to participate in this debate.

(6.05 p.m.)

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

**Mrs D. Selvon (Second Member for GRNW & Port Louis West):** Merci, Madame la présidente. Madame la présidente, je félicite l'honorable Premier ministre adjoint pour ce projet de loi *the Radiation Safety and Nuclear Security Bill (No. XV of 2018)* que je voterai volontiers dans l'intérêt national comme devrait le faire, je crois, toute l'opposition également.

Les dangers d'exposition à la radiation augmentent sans cesse dans le monde où nous vivons. Maurice n'est pas une puissance nucléaire mais le public, les patients dans les institutions de santé et les travailleurs dans divers secteurs, y compris celui de la recherche agricole et le public en général, doivent être protégés non seulement des sources diverses de radiation. Notons tout d'abord la définition du mot '*radiation*' dans la loi que je cite ici -

*““Radiation” means ionising radiation, such as x-rays and gamma rays, capable of producing ions pairs in biological materials.”*

La loi définit aussi les appareils qui génèrent des radiations comme suit –

*““Radiation Generator” means a device capable of generating radiation such as x-rays, neutrons, electrons or other charged particles.”*

La loi est très explicite en précisant qu'elle concerne la radiation qui affecte les tissus biologiques. Nos tissus humains sont ainsi vulnérables aux effets néfastes de radiation.

La plus importante partie du projet est à la fin du texte, soit la *First Schedule* qui donne les doses limites de radiation auxquelles la population peut être exposée sans danger

pour sa santé. Mais auparavant, il y a *Part 2 (ii)*, de la loi qui crée la *Radiation Safety and Nuclear Safety Authority* ou la RSANSA, j'ai comparé cette loi avec la législation française concernant les doses limites autorisées en l'unité de mesure appelé millisievert, voici le résultat de la comparaison –

1. La France, dose autorisée, la réglementation française fixe le seuil de dose efficace maximale admissible pour une personne à un millisievert par an au-delà de la radioactivité naturelle qui est en moyenne 2,4 millisievert par an en excluant les doses reçues en médecine, en moyenne 1,3 millisievert par an;
2. Maurice, dose autorisée, travailleur 18 ans et plus, 20 millisieverts en moyenne sur 5 ans, 100 millisieverts en 5 ans, 50 millisieverts en n'importe quelle année, dose de 20 millisieverts en moyenne par an administrée aux lentilles des yeux, calculée sur une période de 5 ans. Une dose de 500 millisieverts en une année administrée aux mains et aux pieds, ou dans la peau. Membre du public : une dose effective de un millisievert en une année; une dose de 15 millisieverts aux lentilles des yeux en une année, et une dose de 50 millisieverts dans la peau en une année.

Pour le public mauricien en général, l'exposition à la radiation dans des conditions prescrites ne doit pas dépasser un millisievert dans une année, à la condition que la moyenne par an, sur 5 ans, ne dépasse pas un millisievert par an. Il faut aussi savoir que la nature elle-même, Madame la présidente, est une source de radioactivité qui est un gaz radioactif appelé le radon. Le radon, défini comme suit, est l'unité de mesure de la radioactivité d'un corps et le Becquerel, je cite –

‘Une fois produit par les roches, le radon peut être transféré vers l'atmosphère, via la porosité des roches et du sol. Il peut également être dissous dans l'eau souterraine et circuler avec elle. Malgré sa période radioactive relativement courte, une partie du radon parvient à quitter les roches dans lesquelles il est formé pour atteindre l'air que nous respirons. Dans l'air extérieur, le radon se dilue rapidement et sa concentration moyenne reste généralement faible: le plus souvent inférieure à une dizaine de Bq/m<sup>3</sup>. Dans les lieux confinés tel que les grottes, les mines souterraines mais aussi les bâtiments en général, et les habitations en particulier, il peut s'accumuler et atteindre des concentrations élevées atténuant parfois plusieurs milliers de Bq/m<sup>3</sup>.’

En France, une grande puissance nucléaire, il existe une autorité de sûreté nucléaire, l'ASN, qui assure le respect des lois très complexes, qui concerne cette protection due par l'Etat à ses citoyens. Très récemment, le 05 juin 2018 en France, deux décrets relatifs à la protection des travailleurs contre les risques dus au rayonnement ionisant et un décret portant diverses dispositions en matière nucléaire ont été publiés au journal officiel. Ces décrets assurent notamment la transposition d'une directive de l'euratom aussi appelé la CEEA (Communauté européenne de l'énergie atomique), la directive fixe, je cite, les normes de base relatives à la protection sanitaire contre les dangers résultant de l'exposition au rayonnement ionisant. Ils modifient en particulier les parties réglementaires des codes du travail, de la santé publique, de l'environnement et de la défense, et complète ainsi l'encadrement réglementaire de certaines activités nucléaires. Le code du travail était ainsi modifié mettant à jour le régime de radioprotection pour l'ensemble des travailleurs susceptibles d'être exposés au rayonnement ionisant dans le cadre de leur activité professionnelle. Les évolutions proposent également une simplification des dispositions existantes. En particulier, il a été retenu de mieux graduer les exigences en fonction des risques encourus par les travailleurs mais aussi de rapprocher la démarche applicable aux risques de rayonnement ionisant de 16, suivi pour les autres risques professionnels. Le contrôle des expositions au radon est étendu à tous les lieux de travail ; en sous-sol et rez-de-chaussée alors que seuls les milieux souterrains étaient soumis auparavant à une surveillance obligatoire. Le niveau de référence pour le radon, en milieu de travail, est fixé en valeur moyenne annuelle. En cas d'exposition, des travailleurs dépassant le niveau autorisé, l'employeur devra mettre en place une organisation de la radioprotection, un zonage radon, une surveillance individuelle dosimétrique des travailleurs et un suivi renforcé de leur état de santé par un médecin du travail.

Madame la présidente, on se pose la question : qu'est-ce que la radioactivité ? La matière est faite d'atomes, au cœur de ces atomes se trouve un noyau, 10,000 à 100,000 fois plus petit. La radioactivité est un phénomène naturel qui se produit dans ce noyau. Et quels sont les effets de la radioactivité sur la santé ? La radioactivité naturelle ou artificielle n'est dangereuse pour les organismes vivants que si la quantité d'énergie transmise est trop élevée. Les symptômes initiaux de l'irradiation aiguë de l'ensemble du corps sont nausées, vomissements, diarrhée, fièvre. Le premier indicateur de sévérité du syndrome

est un faible délai d'apparition, l'intensité et la durée de ces symptômes. Ici, il faut expliquer comment on mesure la radioactivité et quelles sont les doses faibles et pas dangereuses d'une part, et les doses fortes et dangereuses pouvant provoquer le cancer et la mort éventuellement.

La radiation, à environ 1,000 millisieverts, entraîne, dans les semaines qui suivent, une destruction plus au moins importante des cellules, de la moelle osseuse. Ce syndrome d'atteinte de la moelle osseuse exige des soins adaptés: transfusion, facteurs de croissance, greffe. Sur le long terme du fait d'altérations subit au niveau de la cellule, l'exposition à des rayonnements ionisants peut conduire à l'apparition de cancer secondaire chez les personnes irradiées. C'est pourquoi certaines populations comme les survivants d'Hiroshima et de Nagasaki ou les personnes qui travaillent avec des matériaux radioactif, comme les travailleurs des mines, matériaux radioactifs comme les travailleurs des mines d'uranium ont développé plus de cancer que les personnes qui n'ont pas subi d'irradiation. Ces effets peuvent se révéler plusieurs années, voire plusieurs dizaines d'années après l'irradiation.

Pour conclure, Madame la présidente, j'invite les syndicats, le ministère du Travail à lire attentivement la nouvelle loi, de même que le ministère de l'Environnement, pour une bonne protection de la population. Madame la présidente, je souhaite aussi que le ministre interdise dans notre port et nos îles l'accostage de navires à propulsions nucléaires, comme en Nouvelle Zélande. Et pour finir, je souhaite aussi que le gouvernement demande des renseignements sur l'incidence de la présence de navires et d'armements nucléaires dans le port de Diégo Garcia. Y a-t-il des mesures là-bas sur la présence de radiation ionisante sur nos îles ?

Je remercie la Chambre pour son attention.

(6.17 p.m.)

**The Minister of Health and Quality of Life (Dr. A. Husnoo):** Madam Speaker, thank you for giving me the opportunity to speak on this very important Bill, that is, the Radiation Safety and Nuclear Security Bill. I would like to commend my colleague, hon. Ivan Collendavelloo, Deputy Prime Minister, Minister of Energy and Public Utilities for introducing this Bill to the House.

I am confident that this piece of legislation will ensure an effective regulation and control of radiation sources and practice for the protection of human life and the environment against the harmful effect of ionising radiation.

It also lays much emphasis on radiation safety and nuclear security, especially in this DNA age when so much nuclear and radioactive materials are being used in so many different fields in all the countries across the world. Moreover, Madam Speaker, it will help Mauritius to fully align itself with the International Safety Standards in the field of radiation safety, nuclear security and safeguard.

Today, we are talking about radiation safety and nuclear security which is a very important subject taking into consideration that the world is moving at a fast pace where more and more people are being exposed to radiation through technological advances in different areas such as agriculture, medicine and industry amongst others. Ionising radiation holds numerous beneficial effects. It is responsible for improving the lives of so many patients, especially those diagnosed with cancer. Indirectly, application of radiation has also led to economic benefits which have improved the living standards of so many people. Thus, it is imperative that we should ensure the peaceful use of ionising radiation, and protect human lives and the environment from its harmful effect.

Madam Speaker, before coming to the main point of my speech, please allow me to mention briefly the discovery of radiation and evolution in our daily lives. Radiation was discovered 123 years ago, in 1895 by Henri Becquerel when he was doing his studies on radiation. Several notable scientists, namely Wilhelm Roentgen and Marie Curie who conducted pioneering research on radioactivity were key in bringing radiation to the forefront. Since then, the use of nuclear and radioactive substances has spread rapidly and has contributed significantly in industry and medicine.

Radiation which is considered to be a natural force is being widely used in many spheres. Radiation is being used daily and has useful applications in areas - as I mentioned - as medicine, agriculture, archaeology, space exploration and many others. But, on the other hand, there are also negative aspects associated with radiation as if it falls in the wrong hands, it can also be used to destroy human lives, especially in terrorist attacks. The strength of a potential terrorist attack employing radiation or nuclear device is unequivocal in this century. Terrorists can make use of a nuclear or radiation device for mass destruction, besides this was confirmed by President Bush and Senator John Kerry during the 2004 Presidential Campaign.

They agreed that nuclear terrorism was a single greatest threat to the United States national security.

According to Carnegie Corporation, throughout the world stockpiles of radioactive material are stored in inadequate facilities. These evidently cause a potential danger as they do not receive the required level of security. Several facilities have experienced security breaches in recent years and this raised concern about the possibility of terrorist nuclear or radioactive attacks in the future. If we do not take any action to keep this material from terrorist groups, sooner or later it could lead to a disaster involving the life of thousands of people. This is why I think, it is very important to take all the necessary steps to prevent this kind of situation.

Madam Speaker, the introduction of the Radiation Safety and Nuclear Security Bill has got all its importance for Mauritius as it will strengthen the national regulatory infrastructure that will encompass radiation safety, nuclear security and safeguards. This new legislation will provide for the establishment of the Radiation Safety and Nuclear Security Authority as an effective independent regulatory body to exercise control over the peaceful use of ionising radiation. It will also enable Mauritius to meet its obligation under the international legal instrument that we have ratified in this particular field.

It is to be noted that with the commitment of our Government and the support of International Atomic Energy Agency (IAEA), our country has made significant progress recently in upgrading the national regulatory infrastructure for radiation safety. As mentioned by the Deputy Prime Minister, from among the 44 members of the IAEA in Africa, Mauritius improved its ranking from the 18<sup>th</sup> position in 2013 to the 6<sup>th</sup> position in 2018. Since August 2013, Mauritius has been categorised as a green country by the IAEA with an average performance indicator of 2.1 on a scale of 3.

It is to be noted that the IAEA serves as an Intergovernmental Forum for Scientific and Technical Cooperation in the peaceful use of nuclear technology and nuclear power worldwide. The programme of IAEA encourages the development of peaceful application of nuclear energy science and technology, provides international safeguard against misuse of nuclear technology and nuclear material and promotes nuclear safety and nuclear security standard in their implementation.

Moreover, since its membership to the IAEA, Mauritius has consistently had the support of the agency for the implementation of projects mainly in the following sectors –

- health;
- agriculture;
- water management, and
- academic research.

For example, the IAEA has helped us to set up the Nuclear Medicine Department at Jawaharlal Nehru Hospital. A new irradiator was recently inaugurated to set up fight against fruit flies which have been threatening our crops. This is just to name but a few of the projects financed and assisted by the IAEA in Mauritius.

Madam Speaker, much is being done in the field of nuclear medicine in Mauritius to ensure better and adequate care to our patients suffering from complicated disease like cancer and requiring radiation and nuclear therapy. But, on the other hand, we should also take into account the health of our staff who are being occupationally exposed to ionising radiation and make sure that exposures are maintained within the limit prescribed in the IAEA's safety standards. Actually, we have 398 radiation generators at the level of both the public and private sectors in Mauritius which range from x-ray, radiotherapy to teletherapy. The number of workers exposed to radiation in the public sector accounts for around 1,000 out of which about 90% work in the medical facilities and 10% in non-medical areas. Thus their safety and security is of utmost importance to enable them to continue working in these radiation controlled situation for smooth delivery of medical service to our population.

The use of radiation in medicine, Madam Speaker, is now pervasive and has evolved into advanced technique and is regarded as an essential tool across all branches and speciality of medicine. The inherent properties of ionising radiation provide many benefits, but can also cause potential harm. Its use within the medical practice thus involves an informed judgement regarding the risk benefit ratio. This judgement requires not only medical knowledge, but also an understanding of radiation itself.

According to World Health Organisation, radiation damage to tissues and organs depends on the dose of radiation received or the absorbed dose which is expressed in the unit called Gray. The potential damage through an absorbed dose depends on the type of radiation and the sensitiveness of the different tissues and organs. Beyond a certain threshold, radiation

can impair the functioning of the tissues and organs that is why the safety of our patients and staff are very important indeed. I should point out that we have a good and close working relationship with the International Atomic Energy Agency. A few months ago, an IAEA team came to assess our facilities in Mauritius to make sure that we are providing the best care for our patients and good facilities and working environment for our staff.

As you are aware, Madam Speaker, the new cancer hospital is going to be set up at Solferino with advanced facilities for treatment of cancer. We will have two linear accelerators and a PET scan among other sophisticated equipment. Next month, we will have another team from IAEA to assess the infrastructure of this new hospital to discuss on the precaution that we must take while constructing the hospital. Their mandate will not only include the proper radiation safety measures that must be put in place for protection of patients and staff, but also include proper training of our staff.

Two weeks ago, Madam Speaker, the Ministry of Health and Quality of Life organised an International Health Regulation Workshop, which was attended by WHO experts and consultant. The workshop aimed at assessing the Island capacity to regulate, control and prevent public health emergency of international concern. This includes measures to control chemical safety, bio-security, bio-terrorism and also measures that must be taken to reduce the risk of radiation accidents. This is why I strongly believe that this Bill has got all its importance as it will cater for the regulation and control of all radiation sources and practice for the adequate protection of our population and the environment against the harmful effect of ionising radiation.

This Bill will also ensure that adequate measures are put in place for the protection of the patient and that protection and safety are optimised for each medical exposure. It will also ensure that no patient undergoes a medical exposure unless it is a radiological procedure requested by a registered medical practitioner and that such medical exposure is justified. The Bill will also ensure preparedness for radiological emergencies and provide support and advice in case of such emergencies. Madam Speaker, this Bill which repeals the Radiation Protection Act will help Mauritius to meet its obligation under the International Legal Instrument for a modern and comprehensive legislative framework.

It will also provide for our legislation to be in line with the IAEA basic safety standard and the use of ionising radiation. As mentioned earlier, the Bill also binds the States whereas the Radiation Protection Act of 2003 does not explicitly provide for the current

legislation to bind the State. Before ending my speech, Madam Speaker, I would like to stress again that the Ministry of Health and Quality of Life is sparing no effort to promote the safety for our staff involved in radiation and a clear process at the level of our medical facilities. This Bill could not have come at a more opportune time.

At a time when we are developing the health service with many new health facilities, it is important that we place much emphasis on the safety of our patients and the staff. This Bill will provide the necessary regulation and control for the safe use of radiation and nuclear material in Mauritius. With this, Madam Speaker, I would like to congratulate the hon. Deputy Prime Minister, Minister of Energy and Public Utilities for introducing this Bill to the House.

Thank you, Madam Speaker.

**Madam Speaker:** Hon. Dayal!

(6.31 p.m.)

**Mr R. Dayal (First Member for Flacq & Bon Accueil):** Madam Speaker, the Radiation Safety and Nuclear Security Bill (No. XV of 2018) is the historical reminder, that in early and mid-1970s when the Britishers with the United Kingdom Atomic Energy Agency withdrew from Mauritius went to Diego Garcia, we inherited only the buildings. And we had to do our capacity building and we did. When we had the first incident, I would rather say the first problem in Constituency No. 9 in Centre de Flacq, which is my constituency, Sir Anerood Jugnauth was the Prime Minister then, we had to deal with the major contamination problem and we dealt with it successfully without any casualties.

But then, we had to respond with the National Security Council of Mauritius under the leadership of the Prime Minister, Sir Anerood Jugnauth, with the legal framework and within six months, the incident happened in January 1992 and in June 1992, we had the Radiation Protection Act 1992. But then, Madam Speaker, we had to train our personal, and I am thankful to the Rt. hon. Minister Mentor, I was selected to go to the European Theatre of Operations where nuclear weapons were used with the risk of radiation and I was trained at the Supreme Headquarters of the Allied Forces in Brussels and Germany. I must say, when I came back we had this law and we had to view it with what was the State's responsibility.

A State's Nuclear Securities regime comprises, its three-prong –

1. The legislative and regulatory framework, and administrative systems and measures governing the nuclear security of nuclear material, other radioactive material, associated facilities and associated activities;
2. The institutions and organisations within the State responsible for ensuring the implementation of the legislative and regulatory framework and administrative systems of nuclear security, and
3. Nuclear security systems and measures for the prevention, of detection and response to nuclear security events.

But then, I will have to come to a point which was raised by hon. Dr. Boolell. Arrangements for International Corporation Assistance in relation to detection nuclear security systems and measures for detection of nuclear and other radioactive material out of regulatory control that provide adequate coverage of the State, its facilities and of the strategic locations, example borders, and I will come to what we have done with our borders with the leadership of our Prime Minister, Pravind Kumar Jugnauth.

Therefore, for me, this Bill, Madam Speaker, is commendable, indeed, when viewed within the scope of the disaster that struck Japan known as Fukushima Daiichi nuclear disaster triggered by a tsunami following the Tōhoku earthquake - and Mauritius is a tsunami target based on the problem we have been experiencing lately - and the tsunami of Japan happened on 11 March 2011. The Fukushima Daiichi Nuclear Accident Independent Investigation Commission (NAIIC) on 05 July found that the causes of the accident had been forcible and that the plant operator Tokyo Electric Power Company (TEPCO) had failed to meet basic safety requirements, such as risk assessment, preparing to meet collateral damage and developing evacuation plans.

Almost 1,600 and mostly elderly people died because of *ad hoc* evacuation plan. And here, in this law we are catering at section 31 - Emergency preparedness and response, and I will read because it has to be read –

- “(1) (a) Every licensee shall develop and maintain such emergency response plan, as the Authority may require, to be implemented in the event of a radiological emergency.
- (b) The emergency response plan shall assign responsibilities for a systematic, coordinated and effective response to a radiological emergency.

- (2) The Authority shall, in coordination with NDRRMC and other relevant national agencies, develop and maintain a national emergency preparedness and response plan.”

And here, I will stop to say that in this mandate of this Government, we came with a legal framework to manage disasters.

- “(3) The Authority shall provide the necessary advice to NDRRMC for effective response to any emergency situation, which may have consequences of radiation exposure.

- (4) In the event of a nuclear or radiological emergency constituting a risk that radioactive contamination may spread beyond the boundaries of Mauritius, the Authority shall forthwith notify IAEA and the relevant authorities of any State, which is or may be physically affected by the release of radioactive material that may be of radiological significance for the State.

Let this House know that the NIMROD, the latest state-of-art survey equipment monitors radiation, the presence of nuclear and radioactive elements in our region and also in our waters from Diego Garcia and they fly regularly.

Therefore, I must, at the very outset, commend the hon. Ivan Leslie Collendavelloo, our Deputy Prime Minister, Minister of Energy and Public Utilities for coming up with this Bill which is very timely in view of our national security strategy chartered out by our Prime Minister, Pravind Kumar Jugnauth, with the installation of the state-of-the-art ancillaries at our port and airport. They are costly indeed, but they are delivering the goods to deal expediently and efficiently with the framework of border control, terrorism, smuggling of drugs and weapons impacting on national security by acquiring sophisticated scanners using radioactive components for non-inclusive searches which are yielding positive results whilst facilitating - because we are a tourist country - the mobility of persons, goods and services as the board for regional economic development. Notwithstanding the fact that this Government is working hard to make Mauritius a regional medical hub with the incorporation of the state-of-the-art medical equipment and ancillaries to bring meaningful change in the lives of the people of the Republic of Mauritius and nuclear medicine is one of them, very dear to our hon. Minister, Dr. Anwar Husnoo.

The object of this Bill is to repeal the Radiation Protection Act and replace it by a modern and comprehensive legislation framework with a view to enable Mauritius to meet its obligations under the international legal framework and instruments ratified by it in the field of radiation safety, nuclear security and safeguards.

The Bill accordingly provides for the establishment of a Radiation Safety and Nuclear Security Authority which shall, *inter alia* –

- (a) regulate and control all radiation sources and practices for the adequate protection of people and the environment (...)'

This is why we have catered already at La Chaumière a hazardous waste management location.

‘(...) against the harmful effects of ionising radiation, and for the safety of practices and the security of radioactive sources;

- (b) create the conditions for the promotion of radiation, safety of practices and nuclear security culture;
- (c) promote education, training, research and development in radiation safety and nuclear security;
- (d) be the point of contact for providing any information or assistance regarding nuclear or radiological emergencies under the terms of relevant international instruments, including the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency;

And, here, I must pose to say we have already been congratulated to have the best early warning system in the world for various contingencies.

- (e) discharge such other functions as may be necessary to protect people and the environment from the harmful effects of ionising radiation.

This Government took the initiative of creating a Ministry, *à part entière*, to deal with disaster management and management of hazardous waste.

As a responsible Government, when I was the responsible Minister, we succeeded in establishing a memorandum of understanding with the Chamber of Commerce and Industry for ensuring that all hazardous waste is managed systematically emanating from equipment

and ancillaries once a shelf life is over and despatched to the hazardous waste site at La Chaumière. Management of radioactive and nuclear waste is a very costly enterprise indeed and it requires appropriate safe infrastructure. As at today it is proper to ensure sustainable development, to ensure through appropriate legal framework that all equipment having radioactive component be sent back to the manufacturer for safe disposal once the shelf life of the equipment and ancillaries are over through contractual agreement. The MRA is doing it and they must be congratulated and they have already done it for some equipment. I must highlight that when the UKEA facility of the beach navy was closed with the departure Mauritius in Diego Garcia, the SMF took the complex at the Sir Seewoosagur International Airport and the complex at Vacoas without any equipment and ancillaries, but today we have MBC suits and we have equipment to detect level of radiation in our area of operation and any location where a disaster or incidence has been reported. As a nation, we see the same mark on capacity building for security contingencies after the decontamination operation which I personally commanded in Flacq, I must, say with the express urgent orders of the Minister Mentor, then PM.

This Bill, without any doubt, will enhance our capacity building to meet the challenge of the time, systematically for various responses and contingences.

Thank you, Madam Speaker.

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

(6.44 p.m.)

**Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix):** Madam Speaker, thank you for allowing me to participate and contribute my views to this Radiation Safety and Nuclear Security Bill.

Madam Speaker, this Bill, as the title suggests, is of two main parts, the radiation safety and the second part the nuclear security. Radiation safety was well documented in the Radiation Protection Act of 2003 proclaimed in September 2006, but with the evolution of new knowledge in radiation we had no alternative than to come with this new Bill and also including the nuclear security which was not fully covered in the Radiation Protection Act 2003.

Madam Speaker, the Deputy Prime Minister, hon. Ivan Collendavelloo, acting Chair of the African Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology, which was hosted by the Government of

Mauritius in Port Louis from 19 to 23 March 2018, announced that the Government's intention is to introduce a new comprehensive law on the use of nuclear science and technology in Mauritius National Assembly by August this year 2018. Madam Speaker, here we are today, with this Bill in this House.

Madam Speaker, the object of this Bill is very clear and I won't repeat what has been said by the hon. Minister Ivan Collendavelloo about the objective of the Bill, suffice to say to the people of Mauritius not to be alarmed, because I have been hearing some alarmist situations thrown out by some people in this House; suffice to say to the people of Mauritius not to be alarmed when we are talking mainly about nuclear security. It is a pro-active Bill with a modern and comprehensive legislative framework and, at the same time, because we have ratified many Conventions and Treaties as listed in the Second Schedule of this Bill.

Madam Speaker, let me say a few words on radiation safety first and then I will tackle nuclear security. As I said earlier, radiation safety was well documented in the Radiation Protection Act 2003. Nevertheless, we have to stress and to evolve with the new advances in new equipment. We must promote best practices to promote the human health and the environment from the harmful effect of radiation. It is well-known that, today, the most common human made sources of ionising radiation are from medical science, ranging from nuclear power generation to medical use of radiation for diagnosis and treatment, including X-rays, gamma rays and other medical device. Also, we must not forget that people are exposed to natural sources - such as soil, water, vegetation, but these are very negligible in terms of doses.

Madam Speaker, human made ionising radiation has many beneficial applications, including uses in medicine industry, agriculture and research. Madam Speaker, as we increase the use of ionising radiation, so does the potential for health hazards if not properly used and controlled.

Madam Speaker, acute health effect such as skin burns or acute radiation syndrome can occur when doses of radiation exceed certain level. It is also a known fact, Madam Speaker, that low doses of ionising radiation can increase the risk of long-term effect, such as cancer, if people are exposed several times in a year. So, we have to control and this is where the Bill is coming to control those ways of exposing patients.

Madam Speaker, the above fact that I have mentioned are well taken care in this Bill by setting up a Radiation Safety and Nuclear Security Authority administered by a Board, with precise object, and with as many as 18 functions and without forgetting its powers.

Madam Speaker, I would like to make an observation regarding members of the Board, because this is missing in the list of members. I would propose that, first, a representative of the Ministry responsible for the subject of health to be present be not below the rank of specialist and radiologist and, second, a representative of the Ministry responsible for the subject of labour. These two were present in the Bill of 2003. To me, Madam Speaker, these two representatives are very important to take on board.

**Madam Speaker:** I think the Minister has explained on this issue already as to why the Minister of Health is not represented on the Board.

**Dr. Sorefan:** Okay! Madam Speaker, justification of this Bill to this august Assembly amounts to the ever-increasing number of radiological examinations. Worldwide figures account for more than 3,600,000,000 diagnostic radiology examinations performed. Thirty million nuclear medicine procedures are carried out and 7.5 million radiotherapy treatments are given. Figures at national level are as follows, as per the Ministry of Health Statistics Reports 2015, 2016 and 2017. The total activity of X-ray Department in 2015 was 665,139 examinations. In 2016, it was 705,413 and, in 2017, it was 762,668 radiological examinations. There is an increase of about 40,000 examinations from 2015 to 2016 and about 60,000 examinations from 2016 and 2017.

Madam Speaker, with medical insurance policy, a larger number of individuals are and will be exposed, and will become a public health issue. Radiation exposure should not be done routinely. Justification and optimisation should be the fundamental principle of radiation protection in medical exposure. Regarding dental X-rays, it is true to say that we have a lot of dental X-ray machines in the dental surgeries, but, 40 years ago - when I was qualified - we were trained to take X-ray for patients and to read those radiographs.

These days, many new dental surgeons, qualified from certain dental institutions, do not have radiology in their curriculum. Many do not know how to take an X-ray and cannot even read the radiograph; they refer it to the Radiologist Department in hospital.

Madam Speaker, let me come to the yearly increase. How many of these examinations are questionable? I have said that we are increasing worldwide or even locally.

Madam Speaker, radiology should not become a business; people should not refer unjustifiably for certain people to make money. I am sure this Bill will take care and will regulate those issues, so that radiological examinations do not become a business.

Madam Speaker, today we have the concept of defensive medicine which is a strong driving force. Physicians have a strong tendency to order more referrals and more tests, especially radiology. Some of which may be clinically justified and beneficial, whereas others might be wasteful and harmful. Defensive clinical behaviour to minimise litigation has led to an increase in overuse of plain X-rays and CT scans. In many countries, and possibly in Mauritius, a substantial fraction of radiological examinations, which worldwide is above 30%, are questionable, and may not provide a net benefit to patients health care. Here, Madam Speaker, this Bill will undoubtedly prevent unnecessary radiological procedures. The Board can, through survey, identify various issues of ionising radiation technique performed and the justification and will act accordingly.

Madam Speaker, as I said in the beginning of my speech, the second part of this Bill concerns nuclear security with specific provision mentioned in part 8 of this Bill. Madam Speaker, this is a proactive legal framework for the protection of nuclear materials and other radioactive materials, and their detection, prevention and to respond to unauthorised or malicious acts, which the world is witnessing regarding terrorist attacks in many countries. Mauritius must be prepared for any malicious act involving nuclear and radioactive material.

Madam Speaker, a representative of MRA is a member of the Board.

This is of paramount importance as the point of entry concerns the MRA officers. What I am concerned, Madam Speaker, is, say, one passenger is identified with such materials in his suitcase and gets arrested. Is our Police Department geared towards handling those materials, storing them as exhibits to the Court when the case comes for trial like for drugs?

Madam Speaker, regarding section 26(2) (b) about theft, here, we must be forceful. The physical protection must be stressed to be theft proof and the licensee should be made totally responsible and the investigations starting immediately if any theft and the conclusion to the Board must be within two weeks, not two years, because we are talking about radioactive materials.

Regarding prohibited activities, Madam Speaker, this section of the Bill should also include prohibition of dumping radioactive waste generated abroad in our territorial waters. This is very important and we must watch that people do not dump radioactive waste in our waters.

Madam Speaker, with regard to occupational exposure, section 29(1) (a) which reads

—

“Provide and maintain, as far as is practicable, a safe working environment (...).”

Madam Speaker, the phrase “as far as practicable” should be deleted to my opinion because we cannot leave the door open for licensees to claim and defend themselves that their working environment was practicable.

Madam Speaker, dealing with nuclear material, the law must be stringent, uncompromising and hard and fast. Madam Speaker, workers should be informed where they are going to be employed and regarding those who are going to take the job there, they should be told of their radiation environment that they are going to work because it is their civil right to know how they are earning their living.

Madam Speaker, subsection (2) of section 29, regarding female radiation worker suspected to be pregnant, etc. should be excluded from the radiation working environment, but not dismissed from work. Arrangements should be made to work in offices of the licensee during the pregnancy and breastfeeding period because during the first three months, this is a very sensitive issue for miscarriage following exposure.

Madam Speaker, regarding penalties, the fine of Rs300,000 and Rs500,000 is meaningless when we are talking about radioactive material. To me, it should be 10 times more to dissuade people from committing offence as listed in this Bill.

Madam Speaker, regarding forfeiture of material to the State, section 42 (6), I wonder how the State will dispose of the material and whether the State will, from now, have a very safe anti-theft compartment to deal with forfeiture. Madam Speaker, let me elaborate in the proactiveness of this Bill that will be more than beneficial to people of Mauritius in the long term if we do not act now. Madam Speaker, I am talking about nuclear power. Nuclear power is enjoying a period of revival worldwide. A growing number of countries are considering

building nuclear power plant to meet energy needs of their economy while decreasing their greenhouse gas emission. Madam Speaker, nuclear power can help to improve energy security, reduce the impact of volatile fossil fuel prices, mitigate the effect of climate change and make economies more competitive.

Nuclear Energy can deliver the steady supply of base load electricity needed to power a modern economy. We must not be afraid anymore because huge improvements have been made to nuclear power and safety all over the world and there has been significant progress in treating and disposing of nuclear waste and remarkable research is being done on new generation of reactors which will be safer and generate less waste. These are the words of Mr Yukiya Amano, Director-General of the International Atomic Energy Agency in Singapore on 26 January 2015. He said, and I quote –

“Existing times for nuclear power, but the time is here, we must start something.”

Madam Speaker, with this legal framework in the Radiation Safety and Nuclear Security Bill 2018, we can and must start gearing towards a middle-income country. Socioeconomic growth leads to a rise in energy demand and the need for a reliable and sustainable energy supply. Madam Speaker, through this Bill, we should plan for the future. Energy is the backbone for any strong development. In Mauritius, we have energy from hydro, which is to the whims and caprices of nature. We have energy generated from imported fossil fuel which could run out by 2030 and the prices are very volatile which will go up and up in the near future. We have embarked horizontally in solar voltaic panels which are producing intermittent energy and need massive investment in storage capacity and what more large surface areas of land are required. We cannot afford to cover our land because we need the land to feed the population.

Madam Speaker, we need to be competitive in the future. We need to produce cheap, reliable and sustainable energy. The answer is nuclear energy. Madam Speaker, we must not think about nuclear as an option; rather we must think in terms of energy as an option.

Madam Speaker, the amount of radioactive waste is very small relative to wastes produced by fossil fuel electricity production. Nuclear wastes are neither particularly hazardous nor hard to manage relative to other toxic industrial wastes. Safe methods for final disposal of radioactive wastes are technically proven.

Madam Speaker, we have the option for smaller size reactors nowadays. Creating the necessary infrastructure in building the first power plant will take, at least, 10 to 15 years. We must act as we have got a modern comprehensive framework. With the smallest modular reactor, we can produce up to 300 MW per unit. We must not forget that we have the assistance of International Atomic Energy Agency to seek technical expertise for us and to embark on a nuclear energy programme. Embarking on the nuclear energy programme, Madam Speaker, will make Mauritius as a small island, the first to unfold the 2015 Paris Agreement and the sincere adoption of the sustainable development goal. We will contribute towards the target of keeping the rise in global temperature below two degrees Celsius.

Madam Speaker, once we decide to invest in nuclear energy, not only we get dependable energy, but also a key source not to exceed the two degrees target. We will also mitigate carbon emission from other sources.

Madam Speaker, to conclude, this modern comprehensive legislative framework is laying the foundation stone for a very much better radiation safety and nuclear security for the people of Mauritius and, at the same time, a legal framework for future nuclear energy.

If we fail to embark now, it may be too late in years to come, because, say, in 10 years, it will be too expensive to implement. We must not forget with the advent of electric vehicles, we will need lots and lots of energy.

Madam Speaker, our existence depends on our internal energy which, in turn, depends on external energy so with this Bill, let us embark on nuclear energy which is cheap, safe, secure with minimal pollution for the next generation to enjoy a good living.

Thank you, Madam Speaker.

**Madam Speaker:** Hon. Deputy Prime Minister!

(7.09 p.m.)

**The Deputy Prime Minister:** Madam Speaker, il y a un constat qui s'impose et cela n'est guère surprenant, un large consensus sur le projet de loi. Ce n'est pas surprenant parce que nous partageons tous les mêmes espoirs et les mêmes craintes.

D'abord les espoirs, depuis ce que mon honorable collègue, le ministre de la Santé, a décrit comme les fondateurs de la radiologie, de la radiothérapie, de tout ce nouveau développement du début du XX<sup>e</sup> siècle, de nombreux espoirs ont été suscités ; parfois des espoirs qui voisinent du rêve mais qui sont vite devenus la réalité. La médecine nucléaire, le

nucléaire au service de l'agriculture et nous avons entendu il y a quelques instants l'honorable Dr. Sorefan parler de son rêve de l'énergie nucléaire à Maurice, pourquoi pas, mais que je le répète encore une fois, ce n'est pas dans le programme gouvernemental d'envisager d'avoir de l'énergie nucléaire pour le moment. Cela demanderait des ressources, des études et des choses que nous n'avons pas encore envisagées. Par contre, nous partageons également les mêmes craintes, les craintes de la sécurité, des utilisateurs, des employés, des travailleurs, ceux qui sont exposés continuellement tous les jours ou même épisodiquement à l'irradiation. Le rayonnement ionisé, nous avons entendu des débats, j'ai bien apprécié la haute technicité du discours de mon ami l'honorable Bhagwan; ni lui ni moi, nous ne partageons ce domaine d'expertise mais je suppose qu'il a lui aussi son *special adviser on disarmament affairs* et que cela peut...

*(Interruptions)*

Ce n'est pas celui auquel je pense - et ce qui lui a amené à contribuer à ce débat aujourd'hui. Que je le rassure sur le point qu'il a soulevé, *le additional protocol* nous n'allons pas entrer dans les détails mais si nous regardons attentivement la clause 28 sur les garde-fous – les *safeguards* nous verrons que nous avons pris toutes les précautions pour que cet *additional* protocole soit inscrit dans le texte de notre loi et que nous puissions évidemment le mettre en pratique à partir de son entrée en matière.

Une crainte évidemment du nucléaire entre États, d'une guerre nucléaire. Les temps ont changé, les dirigeants d'aujourd'hui - peu des dirigeants d'aujourd'hui - ont connu la deuxième guerre mondiale. Notre mémoire est qu'une mémoire de documentaire et nous n'avons pas connu la guerre. Quelqu'un disait récemment il n'y a que Donald Trump qui peut se souvenir un petit peu de l'Hiroshima et peut-être pas mais certainement Putin, Macron ne savent pas ce que c'est que la guerre. Il ne faudrait pas qu'ils soient tentés dans une aventure nucléaire surtout avec d'autres pays qui partagent la connaissance nucléaire ce qui pourrait venir évidemment nous affecter. Et c'est ça le but, des conventions internationales que nous avons incorporées dans notre droit national aujourd'hui.

Pelindaba, l'honorable Dr. Boolell en a parlé. Oui, nous devons nous assurer et nous devons interdire sur notre territoire la présence de tous les dispositifs explosifs nucléaires. Se pose la question de Diégo Garcia je n'y répondrai pas pour les raisons que j'avais énumérées lors de mon premier discours introductif. La crainte d'un accident nucléaire, les réactions telles que l'honorable Dayal a décrit, la préparation nous ne sommes pas à l'abri d'accidents,

qu'il soit naturel ou artificiel ou fait de la main de l'homme. Il y a eu tout récemment une question parlementaire du *Leader* de l'opposition, c'est-à-dire, dans quelles mesures sommes-nous prêts à toute éventualité.

Mais bien sûr nous ne sommes jamais prêts à toute éventualité mais c'est ce genre de débat, c'est ce genre de discours, c'est ce genre de consensus, c'est ce genre de projet de loi, c'est ce genre de loi qui pourra nous prévenir autant que faire se peut contre ces graves dangers. Mais bien sûr la crainte d'actes criminels et la crainte d'actes terroristes également nous ne sommes jamais prêts à tout mais ce qui importe c'est que nous prenions tous les dispositifs que nous requière la science que nous impose, la science actuelle pour que nous puissions dire qu'au moins nous avons fait les maximums.

L'autorité, oui, comme l'honorable Bhagwan le dit, a très bien fait son travail. Je me souviens en 2015 lorsque suite à l'élection, le Dr. Maudarbocus, que je connais depuis de nombreuses années, vient me rendre visite, et comme un vrai *gentleman*, met à ma disposition son siège de président, et que je lui décline, je lui dis non merci ça va très bien, qu'il pouvait continuer le bon travail qu'il avait commencé et il a continué, il a fait un excellent travail. Je ne connais pas, ni suis-je intéressé par ses opinions politiques, à partir du moment qu'il ne les emmène pas à l'intérieur de l'autorité et il a contribué avec son expérience qu'il avait de l'*International Atomic Energy Agency*. Il a contribué à ce texte de loi grandement ainsi que Mons. Ollite, le directeur. Je les en remercie. Je remercie aussi les officiers du *State Law Office* et je remercie tous les participants au cours de ce débat. Ce qui n'est pas évident sur ce projet de loi, c'est la simplicité du texte et la simplicité du langage. Les discours ont été plus incompréhensibles que le texte car lorsque nous lisons ce texte, les rédacteurs ont su suivre les directives que notre ministère avait données, c'est-à-dire que quelqu'un puisse ouvrir ce texte, le lire et le comprendre. Ce n'est pas facile, ils ont été très utiles et je remercie tous les techniciens, surtout le *Legal Affairs Department* de l'IAEA qui ont grandement aidé à l'élaboration de ce texte.

Pour répondre à l'honorable Dr. Boolell, oui, nous avons ratifié, accédé aux deux conventions qu'il a mentionnées. D'ailleurs, la clause 32 qui parle de *Management of radioactive waste and disused sealed sources* démontre que nous avons suivi les prescriptions de ces deux conventions, surtout la convention sur les déchets nucléaires car les déchets nucléaires sont également une source de grave danger. Il fut un temps où l'Afrique était devenue le *dumping ground* des déchets nucléaires. Les traités ont fait que ce n'est plus le cas mais il nous faut toujours être vigilant. Il y a eu peut-être parfois une confusion entre ce qui

est ionisant et ce qui n'est pas ionisant, n'entrons pas dans le débat maintenant. Le projet de loi ne s'attache qu'aux rayonnements ionisants et non pas aux téléphones portables ou micro-ondes. Donc, il faut faire bien la distinction. Il y a d'autres moyens, par exemple sous le *Occupational and Health Safety* que l'honorable Dr. Joomaye a mentionné dans son discours, où il faut absolument prendre des dispositions sous les lois protectrices des travailleurs qui avaient été commencées, mises en place à l'époque où l'honorable Mohamed était ministre du travail et où cela a continué jusqu'à maintenant sous l'honorable Callichurn et il faut absolument augmenter ce régime de protection pour rassurer la population.

Je termine sur un ou deux points. Le comité de direction, l'autorité, oui, on aurait pu mettre encore le Commissaire de Police, le *Mauritius Research Council*, le ministère de l'Agriculture, enfin, beaucoup de monde. Mais cela aurait fait trop de monde. Nous avons eu à discuter de cela, neuf personnes, cela suffit pour un comité qui doit être réactif et qui doit travailler sur des points très pointus. Nous allons pourvoir aux ressources nécessaires. D'ailleurs, la preuve c'est que nous avons alloué des tranches budgétaires pour que l'autorité puisse avoir ce bâtiment d'Helvetia qui, de ce qu'on me dit, sera un *state of the art* et à côté il y aura tout ce qu'il y a comme *dumping ground building* pour les déchets radioactifs du ministère de la Santé, etc. ce qui fait grandement défaut en ce moment. La clause 20 du projet de loi prévoit que les licenciés pourront nommer eux-mêmes leur *Radiation Protection Officer*, cela pour répondre à certaines craintes à ce niveau.

Madam Speaker, I therefore thank everyone and I thank you for your extreme patience in the course of those debates. I thank all the interveners and I end by commending the Bill to the House. Thank you.

*Question put and agreed to.*

*Bill read a second time and committed.*

## COMMITTEE STAGE

*(Madam Speaker in the Chair)*

*The Radiation Safety and Nuclear Security Bill (No. XV of 2018) was considered and agreed to.*

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

*Third Reading*

*On motion made and seconded, the Radiation Safety and Nuclear Security Bill (No. XV of 2018) was read a third time and passed.*

**ADJOURNMENT**

**The Deputy Prime Minister:** Madam Speaker, I beg to move that this Assembly do now adjourn to Tuesday 13 November 2018 at 11.30 a.m.

**The Vice-Prime Minister, Minister of Local Government, Minister of Gender Equality, Child Development & Family Welfare (Mrs F. Jeewa-Daureeawoo)** rose and seconded.

*Question put and agreed to.*

**Madam Speaker:** The House stands adjourned.

**MATTERS RAISED**

**ROSE HILL - METRO EXPRESS PROJECT – ENVIRONMENT & ECONOMIC ACTIVITIES**

(7.28 p.m.)

**Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière):** Thank you, Madam Speaker.

My plea is addressed to the hon. Minister of Public Infrastructure and Land Transport. This Ministry is responsible for the Metro Express project in the region of Rose Hill.

Je me fais le porte-parole des habitants de la rue Sir Virgil Naz où je suis habitant de la région. Je ne fais pas de la politique partisane ni de la démagogie, j'y étais, et j'ai même été ce matin, parce que les odeurs se propagent de jour en jour malgré tous les efforts de certaines autorités.

*My plea to the hon. Minister -* je vais déposer quelques photos, Madame. Je suis moi-même un ancien ministre de l'Environnement et j'ai le souci de l'environnement. Je crois qu'il serait bon que le ministre, le responsable du projet Larsen & Toubro qui est responsable de tous ces problèmes qui arrivent, de faire un relevé tout le long de cette

rivière ; je le dis, Rivière Sèche, en direction de Grande Rivière Nord-Ouest. Ce n'est pas seulement de venir mettre du *foam*, de retirer quelques trucs, mais il faut revoir tout l'aspect écologique, parce que c'est une catastrophe écologique qu'on a vécu à Rose Hill.

Deuxièmement, je me fais aussi le porte-parole de tous ces commerçants - il y a une vingtaine, il y a des agents de voyages, des tabagies, des petits opérateurs - qui ont eu beaucoup de problèmes, ils ont dû fermer leur *business* pendant plusieurs jours, et ils ont subi pas mal de préjudices au niveau de leur revenu et de leur *commitment* financier en cette période de fin d'année, mis à part les travaux qui sont en cours. Alors, je fais un appel au ministre des Travaux de prendre en considération cet aspect des choses, s'il y a une compensation à donner à ces personnes, de faire une enquête, de trouver les responsables et de faire Larsen and Toubro, qui est le contracteur, payer les frais, moi, je dis de l'incompétence, de l'insouciance de la mise en œuvre de ces travaux de Metro Express.

Et je termine, pour ne pas oublier de dire au ministre, je ne suis pas satisfait encore, mis à part le fait que le ministre a présidé une réunion - oui, je l'ai vu à la télévision. A part la télévision, les habitants ne savent pas ; tout le monde n'est pas intéressé de voir la MBC, mais il faut un moyen de communication. Il faut faire ces contracteurs payer à travers des *leaflets*, à travers des annonces dans les radios privées ou à la presse, d'informer les habitants, non seulement de Rose Hill, mais toute la région qui est impliquée dans ce grand projet de Metro Express.

Merci.

**The Minister of Public Infrastructure and Land Transport (Mr N. Bodha):**  
Madam Speaker, we are committed to reinstate the environment to the state it was in. And, it is not only Larsen & Toubro, but the Water Research Unit, the WMA, the CWA, everybody is working night and day to reinstate the environment. The hon. Member mentioned that we should go downhill as regards the valley. Anyway, we have to see to it that we do away with the sludge just behind the CEB. I think most of it has been done; we are working night and day to do that. He can rest assured that we want to reinstate the environment as it was.

As regards the business and loss of access, in fact, I have gone to see the contract of the LNT and the contract says - and this matter was raised also, I raised it with some of my colleagues - that in the case of disruption of economic activities, the aggrieved party can make a claim, but substantiate the claim and propose a quantum of damages, and then, we will consider on a case to case basis.

**Madam Speaker:** Hon. Uteem!

**PORT LOUIS – HAWKERS – GOODS SEIZURE**

**Mr R. Uteem (First Member for Port Louis South & Port Louis Central):** Thank you, Madam Speaker. I would like to raise an issue which concerns both the Rt. hon. Minister Mentor and the hon. Vice-Prime Minister, Minister of Local Government.

Madam Speaker, there has lately been an increase in violent crackdown on hawkers operating in Port Louis. Various clips can be seen circulating on Facebook where members of the Police Force, known as ‘Tornado’, together with employees of the City Council of Port Louis are abusing verbally and sometimes physically merchants on the street. Members of the Police Force, Tornado, dressed as civilians are seizing goods belonging to persons suspected of being hawkers. I say ‘suspected of being hawkers’ because there is no prosecution. The Police does not even come and take down their names, does not serve them with any paper, does not prosecute them, but simply seize all their properties. We do not know where these properties are kept. I have enquired with the City Council of Port Louis, they do not have the properties; there is no case. So, the question of forfeiture does not arise. For me, it is outright theft.

I would like the hon. Rt. Minister Mentor to have a word with the Commissioner of Police. If there is an offence, then, do it the proper way, take down their names, prosecute them if there is need to prosecute, but you cannot just seize people’s property and then go away with it.

**The Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daureeawoo):** Madam Speaker, I am not aware of any such action. Had I been made aware, I would have looked at it personally. The objective of any action which is being taken by the Municipal Council of Port Louis and the Police is, of course, to control illegal hawkers and not to harm anybody, *loin de là*. I know that on the eve of the festive season, the Police is more vigilant. The situation is being monitored closely with regard to illegal hawkers and, at the same time, to ensure that the shop owners are complying with the law. But now that this has been raised, I will look into the matter myself, and then, I will communicate the information to my learned friend.

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

## ROCHE BOIS - DRUG PROLIFERATION

**Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East):** Thank you, Madam Speaker.

Madam Speaker, the issue I am raising tonight will be addressed to the Rt. hon. Minister Mentor who is responsible for the Police Force. It is in relation to the drug proliferation in the Cocoterie region, namely the Alfred Besnard Street in Roche Bois.

Madam Speaker, we have all taken cognizance of the drug trafficking situation and this has been clearly depicted in a video clip that was diffused on ION News recently. I must say that after this video clip of ION News, the ADSU has made a raid and they have demolished a so-called shop that was there to sell drugs. But, unfortunately, as soon as the Police left the area, *le trafic* started again, *et de plus belle*. And to substantiate what I am saying, I have been there this morning at 7.00 a.m. and I can tell you that *le trafic* has started even early morning, well organised with people welcoming you, giving you parking, telling you how to park the car and informing you: 'Now it is not being sold here, it has been moved down the river'. I was really shocked with the traffic going on openly. I know that the Police has been there only once.

So, my plea, today, to Government, to the Rt. hon. Minister Mentor, is that only a regular and permanent visit from the Officers of ADSU could solve this problem, because the people living in the surrounding are suffering. I have met them. At times, when they come back from their shopping, they have to leave their car far away, because they are not allowed to come to the street where they live, because this is controlled by a gang and they make the law there. So, the Police has to intervene and has to take concrete and strong action so as to remedy the situation. So, Madam Speaker, tonight I am the voice of the inhabitants of Roche Bois, namely Cocoterie for Government to take urgent and necessary actions.

Thank you, Madam Speaker.

**The Deputy Prime Minister:** Je pense que l'action citoyenne de mon honorable collègue, de l'autre côté de la Chambre, est fort louable. Il est maintenant en position de nous aider à démanteler cela. Je lui suggère d'aller voir le ministre *Mentor* et de collectionner les témoignages et d'aller...

*(Interruptions)*

Non, pas de photos. Les photos n'ont aucune valeur probante, et d'aller collaborer avec la police, faire la déposition qu'il faut afin qu'on puisse démanteler ce *gang*, parce que lorsque l'*ADSU* est venu la première fois, je suppose, je n'ai aucune connaissance de ce dossier, alors que l'honorable membre semble connaître tous les détails, jusqu'aux emplacements de parking alloués aux clients. Donc, faites-le. Faites une déposition en bonne et due forme avec la collaboration du ministre *Mentor* qui *means business*, on va tous ensemble faire le nécessaire. Merci.

**Madam Speaker :** Hon. Quirin!

### **IMPASSE CHATEAUNEUF, BEAU BASSIN – WASTEWATER OVERFLOW**

**Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière):** Merci Madame la présidente. Ma requête ce soir s'adresse au *Deputy Prime Minister*, ministre de l'Energie et des Utilités Publiques, et concerne un cas récurrent de débordement d'eaux usées à Impasse Châteauneuf à Beau Bassin et dont le raccordement s'est fait à la rue Albatros à côté, au Morcellement La Confiance.

En effet, Madame la présidente, la famille M, dont je ne dirai pas le nom maintenant, mais je parlerai au *DPM* plus tard pour lui donner le nom de la famille, vit un véritable calvaire depuis plusieurs années déjà et cela malgré nos nombreux appels au département et à l'ingénieur concerné au bureau de Beau Bassin. Donc, les nombreuses visites de l'équipe d'intervention du *Wastewater Department* n'ont malheureusement pas pu résoudre le problème. Le débordement s'est même aggravé en affectant aussi l'intérieur de la maison de cette famille et principalement au niveau de la salle de bains. Donc, je fais un pressant appel au *Deputy Prime Minister* de façon à ce que les travaux appropriés soient effectués et que ce problème, une fois pour toutes, soit réglé. Merci.

**The Deputy Prime Minister:** Bien évidemment, si j'avais eu un petit préavis de la chose, j'aurais été à même d'éclairer l'honorable membre et la Chambre de la situation que je ne connais pas. Mais je note qu'il y a eu des équipes qui se sont déplacées, ce qui implique évidemment qu'ils se sont assurés de la continuation de la maintenance de ce problème, vu qu'ils ont échoué. Il faudra qu'on voie attentivement ce qui s'est passé. Je le ferai en début de la semaine prochaine. Mais un grand brouillon à l'adresse de la famille, bien sûr. Laissez-moi savoir!

**Madam Speaker:** I just want to draw the attention hon. Members that I have still hon. Members to intervene. Adjournment Time ends at 19.58, so less than 4 minutes per person, per hon. Member.

#### **DUBAI – MAURITIAN NATIONAL – PRESS ARTICLE**

**Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East):** I will be very quick. I thank you, Madam Speaker, for giving me the opportunity to address. There are just two issues and I will be very brief.

The first issue, which we are all aware of, has been in the Press since yesterday, and I think it is a national issue which I would like to raise here and I would like to be addressed to the hon. Prime Minister. It is about a Mauritian national called Shameem Korimbocus, who has been called in Dubai. He is a Mauritian national living in Dubai, he has been called in by the Immigration Authorities, Government Authorities of Dubai, whereby he was informed there that there has been a complaint by the Mauritian Government against him making comments that are not favourable to the actual regime in Mauritius and that he had to undertake not to make any further *commentaires désobligeants* against the Government of the day in Mauritius, otherwise he would be deported. So, this is being reproduced in the Press, today and yesterday, printed as well on social media. This has shocked a lot of people in Mauritius.

We have obviously nothing emanating from Government as to whether this comes from a Mauritian complaint to the authorities in Dubai, and my plea here to Government and to the Prime Minister is that he could clarify the situation and try to clear up the matter that it is not the Government of Mauritius that has intervened in anyway whatsoever, be it through Government or be it through any other authority like ICTA in order to curtail someone's freedom of expression. That is one issue. And very briefly, with regard to the Minister of Social Security...

**Madam Speaker:** Hon. Mohamed, I will take the second issue time permitting.

**The Deputy Prime Minister:** I have incidentally discussed this matter with hon. Prime Minister this morning. We have no evidence, I stress well my words, we have no evidence that the news that appeared in the Press is true. Perhaps there is somebody who has said this as a story, but then again, these days, even from Presidents of countries we hear news which are completely untrue. Now, insofar as we are concerned, as Government is

concerned, there is nothing to justify the truth of this statement. If at all there is something that arises, we shall advise in due course.

**Madam Speaker:** Hon. Rughoobur!

### **CAP MALHEUREUX – BY-PASS PROJECT – FELLING OF TREES**

**Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or):** Yes, thank you, Madam Speaker. My request is addressed to the hon. Minister of Public Infrastructure and Land Transport, and it relates to the by-pass project at Cap Malheureux. As the hon. Minister is surely aware, nobody is against the by-pass project. The protest relates to the felling of trees in that alignment of almost 3.3 km only and we had a meeting yesterday. During that meeting, of course, the members of the civil society expressed their concern on the felling of almost 125 trees at the site.

As the House is aware, Anse La Raie is one of the rare places where people in the North regularly gather with their family during weekends and holidays for leisure and recreational activities, and I make request to the hon. Minister to kindly see to it if this alignment can be reviewed. There has been a proposal also which has been made to his Ministry. I would strongly make a request to him so that he reviews and he reconsiders this alignment so that we can, at least, save those 100 trees that otherwise would have to be fallen down following this project of Cap Malheureux.

**The Minister of Public Infrastructure and Land Transport (Mr N. Bodha):** Madam Speaker, how many minutes do I have?

**Madam Speaker:** I will request you to be very quick because, as I have said, Adjournment Time will be up till 19.58.

**Mr Bodha:** But then, I will a statement later.

**Madam Speaker:** If you want to make a statement, then you can come with a statement.

**Mr Bodha:** Because I am shocked and saddened by the way the hon. Member has mentioned a certain number of issues, a number of things which have been said outside the House, which I will not mention, on radio. This project Madam Speaker, relates to a road which is 5.8 metres wide with eight dangerous bends, with four bends at 90 degrees and

where there have been numerous accidents. A by-pass is a by-pass and the by-pass has been done just to link Grand'Baie to Cap Malheureux and Anse La Raie. So many false things have been said. The coastal road will remain the coastal road, access to the beach will remain access to the public. This was also said: I have no property near this road. And now, 135 trees are supposed to be felled. What has happened? The by-pass meets the coastal road, so we have to enlarge the road on both sides so that you can turn left and you can turn right. Now, we are felling 100 filao trees, we are planting 400 trees along this by-pass.

Madam Speaker, the civil society which was there yesterday, there were 11 people and there were three of my officers. Now, I understand that. I have always said, you have to give information to people when you have the right information. We have an EIA for this; we have a Ramsar clearance for this project. So, what I am saying is we are doing what has to be done, we are planting 400 trees. I give my promise to this House for this.

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

#### **VICTORIA HOSPITAL – HEALTH OFFICERS - INTERNAL ROTATION**

**Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East):** Madam Speaker, thank you. I would like to draw the attention of the hon. Minister of Health and Quality of Life on an issue at Victoria Hospital. There has been just an internal rotation for Health Officers and Senior Medical Health Officers with effect from this Monday, wherein prior consultations have not been held with the different consultants in charge of departments.

Some junior doctors who were posted to specialised units, and who are still under training, have been unjustly rotated to other departments even before completing their training in these specialised units.

I would urge the hon. Minister to look into the matter in order to avoid frustration, both from the junior doctors and the consultant in charge.

Thank you.

**The Minister of Health and Quality of Life (Dr. A. Husnoo):** Madam Speaker, rotation is a regular thing that we do in the hospital sector, especially among the junior doctors. We have to do the rotation to give them a chance to go into different units to learn

different specialities and to get more experience. This is a common practice. I do not see what is wrong in it. If there is any problem, they can contact us and we will look into the matter.

Thank you, Madam Speaker.

**Madam Speaker:** Hon. Ramful!

### **MORCELLEMENT BLUE BAY – ROAD REPAIRS**

**Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien):** Thank you, Madam Speaker. Madam Speaker, I wish to raise an issue which concerns the Ministry of Local Government.

I wish to bring to the attention of the hon. Vice-Prime Minister...

*(Interruptions)*

**Madam Speaker:** Hon. Abbas Mamode! Please! You are disturbing the hon. Member!

**Mr Ramful:** Madam Speaker, I wish to bring to the attention of the hon. Vice-Prime Minister an issue with regard to the state of the roads in Morcellement Blue Bay, which is found in my constituency. The state of the road is such that even vehicular access has become impracticable.

May I request the hon. Vice-Prime Minister to look into the matter because the inhabitants have made various complaints to the Local Authority and nothing has been done so far?

Thank you.

**The Vice-Prime Minister, Minister of Local Government and Outer Islands, Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daureeawoo):** Madam Speaker, I take note of the issue raised by the hon. Member. But I need more information regarding the names of the roads so that I can look into the matter. Thank you.

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

### **BASIC WIDOW'S PENSION – RELIGIOUS MARRIAGE**

**Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East):**

Thank you, Madam Speaker. Madam Speaker, I will be very brief. I had raised the issue of widows' pension with regard to those who are married religiously. The Social Aid Regulations of 2014 was mentioned by the hon. Minister of Social Security, National Solidarity, and Environment and Sustainable Development. November 1987 to 22 December 1990 is...

*(Interruptions)*

I will be very quick. November 1987 to 22 December 1990 was the period which applied the Regulations of 2014, where they had to register before 31 December 2014 in order for them to be considered for the surviving spouse element, which the hon. Minister of Social Security, National Solidarity, and Environment and Sustainable Development had referred to last time when I had raised the issue.

Madam Speaker, I have come across two issues, which I will be tabling. I have written letters from two widows. Both of them have given permission for their names to be mentioned; they have signed the documents and for me to table their documents. One of them was married in 1991, that is, when the Muslim Family Council had not been created yet. It was only created in 1992. Therefore, she finds itself in a limbo position, a no man's land, where she is not entitled to the pension. And then, there is someone else who was married in 1999, another *cas de figure*. In this particular case, the officiating priest did not register her marriage. All of them have children and recognised by the father. The father has passed away and they find themselves in a situation where they are not entitled to the pension. In spite of the good work the Government is trying to do, and trying to find solutions, what I humbly propose is that the hon. Minister looks into the matter and tries to see whether any tweaking is possible, at his discretion, to see whether this could be sorted out or extending the Regulations to bring everyone in, for once and for all, finding out how many widows are concerned, and then, calling it a day and it is finally sorted out. This is my humble suggestion.

I am tabling those two documents. It would be good that the hon. Minister has a copy of it.

**The Minister of Social Security, National Solidarity, and Environment and Sustainable Development (Mr E. Sinatambou):** Madam Speaker, I am glad that the hon.

Member now acknowledges how right I was when I cited the 2014 Regulations because, on the last occasion, he had spoken for widows who were not obtaining pensions for the period 1987 to 1990, and he even called me a liar, to which I objected.

Regarding those two cases, I will gladly look into them and see if we can bring some relief.

Thank you.

**Madam Speaker:** Hon. Ganoo, I give you the floor. In fact, I should have given you the floor before hon. Shakeel Mohamed.

### **SURINAM & LE MORNE – ROAD RESURFACING & WATER SUPPLY**

**Mr A. Ganoo (First Member for Savanne & Black River):** Thank you, Madam Speaker. J'interpelle le ministre du *MPI* concernant un problème qui cause beaucoup d'inconvénients et de peines aux habitants d'une localité de ma circonscription à Surinam. L'artère principale de cette région, le *main road*, la route la plus importante est dans un piteux état et doit être asphaltée de toute urgence. Le public, le *travelling public*, les étudiants, les chauffeurs de taxi, les motocyclistes, tout le monde en a assez de cette situation pénible. Donc, je demande au ministre de remédier à cette situation. L'ironie, c'est que les routes latérales ont été asphaltées depuis longtemps, mais cette artère est toujours dans cette situation déplorable. Je vous demande, donc, M. le ministre, de faire diligence.

*Madam Speaker, I have one very brief intervention concerning the Deputy Prime Minister, Minister of Energy and Public Utilities.* Cela concerne la situation d'eau au village Le Morne. M. le *Deputy Prime Minister*, pendant trois jours, l'eau n'a pas coulé ; les robinets sont à sec. Heureusement, quelques heures de cela, la situation a changé, mais pendant les derniers mois de l'année - les mois difficiles - c'est toujours la même chose. Ces habitants appréhendent que la situation se répète dans les jours qui viennent. Sans eau pendant trois jours, c'est une situation difficile. Donc, je vous demande de faire le nécessaire pour que cette situation ne se répète pas dans le village Le Morne. Je vous remercie.

**The Minister of Public Infrastructure and Land Transport (Mr N. Bodha):** As regard to Surinam, Madam Speaker, I will certainly look into the matter to see if we can have the schedule for the resurfacing in that area. Thank you.

**The Deputy Prime Minister:** Madame la présidente, Le Morne est un problème que je connais bien puisque, au moins une fois par mois, je suis amené à intervenir. L'équipe de la CWA s'occupe du village Le Morne. L'honorable membre le sait très bien, et cela, depuis de nombreuses années. D'ailleurs, comme il le dit si bien, la situation s'est rétablie il y a quelques heures, mais cela va détériorer encore de par la topographie des lieux et de beaucoup d'autres facteurs.

*At 7.55 p.m., the Assembly was, on its rising, adjourned to Tuesday 13 November 2018 at 11.30 a.m.*