



SIXTH NATIONAL ASSEMBLY

**PARLIAMENTARY
DEBATES
(HANSARD)**

FIRST SESSION

TUESDAY 04 JULY 2017

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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. Showkutally Soodhun, GCSK	Vice-Prime Minister, Minister of Housing and Lands
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. Ravi Yerrigadoo	Attorney General
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
Hon. Mrs Fazila Jeewa-Daareeawoo	Minister of Gender Equality, Child Development and Family Welfare

Hon. Premdut Koonjoo

Minister of Ocean Economy, Marine Resources, Fisheries and Shipping

Hon. Soodesh Satkam Callichurn

Minister of Labour, Industrial Relations, Employment and Training

Hon. Purmanund Jhugroo

Minister of Local Government and Outer Islands

Hon. Marie Cyril Eddy Boissézon

Minister of Civil Service and Administrative Reforms

Hon. Dharmendar Sesungkur

Minister of Financial Services, Good Governance and Institutional Reforms

PRINCIPAL OFFICERS AND OFFICIALS

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MAURITIUS

Sixth National Assembly

FIRST SESSION

Debate No. 18 of 2017

Sitting of 04 July 2017

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

The National Anthem was played

(Madam Speaker in the Chair)

PAPERS LAID

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

A. **Prime Minister's Office**

Certificate of Urgency in respect of the Allied Health Professionals Council Bill 2017
(No. IX of 2017). (In Original)

B. **Ministry of Tourism**

The Annual Report 2015 of the Tourism Authority.

ORAL ANSWERS TO QUESTIONS

BELLE RIVE – NATIONAL WHOLESALE MARKET PROJECT

The Leader of the Opposition (Mr X. L. Duval) (*by Private Notice*) asked the Minister of Agro-Industry and Food Security whether, in regard to the Central Wholesale Market Project to be implemented in Belle Rive, he will –

- (a) table copy of the detailed feasibility study thereof;
- (b) give the estimated total construction cost and annual running cost thereof, indicating how same will be financed,
- (c) state the types and quantum of user fees to be charged thereat, and
- (d) state the expected start and completion dates thereof, indicating the expected date of coming into operation thereof.

Mr Seeruttun: Madam Speaker, the National Wholesale Market Project was enunciated in the Government Programme 2012-2015 to improve access to markets and to provide adequate wholesale and auction facilities.

There are presently three regional auction markets, namely at Vacoas, Port Louis and Flacq. These auction markets are, however, not responsive to customer needs for the following reasons –

- (i) The markets are operating without any proper infrastructure, thus severely impacting on the trade of fruits and vegetables during adverse climatic conditions;
- (ii) There are no storage facilities for sellers and all fruits and vegetables have to be sold on the spot, thus resulting in fluctuation in prices;
- (iii) There are inadequate parking facilities for both sellers and customers, thus leading to severe traffic congestion in the vicinity;
- (iv) There are no proper sanitation and hygienic conditions prevailing in these markets; in fact, vegetables and fruits are being offered for sale on the ground and on roads;

- (v) There is no transparency in the workings of the current bidding process employed within these auctions markets, and
- (vi) There is no security, especially at the Port Louis Auction Market at Trou Fanfaron and planters who have to call there late at night or early morning with their products are often attacked and their goods and money stolen.

The objectives of the National Wholesale Market are to –

- (i) Construct and create the necessary infrastructure for the handling of fruits and vegetables, post-harvest, for onward sale, fully compliant with all existing relevant legislation and agricultural and food standards;
- (ii) Create a modern market yard facility with all relevant procurement, marketing and support networks;
- (iii) Put in place a fair and transparent mechanism for price setting so that planters might get the best price for their produce;
- (iv) Provide a modern and accessible market information system on the evolution in the price of the produce concerned;
- (v) Have a modern, fair and transparent marketing infrastructure fully compliant with the Food Act and other agricultural standards for the community, and
- (vi) Be commercially oriented and sustainable.

Madam Speaker, some 100,000 tonnes of vegetables and fruits are produced annually, 60% are sold through the three regional auction markets and farmers obtain only 30% to 40% of final retail price as a return. With the setting up of the National Wholesale Market, producers of fruits and vegetables will be able to secure better returns for their produce.

Tenders for consultancy services for the setting up of the National Wholesale Market were launched by the AMB in June 2013 and the contract was awarded to Cabinet Gressard Consultants of France in January 2014. The Report of the Consultants was submitted in April 2014.

I am informed that in the context of that exercise, the Consultants had extensive consultations with the auctioneers as well as the planters and other stakeholders, including

supermarkets and visited the three auction markets at Port Louis, Flacq and Vacoas to take cognizance of conditions prevailing thereat.

The Consultants have recommended the reorganisation of wholesale marketing of fruits, and vegetables at national level through the creation of concentration of volumes in a single place for better efficiency, synergies and cost sharing between operators, better transparency and modern and adequate premises for the whole fruits and vegetables food system. The other salient recommendations are, *inter alia* -

- (i) The transfer of all three auction markets at Port Louis, Vacoas and Flacq in a single place equipped with modernised installation;
- (ii) The possibility of producers to use a specific marketing place so that they could sell directly to retailers and restaurants;
- (iii) The supply of modern warehouse to attract store chains, wholesalers and importers for expanding and modernising their business in the wholesale market and the provision of services such as agricultural inputs and banks;
- (iv) The improvement of all aspects of the marketing of fruits and vegetables through the promotion of the normalisation of products, standardisation of packing, issue of invoices and homogeneous content of boxes;
- (v) The provision of 8 hectares of land and an additional 5 hectares of land for future expansion of logistical activities along the new M3 motorway near Verdun for the setting up of a National Wholesale Market of an extent of around 12,100 m². The site has been identified by the Consultants as it is located near the highway and is connected to the roundabout coming from Ebène. Moreover, it is easily accessible to all users and is relatively flat and can be easily developed;
- (vi) The construction of the National Wholesale Market in two successive phases together with provision for a toll gate and 27,500 square metres of parking;
- (vii) The establishment of an Investment Company through a Public Private partnership for the investment of around Rs345 m. for the implementation of the project;

- (viii) The creation of a separate State Management Company in partnership with the Wholesale Market Operators' organisations for participation in the management of the Wholesale Market.
- (ix) The collection of toll and rents for the maintenance and services of the National Wholesale Market, and
- (x) The enactment of an appropriate legislation to regulate the activities of the National Wholesale Market; and the project would be managed by the Agricultural Marketing Board and the cost of its implementation was estimated by the Consultants at Rs345 m.

Madam Speaker, when I assumed office as Minister, I was informed that the site earmarked for the project at Verdun was prime land belonging to the Sugar Investment Trust and might not be released for the project. An alternative site was identified at Five Ways, Wootton, which is also suitably situated for such a project.

An open bidding exercise for consultancy services for the setting up of a National Wholesale Market was launched on 13 May 2016. In November 2016, the contract was awarded to Studio Valle Progettazioni Professional Association and the contract was signed on 13 March 2017 for the total amount of Rs11,655,000.

Madam Speaker, I would also like to inform the House that a Stakeholders Consultative Meeting on the setting up of the National Wholesale Market Project was held on 03 September 2015 at Boname Hall, Reduit which I personally attended. Necessary information on the project was shared with the stakeholders present, which included officials of different Ministries and Departments and of parastatal bodies as well as auctioneers and representatives of planters from all over the island. The persons present, particularly the auctioneers, were given the opportunity to ask questions and necessary clarifications were given to them.

Madam Speaker, with regard to part (a) of the question, I am tabling a copy of the detailed feasibility study carried out in 2014 by Cabinet Gressard Consultants of France.

Regarding part (b) of the question, I am advised that the project cost is now estimated at around Rs370 m. The project will be wholly financed under the Line of Credit with the Government of India.

The market is expected to generate income to the tune of Rs22 m. annually. As regards the annual operating cost, same is expected to be around Rs15 m. and will be financed as follows -

- Income from growers section (Toll fee) – Rs1.4 m.
- Rent from stall at auction section – Rs9.6 m.; and
- Rent from warehouses – Rs10.955 m.

With regard to part (c) of the question, the fees to be charged, as recommended in the feasibility study, are as follows -

- Toll fees - ranging from Rs100 to Rs1,000 per trip;
- Rent of stalls (planters market) at the rate Rs100 per day;
- Rent of auction stalls which will be Rs300,000 per year; and
- Rent from warehouses – Rs4,200 per m² per year.

However, these fees are still being examined and no final decision has been reached thereon.

Regarding part (d), tender for design, construction and supervision has been awarded on 13 March 2017. Tender for construction works is expected to be launched in October 2017. Award of contract will be effected around first week of January 2018. Construction works are expected to last for some 18 months. The project is planned to be completed by June 2019. The market will, therefore, become operational after that date.

Madam Speaker: Hon. Leader of the Opposition!

Mr X. L. Duval: Thank you, Madam Speaker. The hon. Minister may be aware that there is a lot of anxiety amongst the 4,000 or so, small planters and fruit growers as well as the auctioneers and all the auction community. I would like to ask the hon. Minister firstly, are we talking about a central wholesale market or a central auction market? He has not answered that question. How will prices be set? I have got some tomatoes that I want to sell, how am I going to get a good price for those things that I want to sell?

Mr Seeruttun: Madam Speaker, first, I must inform the House that all the planters, all the farmers and even the auctioneers were consulted during the workshop whereby they had been presented with that project and, of course, there were some apprehensions on the side of the auctioneers and those apprehensions were clarified as far as possible. There were some suggestions made, there were some proposals made that were taken into account before finalising that particular project. And when the hon. Leader of the Opposition is mentioning that there is some anxiety on the side of the small growers, I have not had that kind of views, I must say, Madam Speaker. In fact, they have all been very favourable to that particular project.

With regard to the way the sales will be made, of course, the farmers will be allowed to bring in their produce and there will be buyers on one side to bid for their produce. Of course, we are still going to make good use of the auctioneers to act as intermediary.

Mr X. L. Duval: It is going to be an auction like it is at the moment at the regional markets, is that what the hon. Minister is saying?

Mr Seeruttun: Yes, it is.

Mr X. L. Duval: Madam Speaker, one of the problems that I have been told about is that there is a lot of anxiety because of lack of knowledge about this project. I understand in the meeting in September or something in 2015 there were a few hundreds of planters there whereas we know that there are thousands of planters. So, one question that I had kept for the end, but I will say it now, is it not a good idea for the Ministry, the Marketing Board, *etc.* to organise decentralised meetings all over the country with these planters, their livelihoods are being affected, the auctioneers and also the market traders, *les maraîchers*, so that the whole project can be explained in detail?

Mr Seeruttun: Again, Madam Speaker, I must say that there is no anxiety from farmers.

(Interruptions)

I mean in the meeting that we had where we presented that project there were farmers who were convened from all over the island and they were being represented by different groups of farmers. So, to say that we did not have consultation with all the planters is not very correct because they were represented at that particular consultative meeting.

Mr X. L. Duval: I leave the hon. Minister to his opinion; I have my opinion about this. Now, Madam Speaker, what is the commission that is going to be charged by the auctioneers? Is it going to remain at 8 per cent plus 2 per cent or is that being reviewed?

Mr Seeruttun: I just mentioned in my reply, Madam Speaker, that the consultants who carried out that study came up with certain fees that need to be charged and we are, at this point in time, still examining whether these fees could be applied or we have to reconsider some other form of fees that should be applied.

Mr X. L. Duval: As the hon. Minister mentioned, that part of the market will be open to planters themselves to sell directly, what is the size, how many planters will be able to do so directly and on what basis will these persons be chosen?

Mr Seeruttun: In fact, we are proposing to have space for growers also to put their produce directly on the market on site. I do not have the exact surface area which has been allotted for that particular activity, but I know that we have done it because it was a request from the farmers themselves so that they could be allowed to sell their produce directly.

Mr X. L. Duval: Madam Speaker, I would have thought that the number of planters is a very important issue, but the Minister ought to have known. Is it going to be 10 planters, 1,000 planters or 4,000 planters who would be able to sell directly and on what basis? Perhaps he can get the information from his colleagues. On what basis are these people going to be chosen?

Can I ask also the hon. Minister whether, in fact, there will also be room for the big planters, the sugar estates, *etc.*? Are they also going to compete with these small guys in the same marketplace?

Mr Seeruttun: All the products that are produced locally are put on the market at this very moment, this is how it is being done. As I said, about 60 per cent of the products that we produce, I mean food crops, go through that channel. These are from small growers as well as large growers. So, we are not going to *prive* the large growers to offer their products on that market because the whole point about having this wholesale market is to provide the consumers with produce, food crops that are going to be sold at the best price, if I must say so.

Mr X. L. Duval: One of the points of anxiety is that the small planters who may be selling a few kilos or a few dozens of kilos will suddenly find themselves in competition with some of the big sugar estates who are selling tonnes. How are you going to ensure fairness, how are you going to ensure that these small planters are protected from any unfair practices that may arise when you have very small people competing with huge planters?

Mr Seeruttun: Madam Speaker, that is the way it is being carried out at the moment at the level of the three auction markets and we have not heard of any abuse from the side of the large producers. So, this question should not arise as far as I am concerned.

Mr X. L. Duval: What will be the opening hours of the central wholesale market? What time will it open?

Mr Seeruttun: As far as I can recall, Madam Speaker, it is going to be open every day and during day time...

(Interruptions)

Well, it is going to be probably as from 5.00 a.m. onwards.

Mr X. L. Duval: Madam Speaker, the Minister should know, he should master his subject. Either he can master a subject or he can't! We all know that these markets open...

(Interruptions)

Let me finish the question!

(Interruptions)

Mr Seeruttun: Yes, please!

(Interruptions)

Mr X. L. Duval: The question is this: as you know, there are some very odd opening hours, some open throughout the night. That is why I am asking what is the time that this would be open to accept deliveries.

Mr Seeruttun: Yes, Madam Speaker. I am informed that the market is going to be opened as from 5.00 a.m. in the morning up to 2.00 p.m., in the afternoon.

Mr X. L. Duval: Now, part of the anxiety among the small planters, and believe me, there are lots, and I am sure the hon. Minister will find eventually. Let's take the very small planter. I am not trying to make a political point, but these are the very people who earn their living day in, day out from planting and selling. We have a very small planter; let's say he has *deux caisses de pommes d'amour*. He may actually send them on a van to Port Louis or sell it directly. Now, he will have to send that to Belle Rive, that is going to be twice the transportation cost. So, one problem is - sorry, Madam Speaker, I will explain. You have a planter in Goodlands, say, he is now selling to Port Louis. He will have to send his goods to Belle Rive, and the market trader in Goodlands will also have to go to Belle Rive to purchase it in the morning, to bring it back to Goodlands Market to sell. Can the Minister tell us why are transport costs going to be doubled in this way?

Mr Seeruttun: Madam Speaker, I think the Leader of the Opposition is misunderstanding the way this auction market is going to function. I mean, at this point in time, whoever wants to sell directly to any trader or consumer, can do it. We are not going to force anyone to go to the wholesale market to sell his products. For those who want to sell their food crops at the wholesale market, as it is the case now, they can go to the wholesale market, bring their products which are going to be made available for all the *maraichers* to go and buy their products at the wholesale market.

Mr X. L. Duval: Madam Speaker, it would seem obvious that when you have three regional markets – obviously, it would seem to me – that the transport costs are going to be much less than one centralised market. That is the point I am making. This centralised market will increase the cost of vegetables because it will add substantially to the cost of transport and to the problem of planters having to transport their produce from their homes or whatever, their fields to that market for sale and then back down again to the regional *bazars*.

Mr Seeruttun: Madam Speaker, let me inform the House that currently on the registration roll of fruit and vegetable planters, we have 6,391 registered planters. There are 1,453 that come from the central and western regions; 1,240 from the southern region. That makes 2,693 planters, that is, 42% of those growers/planters of Mauritius that supply the whole nation with fruits and vegetables come from the central and southern regions of the island. We have three markets now: one in Port Louis, one in Flacq, one in Vacoas. What are we doing? We are setting up a wholesale market in the central region of the island. With the new access roads available now, either from Goodlands to Wooton, or from Chemin Grenier

to Wooton, or Flacq to Wooton, or La Marie/Glen Park to Wooton, it is within reasonable distance and will not incur additional costs for those planters.

(Interruptions)

Madam Speaker: Can we have some order on this side of the House, please?

Mr X. L. Duval: Madam Speaker, my question remains. According to the Minister himself, the majority, nearly 58% of the planters, are not going to live anywhere near the central market. So, my question is : since all the problems that he has enumerated, 90% of them deal with infrastructure, would not it be far smarter to have regional markets - maybe instead of 3, even 4 - to deal with all these problems rather than adding this huge, probably a white elephant, in the middle of the country that nobody really wants? Would not it be far smarter to have upgraded substantially regional markets?

Mr Seeruttun: Madam Speaker...

(Interruptions)

Madam Speaker: Hon. Toussaint!

Mr Seeruttun: Here, we are...

(Interruptions)

Madam Speaker: Hon. Toussaint!

Mr Seeruttun: Madam Speaker, we are the Government...

(Interruptions)

Madam Speaker: Hon. Thierry Henry! Please, calm down!

Mr Seeruttun: For years, this project has been under discussion. In the Budget 2008/09, the then Minister of Finance, in his Budget speech, at paragraph 179, mentioned – “The Planting Committee will be encouraged to set up a commercial National Auction Market.”

(Interruptions)

Madam Speaker: Hon. Shakeel Mohamed, please!

(Interruptions)

Can I draw your attention...

(Interruptions)

Hon. Shakeel Mohamed! Please!

(Interruptions)

Hon. Sinatambou! Hon. Sinatambou! If both of you want to discuss, do not discuss from a sitting position over here. You can go outside and discuss, and then come back, but we need to be calm in the House so that the debates can continue. Please!

Mr Seeruttun: Madam Speaker, let me just repeat what I have just said.

(Interruptions)

Madam Speaker: Hon. Shakeel Mohamed, please! I have already given my instructions!

Mr Seeruttun: In 2008/09 Budget, the then Minister of Finance, in his Budget Speech, mentioned that we need to go for a National Wholesale Market. In the...

(Interruptions)

Mr Mohamed: I am sorry! On a point of order, what type of man is it that he has insulted my mother saying 'Gett to mama'. What type of Minister, hon. Sinatambou, has just said 'Gett to mama'? Everyone has heard him! Everyone has heard him! Shame on him! Shame on him!

(Interruptions)

Madam Speaker: Please! Calm down!

(Interruptions)

Hon. Sinatambou! Hon. Rutnah!

(Interruptions)

Hon. Rutnah!

(Interruptions)

Hon. Rutnah!

(Interruptions)

Hon. Ameer Meea!

(Interruptions)

Please, hon. Rutnah! I have called you so many times! Now, calm down! Calm down!

(Interruptions)

Hon. Ameer Meea! Please!

(Interruptions)

Hon. Ameer Meea!

(Interruptions)

Hon. Bhagwan!

(Interruptions)

Hon. Sinatambou!

(Interruptions)

You have talked enough, hon. Sinatambou! Please!

(Interruptions)

Did you utter these words?

(Interruptions)

Mr Sinatambou: Madam Speaker, I would like to tell this House that...

(Interruptions)

Madam Speaker: Hon. Shakeel Mohamed! Hon. Shakeel Mohamed! I have already...

(Interruptions)

Hon. Shakeel Mohamed! I am the one to ask him to withdraw, not you! Please, be calm! Please, be calm!

Mr Sinatambou: Madam Speaker, I believe all the Members on this side of the House saw this Member showing me his private parts. That is what happened. He put his hands down there and showed me his private parts.

Madam Speaker: Hon. Sinatambou, I did not see that! I did not see anything of that sort! I am just asking you! I will have to check! I will have to check from the video whether he did that! Anyway, please, withdraw if you uttered these words. Please, withdraw! There is nothing bad! There is nothing bad in withdrawing what you said.

Mr Sinatambou: Madam Speaker, I will withdraw whatever I have said, but I believe that he cannot show his private parts to another Member of this House.

Madam Speaker: Hon. Sinatambou, please, when you withdraw your words, you withdraw it unconditionally. I will have now to look at the video to see whether he did that and if he did, I will come back to the House for the ruling.

Mr Sinatambou: Thank you. I do so, Madam Speaker.

(Interruptions)

Madam Speaker: Hon. Ameer Meea, please! Now, you said ‘*batchara*.’

(Interruptions)

No, but you said ‘*batchara*.’

(Interruptions)

Hon. Ameer Meea, it is the last time I am calling you to order!

(Interruptions)

Now, do not raise your tone with me!

(Interruptions)

Hon. Ameer Meea, you have not finished!

(Interruptions)

But you also!

Mr Seeruttun: Madam Speaker, I was saying that in the Budget 2008/2009, the then Minister of Finance in his Budget Speech, at paragraph 179, mentioned about the setting up of a commercial National Auction Market which never saw the day.

In the Government Programme 2012/2015 - led by the Labour Party and the PMSD, where the hon. Leader of the Opposition was the influential Member of that Government - they mentioned, at paragraph 55, that they would come with the improvement of access to markets through a wholesale market. As Minister of Finance in the year 2012, he made provision to carry out a study for the setting up of a wholesale market. The study cost almost Rs5 m. and I must say that report was available since April 2014 and was left in a drawer.

We, as a Government responsible, are trying to save and support the small growers. There are 6,300 small growers in this island. If we take the whole planting community, there are almost 8,000 farmers. He is defending some 80 auctioneers. I visited the auction market at 4 a.m. in the morning at Port Louis and I saw in which conditions the fruits and vegetables are being sold. I know he was at Flacq at 4 p.m., but he does not know the real problem being faced by small growers. What I am saying is, today, to come and say that we should not go ahead with a central wholesale market is pure demagoguery because, he, himself, as a Minister of Finance, being part of the Government, has all the way been supporting this particular project.

Madam Speaker: Hon. Leader of the Opposition, last question!

(Interruptions)

Mr X. L. Duval: Madam Speaker, the Minister speaks for 10 minutes, what can I do?

(Interruptions)

Madam Speaker: No, I am sorry...

Mr X. L. Duval: What can I do if the answer takes 10 minutes just on a supplementary question and he goes and does politics?

(Interruptions)

Madam Speaker: Please, sit down!

(Interruptions)

Hon. Leader of the Opposition, you know that we have only half an hour for PNQ. We have lost time because Members have started using abusive expressions in the House against each other. I am giving you additional time. Time is over since 12.07 p.m. I have given additional time and this is why I am asking you for your last question.

Mr X. L. Duval: Madam Speaker, in that case, I suggest that you control the length when Ministers answer supplementary questions.

Madam Speaker: Hon. Leader of the Opposition, you know fairly well that the ruling of the Speaker is not subject to debate. This is the first thing. The second thing is that when he gave his reply, I have timed it. He took only 12 minutes to give the reply to your question. Okay! So, if you take time for your questions, he takes time for his answers and this is beyond control. Now, I have told you that we are already ahead of time so that you have your last question.

Mr X. L. Duval: Madam Speaker, the Minister made some political points. We asked for a feasibility study because only fools will rush where angels fear. This is the truth of the matter.

I am very surprised, Madam Speaker, and I am telling the Minister that he is completely disconnected with the planters. Completely disconnected! Because this question here does not come from me. This question comes from these people there and they are wanting ...

(Interruptions)

They are not *ancanteurs*, they are planters. Madam Speaker, I am going to ask the Minister, it has taken a PNQ for him to give the feasibility study which I do not know where it was lying since 2014, we are now in 2017. It has taken a PNQ! Shame on him!

(Interruptions)

Now, Madam Speaker ...

(Interruptions)

Madam Speaker: Hon. Leader of the Opposition, have you finished? We are ahead of time. You are making a statement.

(Interruptions)

Hon. Leader of the Opposition, you are making a statement! Ask your question! You cannot make a statement. I will not allow you to make a statement!

(Interruptions)

No, I will not allow you to make a statement! I told you that you have got your last question. Ask your last question!

Mr X. L. Duval: I am making a political statement because he made a political statement, Madam Speaker, and you allowed him.

Now, Madam Speaker, I want to put it to the Minister that what he is doing is exactly discouraging all the small planters in this country ...

Madam Speaker: What is your question, hon. Leader of the Opposition?

Mr X. L. Duval: ... he is discouraging all the small planters in this country and they are already....

(Interruptions)

Madam Speaker: What is your question?

Mr X. L. Duval: Let me ask the question.

(Interruptions)

Madam Speaker: Ask your question, don't make a statement! I will not allow you to make a statement. You have to ask your question.

Mr X. L. Duval: My question is: what is the hon. Minister going to do to stop the hundreds of planters, many of them are over the age of 50 and 60, from giving up entirely on this very hard and tough industry with the centralisation that he is doing, with the traffic and the additional transport cost? What is he going to do to stop the small planters from giving up entirely on this sector?

Mr Seeruttun: Madam Speaker, let me just say that the report that we had, that was conducted by a firm of consultants chosen by the then Government, came up with those recommendations. We are applying those recommendations. That is one thing.

Secondly, it surprises me that the PMSD, for the first time that I can recall ...

(Interruptions)

Madam Speaker: No! Hon. Minister, you will have to be brief! I said that time is already over! The hon. Leader of the Opposition has asked his question and you also should be brief, please!

Mr Seeruttun: ... giving support to the small farmers. What I can say is that I have the support of the majority of the farmers who are behind this project. He is trying to defend a few people who have been exploiting the farmers of this country for so many years.

Madam Speaker: Time is over!

(Interruptions)

Order!

(Interruptions)

Order, please!

Mr X. L. Duval: Madam Speaker, I could not catch what the hon. Minister said.

Madam Speaker: Time is over, I said! Hon. Members, the Table has been advised that PQ No. B/457 in regard to the review of the policy of allowing duty exemption on motorcycles of up to 200 cc will be replied by the hon. Minister of Public Infrastructure and Land Transport; PQ No. B/464 in regard to prisoners of foreign nationality will be replied by the hon. Minister Mentor, Minister of Defence, Minister for Rodrigues – but he is not there; PQ No. B/465 in regard to the recent arbitral award delivered in relation to the termination of the Contract of Affreightment signed between the STC and Betamax Ltd. will be replied by the hon. Attorney General and PQ No. B/478 in regard to the disciplined forces will be replied by the hon. Ag. Prime Minister, time permitting. Hon. Shakeel Mohamed!

PRIME MINISTER – APPOINTMENT

(No. B/456) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the resignation of the former Prime Minister and the appointment of his good self as Prime Minister on 23 January 2017, he will state if legal advice was sought and obtained in respect thereof and, if so, indicate from whom and give details thereof.

The Ag. Prime Minister: Madam Speaker, the former Prime Minister resigned from office on 23 January 2017 and his resignation was accepted by the President of the Republic on the same day.

Thereafter, the President, acting in her own deliberate judgment under section 59 of the Constitution, appointed hon. Pravind Kumar Jugnauth as Prime Minister with effect from that same date. In this connection, a Communiqué was issued by the State House.

There was, therefore, no need to seek legal advice when the former Prime Minister resigned and the current Prime Minister was appointed.

Mr Mohamed: Madam Speaker, it is clear that we all know the facts as reported by the hon. Ag. Prime Minister. There is confusion with regard to section 63 paragraph 3 of the Constitution in line with section 59 of the Constitution and this has been reported in the Press. I have heard him say that there was no need to take legal advice. So, can he, therefore, confirm at no time was this legal advice taken before the decision of the former Prime Minister to resign and before the appointment of the new Prime Minister who is now absent, whom he is replacing? Can he, therefore, confirm that no advice was taken on those two separate occasions?

The Ag. Prime Minister: I have made it clear, Madam Speaker, and I can only repeat what I said, there was no need to seek legal advice. That means that no legal advice was sought.

Mr Mohamed: On the same particular issue, this particular matter of transferring power from Sir Anerood Jugnauth, the former Prime Minister, to the actual Prime Minister, came as a surprise to everyone, the nation at large. This was never discussed during the electoral campaign. Could he please confirm whether this was discussed among the allies of the then Alliance Lepep before the elections and whether it formed part of the political manifesto and announced to the people before the elections?

The Ag. Prime Minister: I am afraid I do not consider that this arises from the question.

Mr Mohamed: Madam Speaker, it is for you to decide whether it arises or not, not for him.

Madam Speaker: Hon. Shakeel Mohamed, as you fairly know, you have been in this august Assembly for years and you know that the Speaker has no control over the reply of the Minister.

Mr Mohamed: The actual Ag. Prime Minister will recall, Madam Speaker, when his own party was launched and I recall a Press article in those days, in June some time of 2014, where one of the elements of the political manifesto of his party, *Muvman Liberator*, was precisely Freedom of Information Act. How, therefore, does he reconcile the whole idea of him embracing the freedom of information as leader of *Muvman Liberator* at the creation and launch of his party, how does he reconcile that stand with the stand that he is taking today, which is refusing to answer the question, hiding behind the fact that he chooses what to answer?

Madam Speaker: Do not make observations! Ask your question!

MAURITIUS PORTS AUTHORITY – CHAIRPERSON - APPOINTMENT

(No. B/458) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Mauritius Ports Authority, he will, for the benefit of the House, obtain therefrom, information as to the name of the Chairperson thereof, indicating the -

- (a) date and terms and conditions of appointment thereof, and
- (b) number of overseas missions effected, indicating the expenditure incurred in relation thereto.

The Ag. Prime Minister: Madam Speaker, Mr Ramalingum Maistry is the Chairperson of the Mauritius Ports Authority.

Regarding part (a) of the question, I am informed that the Chairperson, that is, Mr Maistry was appointed with effect from 27 February 2015 for a period of 2 years on the following terms and conditions -

- fee of Rs70,000 a month;
- entertainment allowance of Rs5,000 a month;
- use of an official car;
- 21 days Annual leave, if not taken is converted into cash;
- a gratuity of 25% of the annual fees drawn.

Upon the expiry of his contract, his services have been renewed with effect from 01 March 2017, on a month-to-month basis.

As regards part (b) of the question, I am informed by the Director General of the MPA that since his appointment, the Chairperson has undertaken six overseas missions, that is -

- 2 missions in 2015;
- 3 missions in 2016, and
- 1 mission in 2017.

The missions undertaken by Mr Maistry have cost the MPA a sum of Rs534,476, excluding cost of air tickets amounting to Rs418,684.

Madam Speaker: Yes, hon. Bhagwan!

Mr Bhagwan: Can the Ag. Prime Minister inform the House whether, at a certain period of time, I can say, the first *transfuge* submitted his resignation when the PMSD left Government, and then, at another period of time, another letter was sent asking to remove his first letter, whether he is aware of that? Whether there is something in the file, if he can table these letters?

The Ag. Prime Minister: I have in my file no record of any such resignation.

Mr Bhagwan: Can the Ag. Prime Minister inform the House, the population, this first *transfuge* who changed sides, how much money was given to him at a given point in time in terms of cash for the leaves and other things he has taken?

Madam Speaker: No, hon. Bhagwan! You have to ask questions which pertain to the main question and this is the basic rule of the House.

Mr Bhagwan: Madam Speaker, you have just heard as I, the Ag. Prime Minister stating that he is allowed, according to his contract, to convert into cash his leaves and so on.

This is what I am asking the Ag. Prime Minister, the details of the expenditure, nothing to hide, this is public money. So, if we can be given the amount cashed by him for all the leaves, overseas, sick leaves and other leaves, *vane lalit* leave also, if he can submit all these figures.

The Ag. Prime Minister: He is entitled to 21 days' leave which is cashable. We have to compute how much 21 days leave makes. It is not too difficult to do that simple calculation - Rs70,000 divided by 26 multiply by 21. My colleague Rutnah would certainly be able to provide an answer. Then, he is entitled to 21 days' sick leave which is non-cashable.

Madam Speaker: Hon Adrien Duval!

Mr A. Duval: Thank you, Madam Speaker. Can the hon. Ag. Prime Minister confirm that the said Chairperson is now a member of the MSM/ML coalition?

The Ag. Prime Minister: That has strictly nothing to do with this question.

Madam Speaker: Next question, hon. Osman Mahomed!

MAURITIUS SPORTS COUNCIL – CORRUPTION -

ALLEGED CASE

(No. B/459) **Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the alleged case of corruption in the award of a contract at the Mauritius Sports Council, he will, for the benefit of the House, obtain information as to where matters stand as to the inquiry carried out thereinto, following the statement made at the Independent Commission against Corruption, in April 2016, by Mr A. H. K. also known as Mr N. K., against the Public Relations Officer of the then Minister of Youth and Sports in relation thereto.

The Ag. Prime Minister: Madam Speaker, I am informed that following a complaint made by one Mr A. H. K. on 12 April 2016, on an alleged case of corruption in the award of a contract at the Mauritius Sports Council, the Independent Commission against Corruption decided to conduct an investigation into the matter on that same day.

The investigation is still ongoing.

Madam Speaker: Hon. Osman Mahomed, then hon. Bhagwan!

Mr Osman Mahomed: That started 14 months ago. So, can I ask the Ag. Prime Minister what kind of development has occurred in the meantime because there does not seem to be anything going on?

The Ag. Prime Minister: As the hon. Member may be aware, I believe, section 61 or 81 of the Prevention of Corruption Act provides that I am not entitled to obtain any information on an investigation conducted by ICAC, and even if I obtained it, which I have not, I am not entitled to impart it. So, I am afraid I would not be in a position to provide any further enlightenment on the investigation. May I also add that even the Parliamentary Committee of the ICAC has no power to enter into individual cases of the ICAC. So, I am afraid I cannot be of any help.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: Concerning the same - I call him a 'Very Dangerous Person' (VDP) - political appointee, that question was asked by me in Parliament here and we obtained the reply from the then Minister of Sports of this scandal. So, doesn't the hon. Ag. Prime Minister find it surprising that in a case of procurement, a very serious case of procurement, where he had to be removed or his contract terminated, that more than one and a half years, this inquiry by ICAC is still going on? Would the population not believe that ICAC is politically motivated; it is a *bouledogue sans dents*?

The Ag. Prime Minister: I think it is our responsibility to ensure that we don't bendy at allegations when we are not sure of what is happening within the investigation. I don't know what is happening. I don't know whether this investigation is correct or not. There used to be a time when, in 2002, the ICAC had been set up. The Government of the day had set up specific committees precisely to supervise this. It was called the Operations Review Committee. When the Labour Party took over in 2006, the first thing they did was to scrap this committee so that now the ICAC is under no supervision. Can I take this opportunity of expressing a personal view to the Members of the Parliamentary Committee to take that up urgently, to put up a committee and to come back to the old law?

Madam Speaker: Yes, hon. Osman Mahomed!

Mr Osman Mahomed: Can I ask the Ag. Prime Minister whether the Public Relations Officer (PRO) is no longer employed and paid from *deniers publics* because of the

risk of him tampering with evidence? Can he confirm to the House that he is no longer paid from *deniers publics*?

The Ag. Prime Minister: The PRO means the Public Relations Officer. I have no record of any Public Relations Officer. I have a record of an Adviser. Are we talking of the same person? If we are talking of the same person, I understand the contract of employment of that adviser was terminated on 07 April 2017. If we are talking of the same person, I am not sure.

Mr Osman Mahomed: PRO as mentioned in the question actually. The word 'PRO' is mentioned in the question.

The Ag. Prime Minister: Yes, alright. The same person!

Madam Speaker: Next question, hon. Osman Mahomed!

TRANQUEBAR - SERGE BARDOTIER FOOTBALL PITCH - LIGHTING

(No. B/460) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Serge Bardotier football pitch at Tranquebar, he will state –

- (a) the expected start and completion dates of the proposed lighting works thereof to be carried out by the National Development Unit, as part of Phase III of the project therefor, and
- (b) if consideration will be given for the construction of a changing room and of stepped terraces thereat and, if so, when.

The Ag. Prime Minister: With regard to part (a) of the question, I am informed that a Consultant has been appointed for the design and supervision of the project.

The Detailed Design Report will be finalised by mid-July and bids are expected to be launched by end of July 2017. The works are expected to start by mid-September 2017 and to be completed by mid-January 2018.

With regard to part (b) of the question, action will be initiated for the construction of a changing room and stepped terraces in this Financial Year.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Can I know the amount of investment earmarked for this project, please?

The Ag. Prime Minister: The costs will be: Phase I which will be levelling of the ground, construction of retaining wall, backfilling and planting grass will be Rs3.1 m. Then, Phase II which is construction of major retaining wall and fencing will be Rs6.9 m. Phase III, the lighting to the football ground which will cost Rs3 m. Phase IV construction of changing room and stepped terraces, Rs3.5 m.

(Interruptions)

Mr Rutnah: Can I ask the hon. Ag. Prime Minister whether he is aware that hon. Mrs Roubina Jadoo-Jaunbocus as PPS of the constituency took a leading role in order to assist in this project?

(Interruptions)

Madam Speaker: Don't bring in

The Ag. Prime Minister: I understand that the PPS, hon. Mrs Roubina Jadoo-Jaunbocus had, in fact, been militating in favour of this project.

Madam Speaker: The Table has been advised that PQ No. B/461 has been withdrawn.

CIVIL STATUS DIVISION – DATABASE - ERRONEOUS ENTRIES

(No. B/461) Mr P. Armance (First Member for GRNW & Port Louis West) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the citizens of Mauritius, he will, for the benefit of the House, obtain from the Civil Status Division (CSD), information as to the –

- (a) number thereof in respect of whom erroneous entries have been made in the database of the CSD regarding the civil status thereof thus creating hardships thereto;
- (b) estimated number thereof who are undeclared, and

- (c) number of Court cases, if any, lodged against the CSD in relation thereto over the past two years.

(Withdrawn)

FOREIGN NATIONALS – ENTRY VISA - OVERSTAYERS

(No. B/462) Mr P. Armance (First Member for GRNW & Port Louis West) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the foreigners, he will, for the benefit of the House, obtain from the Passport and Immigration Office, information as to the number thereof who -

- (a) have entered Mauritius and overstayed the visa entry delivered thereto since January 2015 to date, indicating the number thereof who have been arrested and deported on account thereof, and
- (b) are staying in Mauritius without a valid visa as at to date.

The Ag. Prime Minister: Madam Speaker, I am informed by the Passport and Immigration Office that during the last five years, an average of one million and one hundred and thirty thousand foreign nationals travelled to Mauritius annually and were granted entry visas for short stays. The entry and exit of these visitors are controlled by the Border Control System of the Passport and Immigration Office.

In regard to part (a) of the question, I am further informed that according to its Border Control System, the names of 245 foreign nationals, who have entered Mauritius between January 2015 and 28 June 2017, are recorded as having overstayed their entry visa. Additionally, a total of 277 foreign nationals who had overstayed their visa were arrested and repatriated to their respective countries of origin during the same period.

However, I wish to point out that these were cases of repatriation and there was no case of deportation.

Concerning part (b) of the question, a total of 304 foreigners were recorded as still staying in Mauritius without a valid visa as at 28 June 2017.

The Intelligence Cell of the Passport and Immigration Office gathers information on a frequent basis to find out the whereabouts of overstayers with a view to making them leave the country. Moreover, the Tracing and Tracking Team also carries out operations on the

field to trace out foreigners who have overstayed their visas for a long period of time and their whereabouts are untraceable.

Mr Armance: Thank you, hon. Ag. Prime Minister. Can I ask the hon. Ag. Prime Minister what action is being taken at the level of the Government to prevent such occurrence again in the future; any additional security at the level of the port and the airport?

The Ag. Prime Minister: Well, the Passport and Immigration Office cannot stop people from coming in when they have got either regular visa or they are exempted from the visa. It is when they overstay their visa, when they are obviously outside the control of the port or the airport that the matter comes to the attention of the PIO, and then there is that team that tracks them and gets them out of the country back to their homes.

Madam Speaker: Hon. Armance!

Mr Armance. Can I ask the Ag. Prime Minister if he is aware that in February 2017, there were 40 strangers arrested, Indians and *Népalais*, and this case was referred to the CID? Can we know where the matter stands?

The Ag. Prime Minister: On that, I would need a specific question because it does not fit in the generality of the question which was asked.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: I will ask the Ag. Prime Minister whether his attention - as a Senior Member, now Ag. Prime Minister of Government - has been drawn *sur un grand scandale concernant* the issue of sale or facilitating people from Madagascar...

(Interruptions)

...certain people from Madagascar to have Mauritian passport with an exchange of Rs6 m. for one passport. Has any representation been made at the PMO? He can go and enquire, a very, very senior advisor at the Prime Minister's Office is involved, a very dangerous person. Will the Ag. Prime Minister inquire and ask the Police to make an enquiry on that?

Madam Speaker: Do not make allegations, hon. Bhagwan! Hon. Bhagwan, please, don't make allegations!

The Ag. Prime Minister: It is only today that I hear of this allegation and I am grateful...

(Interruptions)

Madam Speaker: No, no, hon. Bhagwan! You cannot make allegations, you are saying it is a fact, unless you bring the facts to the House, unless you bring evidence to the House, then you can say that you have got facts. If you do not bring evidence to the House, you cannot say that this is a fact.

(Interruptions)

No, hon. Bhagwan, please!

(Interruptions)

Hon. Jhugroo, please, don't make provocative remarks from the other side! Hon. Bhagwan, please, calm down!

The Ag. Prime Minister: Let me just say one thing. If the hon. Member has this information, as a matter of fact, I am sure that everyone is extremely grateful that, for the first time, he draws this to the attention of the House.

(Interruptions)

Just listen to me! The next step is, during lunch time, to go immediately to Pope Hennessey Station and give these facts to the Police, and I shall, as soon as he has made his declaration, immediately call the Commissioner of Police and ask him to enquire immediately in this.

Madam Speaker: Hon. Jhuboo!

Mr Jhuboo: Madam Speaker, foreign workers are employed in various sectors of the economy, apart from the traditional sectors - textile or construction. Can we know from the Ag. Prime Minister whether - we know that these people are employed in restaurants, even filling stations, or even shops - Government intends to come with tougher legislation, control or even fines for those who are employed these illegal workers?

The Ag. Prime Minister: This matter has been the subject of anxiety for quite some time and there is a question of adequate workforce to track and trace the people who overstay their visa. I understand that the relevant authorities are doing everything to trace these people who overstay their visa, or people who are working illegally, but, be careful, for foreign

students, if you go to certain shops in the commercial centres, we may be shocked at first sight to see people of obvious foreign origin working in these stores and shops, but they are allowed to work in Mauritius. This is a condition of their studentship that they have a percentage of their time which they can allot to working in places like bakeries, etc. So, it is a question of monitoring the legislation more than a question of having adequate legislation.

Madam Speaker: The Table has been advised that PQ No. B/468 has been withdrawn. Hon. Mrs Selvon!

TRUE HEMP (CANNABIS SATIVA L.) – IMPORTATION

(No. B/463) Mrs D. Selvon (Second Member for GRNW & Port Louis West) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to True hemp (Cannabis Sativa L.) which fall under the Customs Tariffs Schedules (Integrated Tariff) HS6 Code Product label, he will, for the benefit of the House, obtain from the Mauritius Revenue Authority, information as to the quantity thereof imported on a yearly basis since 2006 to 2016.

The Ag. Prime Minister: Madam Speaker, I am informed that - I am not only informed, I know - Cannabis is a prohibited substance under the Dangerous Drugs Act. The True hemp, that is, Cannabis Sativa L. is classified in the First Schedule to the Customs Tariff Act under H.S Codes 5302.10.00 and 5302.90.00 and there has been no importation under these two H.S Codes during the period 2006 to 2016 - I mean, of course, no lawful importation.

Madam Speaker: Hon. Mrs Selvon.

Mrs Selvon: Oui, Madame la présidente. Pour l'information de la Chambre, je tiens à déposer des documents des Nations Unies sur l'exportation du Cannabis Sativa L. par Maurice et aussi l'importation de cet item d'après les chiffres des Nations Unies. Je dépose aussi pour une meilleure information de la Chambre, les pages 1 et 442 des tarifs douaniers mauriciens. La page 442 montre que le Cannabis Sativa L. est légalement importé à Maurice.

Madam Speaker: What is your question?

Mrs Selvon: Oui, j'ai une question, Madame la présidente. Est-ce que l'honorable Premier ministre intérimaire pense que la loi anti-drogue devrait obliger la police à fournir

une preuve scientifique irréfutable, que tel Cannabis Sativa L. est produit pour les fumeurs et que tel autre Cannabis Sativa L. est un produit sans effet intoxicant, s'il y a un doute devant une Cour de justice et au niveau de la police et cela afin d'éviter des arrestations et des projets injustifiés...

Madam Speaker: Hon. Mrs Selvon, your question is too long! I have said...

(Interruptions)

No, please! I have said time and again that we got three hours each week to the House for Question Time, and that we want to make best use of Question Time. So, I would ask those asking questions to be brief and those giving answers also have to be brief, please! Yes, hon. Minister!

The Ag. Prime Minister: There is no short answer to that question. But the short answer is that, it is a reference to the Dangerous Drugs Act which provides that Cannabis Sativa L. is a prohibited drug and is under the First Schedule of the Act. So, it is prohibited. Now, there are, I believe, other cases of industrial hemp or hemp used for ropes on boats etc which are merely industrial; these have been imported in Mauritius.

The purpose of questions is not to provide information, but to obtain information. I am glad that the hon. Member does have information. If she has such information, I would gladly discuss with her because I know quite a lot about these matters, but not in the context of Question Time.

MAURITIUS NATIONAL INVESTMENT AUTHORITY – SETTING UP

(No. B/466) Mr A. Ganoo (First Member for Savanne & Black River) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the proposed establishment of the Mauritius National Investment Authority, he will state

- a) if the Authority will be set up by law and, if not, how it will be set up and the mode of appointment the director/s thereof and
- b) how the surplus funds of the National Pension Fund and of the National Solidarity Fund are being presently invested.

The Ag. Prime Minister: Yes, Madam Speaker, as regards part (a) of the question, I wish to inform the House that the Mauritius National Investment Authority will be set up by

law. The draft Bill is under preparation and Government will, in due course, be holding consultations with stakeholders, including trade unions and employers' associations. This will be done before finalising the Bill for introduction in the National Assembly.

The Mauritius National Investment Authority will maintain the tripartite composition as it is presently the case to decide on investment policies and strategies. However, since the combined total assets of the Funds amount to some Rs134.5 billion and there is a need to improve the return on the investment portfolio while, at the same time, building better capacity for managing portfolio risks, there will be an emphasis on having suitably qualified investment professionals at all levels of decision making in the Mauritius National Investment Authority, from the formulation of investment policies and strategies to the management of the portfolio.

The Ag. Prime Minister: As regards part (b) of the question, I assume that reference is being made to the National Savings Fund and not the National Solidarity Fund.

Presently, the National Pensions Fund and National Savings Fund Investment Committee, set up in accordance with section 38 of the National Pensions Fund Act, decides on how any surplus fund held by the National Pensions Fund (NPF) and the National Savings Fund (NSF) is to be invested.

The Investment Committee comprises three representatives of Government, three representatives of the employers and three representatives of the employees. The members of the Committee are, however, not necessarily, investment professionals.

The decisions of the Investment Committee are implemented by the Ministry of Social Security, National Solidarity and Environment and Sustainable Development, through its Investment Unit.

The surplus funds are invested in different asset classes, principally in Government securities and fixed income securities.

Madam Speaker: Hon. Ganoo!

Mr Ganoo: Madam Speaker, can I ask the hon. Ag. Prime Minister, with regard to part (a) of the question, whether there will be consultation with the stakeholders, principally the trade unions, before deciding on the membership of this Authority?

The Ag. Prime Minister: Yes, Madam Speaker.

Madam Speaker: Hon. Ganoo!

Mr Ganoo: Can I also ask the hon. Ag. Prime Minister whether Government has in mind to invest the Rs134 billion which has just been mentioned overseas also and whether we will have recourse to any foreign broker for that matter?

The Ag. Prime Minister: That will be a matter to be determined after the Bill will have been introduced in the House. There will be debates where I am sure, as is evident from the interest manifested by the hon. Member, questions will be asked and determined at that stage. I believe it will be premature for me to make any statement on that matter at this stage.

Mr Ganoo: Can I ask the hon. Ag. Prime Minister whether with regard to the Authority which will be set up, there will be more transparency in the sense that the public at large and even the Assembly should be made aware of the interest being reaped as a matter of the investment made? I mean regularly for the sake of transparency; there should be papers laid in the Assembly with regard to the proposed investment by this Authority.

The Ag. Prime Minister: Well, I am taking serious note of all the suggestions contained in the question and I can see the Advisers furiously taking notes. I will, after that, make sure that the note-taking is appropriate and will be kept on file for consideration in the preparation of the draft Bill.

Madam Speaker: Time is over! Hon. Members, the Table has been advised that Parliamentary Question B/472 in regard to the Disaster Risk Management Structure will be replied by the hon. Minister of Social Security, National Solidarity, and Environment and Sustainable Development. Hon. Rughoobur!

GAMBLING – ADVERTISEMENT - LEGISLATION

(No. B/468) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the advertisement in relation to gambling, he will state if consideration will be given for proposed amendments to the legislation in relation thereto to be introduced in the House with a view to curbing the extent of gambling.

(Withdrawn)

LOCAL GOVERNMENT LEGISLATION - AMENDMENT

(No. B/469) Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or) asked the Minister of Local Government and Outer Islands whether, in regard to the Local Government Act, he will state where matters stand as to the proposed amendments to be introduced in the House in relation thereto.

Mr Jhugroo: Madam Speaker, in the Government Programme 2015-2019, mention is made at paragraph 265 that –

“Government will amend the Local Government Act to consolidate democracy at local level and promote better participation of local councillors in the management of community affairs.”

In this context, a Ministerial Committee, which was set up under the chairmanship of the former Deputy Prime Minister and the actual Leader of the Opposition, to oversee the amendment process, recommended that the amendments be carried out in two phases, as follows –

- (i) in the first phase, the proposals pertaining to issues which impact mainly on the election of Councillors, and
- (ii) in the second phase, the proposals pertaining to other issues, such as issue of Building and Land Use Permits, decision-making process in local authorities, devolution of power to the Council, ease of doing business.

Madam Speaker, insofar as phase 1 is concerned, the Ministerial Committee met on two occasions to examine and finalise proposals regarding the amendments to be brought to the Local Government Act 2011, which was amended in April 2015. The amendments brought to the Act pertained mainly to the holding of Municipal and Village Councils elections, as well as the qualification of electors, the eligibility of candidates for election, registration of groups, the revocation of Deputy Lord Mayor, Deputy Mayor and Deputy Vice-Chairperson, vacation of office of Councillors when they are no longer a member of their groups, quorum and meetings of local authorities.

Madam Speaker, in the context of implementing the second phase of amendments, the Ministerial Committee met on three occasions and subsequently some major amendments were brought to the Local Government Act, through the Finance (Miscellaneous Provisions) Act of 2016 with a view to, among others, empowering the Councils in the decision-making process for the issue of Building and Land Use Permits, without having to obtain the approval of the Minister of Local Government.

Moreover, the amendments brought have not only simplified the processing of applications for Building and Land Use Permits, but also provided a legal framework to allow the economic operators to consolidate their businesses as they have been exempted, as from 01 January 2017 and for the next three years, from the payment of the annual trade fees of Rs5000.

Madam Speaker, since significant and major amendments have already been brought to the Local Government Act in 2015 and 2016, it is not being envisaged, for the time being, to bring other reforms of the Act.

Madam Speaker: Yes, hon. Rughoobur!

Mr Rughoobur: Thank you, Madam Speaker. Madam Speaker, my interest relates basically to this issue of Permits and Business Monitoring Committee (PBMC). May I know from the hon. Minister, first the composition of this PBMC, technicians and councillors and whether he is aware of frictions in some councils between the councillors and the technicians in the award of permits and licences?

Mr Jhugroo: Madam Speaker, I am not aware of any friction in any council up to now. If there is any friction, the hon. Member can inform my Ministry and I will do the needful.

With regard to the composition of the Permits and Business Monitoring Committee, it consists of –

- the Lord Mayor or Deputy Mayor with regard to the City Council of Port Louis;
- the Mayor or Deputy Mayor of the four other Municipalities;
- the Chairperson or Vice-Chairperson of a District Council when it concerns the seven District Councils, who shall be the Chairperson;
- then, we have four Councillors to be designated by the Chairperson;
- the Chief Executive is a Member, and
- there are three Heads, one from Land Use and Planning, second from the Public Infrastructure and a third from the Public Health Department.

Mr Rughoobur: Thank you. Madam Speaker, my request to the hon. Minister would be if he could investigate at the level of the Rivière du Rempart District Council, the list of licences and permits that are still kept in abeyance and those that have been awarded and in light of the findings...

Madam Speaker: No, hon. Rughoobur, I am sorry to interrupt you. Your question is of a general nature and now you are coming to a specific question regarding a specific District Council. So, I would ask you to restrict your supplementary question to the main question which is of a general nature.

Mr Rughoobur: Thank you, Madam Speaker. Based on the findings, the hon. Minister would see for himself if there is an urgent need to come with amendments to the Local Government Act based on the specific issue of PBMC?

Mr Jhugroo: I will look into the matter, Madam Speaker.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you, Madam Speaker. Given that the hon. Minister does not propose to bring amendments, can I ask him now whether he intends to deal with the problem of valuation of properties and onward taxation? He has mentioned a lot of issues. Now, this has gone back to the old system, and LAVIMS is not doing what is supposed to be done and this leads to loss of revenue to local authorities. Can I know from the hon. Minister, given that we have voted massively during the last Budget exercise for LAVIMS, how he intends to tackle this problem?

Mr Jhugroo: Madam Speaker, I will ask my hon. friend to come with a substantive question.

Madam Speaker: Hon. Armance!

Mr Armance: Thank you, Madam Speaker. The Minister mentioned that there is a Ministerial Committee that is chairing the Local Government Act. Can I know from the hon. Minister who is the Chairman of the Committee now and the Members, please?

Mr Jhugroo: Madam Speaker, I mentioned earlier that there was a Chairman of the Committee who met several times, 5 times; 2 times for the first meeting, then 3 times for the second meeting.

(Interruptions)

We do not have any Ministerial Committee set up to now...

Madam Speaker: You have asked your question, allow him to reply!

Mr Jhugroo... regarding the Local Government Act to be amended.

Madam Speaker: Hon. Barbier!

Mr Barbier: Thank you, Madam Speaker. Madam Speaker, it has been brought to my attention from Councillors of the Village Councils that they have chosen a *représentant* to sit in the District Council. And once the guy does not perform, they want to change, they cannot by Law. So, is the hon. Minister aware of such a situation and whether amendments will be brought to solve this situation? Will the hon. Minister open, I will say, conversation or even *dialogue* with all the parties concerned so that they may bring some suggestions to the Minister for amendments to be brought to the Local Government Act?

Mr Jhugroo: Madam Speaker, after having listened to my hon. friend, I will ask him to come with a specific question. I can give him details of what will be my doing.

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

At 12.59 p.m., the sitting was suspended.

On resuming at 2.38 p.m. with Madam Speaker in the Chair.

CONSTITUENCY NO. 6 & NO. 7 - CAPITAL PROJECTS

(No. B/470) Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or) asked the Minister of Local Government and Outer Islands whether, in regard to the Rivière du Rempart District Council, he will, for the benefit of the House, obtain therefrom, information as to the total value of the contracts awarded by the Council for the implementation of capital projects in 2015, 2016 and since January 2017 to date, indicating the total value thereof invested in Constituency No. 6 and No. 7 respectively.

Mr Jhugroo: Madam Speaker, with your permission, I am arranging for the information requested by the hon. Member to be placed in the Library of the National Assembly.

Madam Speaker: Yes!

Mr Rughoobur: Thank you, Madam Speaker. I have one supplementary for the hon. Minister. May I know the status of the works in regard to the multi-purpose complex that is being constructed at Petit Raffray and the value of the works and the date of completion?

Mr Jhugroo: Madam Speaker, the information provided to me is that the work will be completed in 2 or 3 months. The value of the amount is Rs17 m. With regard to the external works to be carried out for Petit Raffray Multi-Purpose Complex, funds have already been earmarked at the level to the Council. Works have already started and are expected to be completed by September of this year - the external work.

Madam Speaker: Next question, hon. Rughoobur!

LOCAL AUTHORITIES – CEO/ DEPUTY CEO - RECRUITMENT

(No. B/471) Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or) asked the Minister of Local Government and Outer Islands whether, in regard to the local authorities, he will, for the benefit of the House, obtain therefrom, in each case, information as to the list of staff thereof recruited/promoted as Chief Executive Officer/Deputy Chief Executive Officer since May 2016 to date, indicating the respective qualifications and experience thereof.

Mr Jhugroo: Madam Speaker, I am advised that according to section 4 (1) (a) of the Local Government Service Commission Act 1975, the power to appoint Local Government Officers is vested exclusively in the Local Government Service Commission. Further, Section 4 (2) of the same Act provides that the Local Government Service Commission shall not, in the exercise of its functions, be subject to the direction and control of any other person or authority.

Madam Speaker, in the circumstances, I cannot furnish information pertaining to the qualifications and experience of the Chief Executives and Deputy Chief Executives recruited by the Local Government Service Commission. However, I can, with your permission, arrange for a list of the Chief Executives and Deputy Chief Executives currently in post in the Municipal and District Councils to be placed in the Library of the National Assembly.

Madam Speaker: Hon. Rughoobur!

Mr Rughoobur: Thank you, Madam Speaker. I have only one supplementary. I just wanted to know from the hon. Minister whether there is a probationary period after the recruitment of these CEOs, Deputy CEOs since last year? Is there confirmation based on a Performance Appraisal System and, if yes, is it being done prior to their confirmation?

Mr Jhugroo: Madam Speaker, as I have already mentioned earlier, all these information will be provided by the Local Government Service Commission.

Madam Speaker: Hon. Minister, my attention has been drawn to the fact that you just said that you cannot give this information, but with my permission, you can lay it in the Library of the National Assembly.

Mr Jhugroo: Madam Speaker, I said that I am going to table the list of the Chief Executives and the Deputy Chief Executives of all the local authorities. That's all.

Madam Speaker: You are taking the responsibility of laying it?

Mr Jhugroo: No, no! I am tabling the name of the Chief Executives and the Deputy Chief Executives of all those responsible for the local authorities. That's all.

Madam Speaker: Next question, hon. Rughoobur!

NATIONAL DISASTER RISK, REDUCTION AND MANAGEMENT COUNCIL – BOARD COMPOSITION

(No. B/472) Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or) asked the Minister of Local Government and Outer Islands whether in regard to the Disaster Risk Management Structure, he will, for the benefit of the House, obtain therefrom, information as to the composition of the Board thereof, indicating the -

- (a) number of meetings held in 2016, and
- (b) initiatives undertaken prior to the advent of heavy rainfalls and risk of flooding at Fond du Sac, in February 2017.

The Minister of Social Security, Reform Institutions and Environment, and Sustainable Development (Mr E. Sinatambou): Madam Speaker, the National Disaster Risk Reduction and Management Council meets under my Chairmanship and the Secretary to Cabinet and Head of the Civil Service is the Vice-Chairperson. The Council is otherwise composed by Law of the Commissioner of Police, the Secretary for Home Affairs and 23 other members. I am tabling the list of members.

I am informed that the National Disaster Risk, Reduction and Management Council met once in 2016, that is, on 25 October 2016. However, since the advent of the new Cabinet,

the Council has met on 4 occasions at a frequency of once every month, namely on 20 March, 19 April, 29 May and 29 June of this year.

With regard to part (a) of the question, I am informed that the structure responsible for the Fond du Sac region is the Local Disaster Risk Reduction and Management Committee of the District Council of Pamplemousses and that it has met on 6 occasions in 2016 and on 3 occasions in 2017.

Madam Speaker, with regard to part (b) of the question, the following actions have been initiated since the coming into force of the National Disaster Risk Reduction and Management Act in July 2016. Firstly, as part of a Community Disaster Response Programme, 3 Community Disaster Response Planning and Preparation meetings have been held for the region of Fond du Sac on 31 August, 06 October and 17 November 2016. In addition, a 3-day residential training for Community Disaster Response was held at Anse La Raie Youth Centre with 22 volunteers from Fond du Sac, from the 03 to the 05 March 2017.

Thirdly, as a requirement for the 3-day residential training under the Community Disaster Response Programme, a Vulnerability Capacity Assessment was conducted at Fond du Sac Village Hall on 04 February 2017 to assess the risks of flooding in the region and to take stock of resources available.

Fourthly, a torrential rain and flooding simulation exercise was undertaken at Fond du Sac in collaboration with the District Council of Pamplemousses on the 15 December 2016 with a view to strengthening the preparedness of the inhabitant of Fond du Sac to the risks of flooding.

Finally, Madam Speaker, in order to better monitor rainfall and increase preparedness to flooding in the region of Fond du Sac, a site belonging to Terragri Ltd. has been identified at Bois Mangue by the Mauritius Meteorological Services for the installation of an automatic weather station.

Madam Speaker: Hon. Rughoobur!

Mr Rughoobur: Thank you, Madam Speaker. I thank the hon. Minister for his reply and thank the Ministry also for the series of initiatives. But I have a suggestion, the fact that the drain works in Fond du Sac would not be ready pour *la saison des grosses pluies en janvier*, may I, kindly request the hon. Minister to ensure that the Local Disaster Risk

Reduction Committee meets and ensure that preventive measures are taken so that we do not get any serious problem once *la saison des grosses pluies arrive en janvier*? Thank you.

Mr Sinatambou: I will certainly transmit the message to the Council. Thank you.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you, Madam Speaker. Insofar as meetings are concerned, can I ask the hon. Minister, the National Disaster and Risk Reduction Management Act provides for National Committees and Local Committees, there are 12 of them to meet, at least, once in every three months. Now, we hear that they are meeting every month, and officers, they tend to repeat across the Committees. Can I ask the hon. Minister what precautions are being held so that officers are not burdened by going from one meeting to the other at the expense of the quality of their responsibility and service.

Mr Sinatambou: Well, the question which has been put by the hon. Member for Grand' Baie and Poudre d'Or relates to Fond du Sac specifically. So, I am only in a position to reply with regard to Fond du Sac, but if the hon. Member wishes to come with a substantive question, I will be delighted to reply.

Madam Speaker: Hon. Shakeel Mohamed!

PERSONS WITH DISABILITIES – WEBSITES - ACCESSIBILITY

(No. B/473) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East) asked the Minister of Technology, Communication and Innovation whether, in regard to the persons with disabilities, he will state the measures taken, if any, by his Ministry to ensure that they get access to the website contents posted by public and private bodies, respectively.

Mr Sawmynaden: Madam Speaker, I will refer the hon. Member to PQ B/49 which relates to the same question, which I answered on 28 March 2017.

Actually, all the measures announced, which I did mention on that day, are still the same and we are taking the same action.

Mr Mohamed: I have checked Government Portal website. The Government Portal has been verified by several tools to verify the accessibility of the website for people with disabilities and be it the site for the Public Service Commission, the Government Portal, his own website for his own Ministry and all the other websites belonging to Government, each

of those websites - let alone the private sector - has been tested today, this morning, and has been found to be not accessible and not compliant with the accessibility standards that we have to adhere to.

Mr Sawmynaden: Actually, we have a link. Did the hon. Member go under disability.govmu.org? This is the link for the disabled persons.

Mr Mohamed: Madam Speaker, Article 23 of the United Nations Convention pertaining to people with disabilities as well as Article 21 of that particular Convention, which Mauritius is a signatory to, makes it the duty of each member State that is party to that Convention, including Mauritius to ensure that there is accessibility of their websites or be it private and public to people with disabilities - people who are deaf and people who are blind, *entre autres*. I repeat it again. Every single website belonging to Government has been tested this morning in my presence by tools pertaining to accessibility of websites for people with disabilities. None of the sites belonging to the Government of Mauritius, most importantly, the Government Portal, has passed the test of accessibility to disabled people. So, therefore, what does the hon. Minister propose to do in order to ensure that we are in line and respect the commitments we have taken with that United Nations Convention?

Mr Sawmynaden: As mentioned to the hon. Member, the web accessibility is inclusive of practice of making websites usable by all, including disabled persons. Already the Government Portal has a link <http://disability.govmu.org> for disabled persons with vision impairment where size of texts as well as background colours and text colours can be changed. This is on the website. Now, I will ask my technicians to look into it, but this is already working.

Mr Mohamed: Has the hon. Minister gone to verify it himself, personally, whether the site where, for instance, people have to apply for jobs at the Public Service Commission, applications are made online, people with disabilities are facing huge handicaps because they are discriminated against because of the inability of the State, the Mauritian Government, in order to ensure ...

Madam Speaker: Don't make a statement.

Mr Mohamed: ...that the Public Service...

Madam Speaker: Hon. Member, I have said several times that you should not make a statement. Question time is not a time for making statements. Ask your question briefly and I would ask the hon. Minister to reply briefly.

Mr Mohamed: What does the hon. Minister propose to do in order to ensure that all those who are applying for jobs, people who are disabled, that the Public Service

Commission website is made to be compliant with the Convention, accessible to people with disabilities because as it stands right now, all people with disabilities find huge difficulties in applying for those jobs because they are not compliant and not accessible to people with disabilities?

Mr Sawmynaden: Since it is a question of disabled persons, I will personally look into it and talk to my technician at the level of my Ministry. If there is any discrepancy, as mentioned by the hon. Member, we will definitely look into it and amend accordingly.

Madam Speaker: The Table has been advised that PQ Nos. B/481 and B/482 have been withdrawn. Next question, hon. Shakeel Mohamed!

ALBION - FUEL DEPOT/STORAGE PROJECT

(No. B/474) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East) asked the Minister of Social Security, National Solidarity, and Environment and Sustainable Development whether, in regard to the Fuel Depot/Storage Project at Pointe aux Caves, in Albion, he will –

- (a) state if an Environment Impact Assessment has been carried out prior to the implementation thereof, and
- (b) render public all the reports that have been prepared in relation thereto, indicating the results and outcome of the public consultations held in relation thereto.

Mr Sinatambou: Madam Speaker, my Ministry has not received any application for an Environmental Impact Assessment Licence for any fuel depot or storage project at Pointe aux Caves.

With regard to part (a) of the question, I am not aware of the implementation of any such project for the time being and part (b) thereof does not, therefore, arise.

Madam Speaker: Hon. Adrien Duval!

Mr A. Duval: There have been virtually no consultations with the inhabitants of Albion. In fact, they are very wild that the MPs on the Government side...

Madam Speaker: No, I think I need to put some order in the House!

Mr A. Duval: It is my question.

Madam Speaker: I have said that...

(Interruptions)

No, please sit down! Look, I will emphasise, once again, that I do not wish to interrupt the flow of questions and answers, but I believe that the House would work better and I would

say enhance its reputation if we follow the procedures and the rules of the House. Please, do not make statements at Question Time. Ask your questions!

Mr A. Duval: Given that there has been no consultation, does he not deem it fit to send hon. Aliphon – whose nickname now is Aliphone – in Albion and hon. Gayan to hold consultations because people are very, very, very not at ease at all with this project and they are wild? I would suggest that the Government talks to them to, at least, explain the project, especially that there has been no EIA.

(Interruptions)

Madam Speaker: Hon. Aliphon!

(Interruptions)

Hon. Aliphon, why did you make provocative remarks? I have said that there are basic rules and basic principles to be adopted by this House.

Mr Sinatambou: Madam Speaker, I am afraid that the question which has just been put to me by the hon. Member, with all due respect, unfortunately shows an ignorance of the law. As the matter stands, as I stated to you, Madam Speaker, there has been no application for an EIA licence and there is, therefore, no question of any implementation of any project of that nature without an EIA licence. Once an application for an EIA licence will have been made, by law there will be invitation for public comments, there will be invitation for public inspection of the application and there will be consultations.

Madam Speaker: Hon. Minister, are you replying to PQ B/485 at the same time?

Mr Sinatambou: No, not at all, Madam Speaker. I am only on PQ B/474 because the Member mentioned consultations.

Madam Speaker: Yes, hon. Bhagwan!

Mr Bhagwan: We have taken note of the reply of the hon. Minister. If I can remember, in the last budget – not this one – the Minister of Finance in his Budget Speech mentioned about a petroleum project, not the floating one on the sea, Mr Roland Maurel's project. But in view of the project which has been mentioned in the last Budget - and the inhabitants who in my own Constituency - the inhabitants of Albion are very concerned of what has been stated, they will take note of the comments of the Minister. The Minister may surely have known that there has been a *manifestation samedi*. There is a lot of concern from the inhabitants of any project in that area. They do not want Albion to become another dumping ground with the past experience of the CT Power Project. Now that the Minister has mentioned that in case there is a project, there will be an EIA and so on, will the Minister undertake, in the public interest, to not only *se fier à* EIA of any prospective project which

will be submitted? Government has the authority of commissioning an EIA. It is an independent EIA by Government itself. In view of the region – *l'endroit qui est sensible* – but Government on itself has to commission an independent EIA through the World Bank in order to reassure everybody.

Madam Speaker: Okay, yes, hon. Bhagwan!

Mr Sinatambou: Thank you, Madam Speaker. I would like to reassure the House that the Government is also very concerned that we should do everything properly when it comes to the protection of the environment. Therefore, I can reassure the House that all due care and attention will be given upon the application for an EIA licence.

However, I cannot say, at this stage, what Government is going to do or not do without being aware of any application. When we reach the bridge we will cross it.

Madam Speaker: Hon. Armance!

Mr Armance: Thank you, Madam Speaker. Given what had been said by my hon. friends – hon. Bhagwan and hon. Adrien Duval - I want to find out from the Minister whether he is willing to meet the NGO which are working in the regions of Albion and Pointe-aux-Sables, namely '*Plateforme Citoyenne et le Collectif Say No to Petroleum Hub*'. Is the hon. Minister willing to meet them, to listen to them and to understand that people are against this project in the region of Albion?

Madam Speaker: When they will meet him, they will tell him about what you are saying.

Mr Sinatambou: As a Minister of the State, I am really ready, at any time, to meet all members of the public when it comes to the protection of the environment. However, Madam Speaker, as a Minister of the State, I am not yet aware of what project it is a question of.

Already Albion says: we don't want it. Let us know what it is about; let us see what are the components thereof and then we can start and say we are for or against it. Here, we do not want to fall into any hysteria, but to sum it up, I am prepared to meet any member of any organisation.

Madam Speaker: Hon. Quirin, do you have any question?

Mr Quirin: *Yes. Thank you, Madam Speaker.* Il y a des informations qui circulent à l'effet que ce projet est classé secret d'État. Peut-on savoir de l'honorable ministre ce qu'il en est réellement, vu que c'est un projet commercial?

Madam Speaker: Hon. Quirin, let me tell you that we cannot come to this House on the basis of rumours. I have said that several times...

(Interruptions)

No, you are talking on the basis of rumours and this question is not allowed. Hon. Shakeel Mohamed, next question!

(Interruptions)

Mr Mohamed: Madam Speaker, I had only one question, can I have the last question on this, please?

(Interruptions)

I have got only one question on this one.

Madam Speaker: No, I said next question. It's your next question.

Mr Mohamed: But I haven't had a second question on this particular one, Madam Speaker. May I, please, be allowed on this one?

Madam Speaker: Ask your question!

Mr Mohamed: Thank you. I have listened to the hon. Minister's answer, Madam Speaker, but could he, therefore, confirm or inform the House if Government has been put in presence or has had talks of any nature or correspondence in writing through any interested party that would be communicated its interest to go ahead with the project connected with the petroleum industry at the area of Albion, any project whatsoever? Is there being communicated to Government?

Mr Sinatambou: Well, as Minister of Environment and Sustainable Development, I have no such correspondence nor as Minister of Social Security, National Solidarity.

Madam Speaker: Next question, hon. Shakeel Mohamed!

ROCHE BOIS – SQUATTERS - RELOCATION

(No. B/475) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East) asked the Vice-Prime Minister, Minister of Housing and Land whether, in regard to the squatters living in Roche Bois in an area called “*amba la rivière*”, he will state where matters stand as to the proposed relocation thereof.

The Vice-Prime Minister, Minister of Housing and Land (Mr S. Soodhun): Madam Speaker, I am informed that there are several families who are living on a private property in an area called “*amba la rivière*” in Roche Bois belonging to Sandy and Benson Properties Ltd as evidenced by a deed transcribed in TV 1851 No. 126. The policy of this Government is to regularise pre-July 2015 squatters on State land and not on a private land. These families are on private property. The onus rests on the private owners to ensure that people do not occupy their land without their consent.

Madam Speaker: Yes, hon. Mohamed!

Mr Mohamed: Madam Speaker, may be the hon. Vice-Prime Minister will recall that he, himself, in this august Assembly, while addressing this Assembly, has, in a recent past, stated that he and his Ministry would bring solutions to squatters who are at “*amba la rivière*”. Those are words that were used by him and there is only one area which is known as that particular area, it is basically in Roche Bois. So, following what he stated in the House, could he, therefore, stick to his own commitment of finding a solution albeit exceptionally?

Mr Soodhun: Madam Speaker, when the question was raised and I went to see deeper in this matter then I came to know that this is a private land. So, in any case, as the hon. Member is suggesting, these people can apply to the NHDC Ltd for a housing unit, we are going to consider.

Madam Speaker: Yes, hon. Armance!

Mr Armance: Thank you, Madam Speaker. Just in case the Ministry of Housing and Lands finds a solution as my hon. friend Shakeel Mohamed asked, can I ask the Minister to ensure that these people are relocated with the proper amenities of roads, electricity and water so as not to create another Cité Blanche as he did in Pointe-aux-Sables?

Mr Soodhun: This question does not arise; I am not going to answer.

Madam Speaker: Hon. Barbier!

Mr Barbier: Thank you, Madam Speaker. I think the Minister did not get the right information. This is a region which is well known to me, so may I ask the Minister whether he is aware that he rightly said that part of the squatters are on State land, but most of them are on the riverbank. They are on the reserve as per law; they are on the bank of the river. So I think that the Minister does not have the right information. Will he, please, check and come back on that issue?

Mr Soodhun: Madam Speaker, as I just mentioned, they are on the private land. When the issue was raised by the hon. Member, I personally see to it so this is the answer that I have given to this Assembly.

Madam Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Yes, Madam Speaker. Please, allow me to insist. In fact, there might be confusion. This area is also commonly called Cocoterie. The river starts very far from there, but it passes through Cocoterie and there - it is in my constituency and that of hon. Shakeel Mohamed as well - these squatters are on the riverbanks, which is State land. There is no case for discussion on it. I have been there so many times, so I will ask the hon. Minister to send a team of his Ministry to do a survey there, to do an inquiry and then report back to the House. That's our request so that we can find a solution to this issue. Thank you.

Mr Soodhun: Madam Speaker, true it is that there is Cocoterie about the runabout about 24 families living and we are looking after these families to be relocated. We are going to consider it. I am going to ask my officers again about it, there is no problem.

Madam Speaker: Next question, hon. Lepoigneur!

IOIG 2019 – SPORTS INFRASTRUCTURES - RENOVATION

(No. B/476) Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the proposed renovation works to be carried out of the sports infrastructures and facilities in view of the *Jeux des Iles de l'Océan Indien 2019*, he will state the estimated cost thereof, indicating –

- (a) if bids have been launched therefore and, if so, when, and

(b) the expected duration thereof.

Mr Toussaint: Madam Speaker, I wish to draw the attention of the hon. Member to the reply I made to PQ B/190 on exactly the same subject at our sitting on 11 April 2017.

I confirm that arrangements are underway at the level of the Association for the upgrading of Indian Ocean Island Games infrastructure (IOIG) for the upgrading and renovation of the 17 sites concerned for the IOIG 2019.

The work has been estimated to cost around Rs300 m. A project value of Rs300 m. and financial provisions of Rs135 m. and Rs150 m. are being included in the 2017/2018 and 2018/2019 Budgets respectively. I am informed that following the Expression of Interest launched, 5 consultancy firms have been preselected and the request for proposals have been issued on 28 June 2017.

The closing date is scheduled for 26 July 2017 at 2.00 p.m. It is expected that infrastructural works will start on the sites by March 2018. The completion of the works will vary from site to site depending on the scope and magnitude of the works. In some cases the works may be completed within a period of six months as from the date of award of contract whereas in other cases we are more realistically looking at a time frame of 9 to 12 months.

Madam Speaker: Hon. Lepoigneur!

Mr Lepoigneur: Merci, Madame la présidente. L'honorable ministre avait dit que les présélections sont déjà en préparation pour les Jeux des îles. Quelle disposition a été prise par rapport aux entraînements lors des rénovations de ces sites-là?

Mr Toussaint: Madame la présidente, je peux rassurer l'honorable membre que toutes les dispositions seront prises pour que les entraînements ne soient pas bouleversés par rapport aux travaux de rénovation.

Madam Speaker: Hon. Quirin!

Mr Quirin: Merci, Madame la présidente. Concernant la construction du nouveau complexe à Côte d'Or, peut-on savoir quand les travaux vont démarrer? Est-ce qu'il y a un *time frame* pour la livraison de ces sites en vue des prochains Jeux des îles, bien sûr?

Mr Toussaint: Madame la présidente, je n'ai pas les renseignements spécifiques par rapport à cette question puisque la question de l'honorable Lepoigneur parle de rénovation. Donc, éventuellement je peux répondre avec une question spécifique.

Madam Speaker: Hon. Lepoigneur!

Mr Lepoigneur: Madame la présidente, permettez-moi d'insister. Je voudrais savoir quelle disposition a été prise parce que lors de mon *PNQ B/420*, l'honorable ministre avait répondu ...

(Interruptions)

Madam Speaker: *PNQ*, c'est l'honorable *leader* de l'Opposition ...

(Interruptions)

Mr Lepoigneur: Pardon. Le *PQ No. B/420*, l'honorable ministre avait répondu que toutes les présélections sont en préparation pour les Jeux des îles. Et aussi, même le volleyball est en préparation et on s'est trompé, c'était la CJSOI qui était en préparation et qui n'a rien à voir avec les Jeux des îles. Je voudrais savoir maintenant quelles vont être les dispositions prises par rapport pour qu'ils puissent continuer leurs entraînements?

(Interruptions)

Précisément, parce que ça a été dit, six mois de rénovation, donc c'est six mois que les gymnases vont être fermés.

Mr Toussaint: Madame la présidente, nous avons une multitude d'infrastructures tout autour du pays et comme j'ai dit à l'honorable membre, nous allons prendre toutes les dispositions. Et il y a une équipe au niveau de mon ministère qui est en train de travailler sur un plan. .

Madam Speaker: Hon. Ramano!

Mr Ramano: Merci, Madame la présidente. Est-ce que je peux savoir de l'honorable ministre si le stade Guy Rozemont à Quatre Bornes fait partie des sites qui ont été identifiés pour les Jeux des îles?

Mr Toussaint: Non, Madame la présidente.

Madam Speaker: Next question, hon. Lepoigneur!

SOCIAL HOUSING UNITS - RENOVATION

(No. B/477) Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière) asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the proposed renovation of 1,224 social housing units to the tune of Rs134 million, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., information as to if any bid was launched for the award of the contract therefor and, if so, indicate the name of the selected contractor therefor.

The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun): Madam Speaker, the hon. Member for Beau Bassin and Petite Rivière has not specified the localities of the social housing units to which he is referring. I assume that he must be referring to remedial works to be carried out at La Tour Koenig and Beau Vallon Housing Estates, which comprise 1,008 housing units and 216 housing units respectively and for which the total rehabilitation costs amount to Rs134.21 m.

Madam Speaker, I am informed by the NHDC that the open bidding exercise was carried out for remedial works comprising, *inter alia*, remedial treatment to cracked/damaged canopies, exposed reinforcement, cracks on wall surfaces and slab soffits at the two housing estates as follows -

(i) **Structural Remedial Works at La Tour Koenig**

- Tenders were launched on 23 February 2015 and at the closing date, that is, 24 March 2015, the NHDC Ltd had received five bids.
- An evaluation exercise was carried out by the Bid Evaluation Committee set up at the NHDC Ltd and recommendation was made to award the contract to the lowest responsive bidder, Onix Co. Ltd.
- On 28 July 2015, the NHDC Ltd received a challenge from one of the aggrieved bidder, Joint Venture New Horizon Builders and South Indian Construction to the effect that its quotation was lowest compared to Onix Co Ltd. The challenge was examined by the Bid Evaluation Committee and on 27 August 2015 the Committee informed the NHDC Ltd that Joint Venture New Horizon Builders and South Indian Construction was not responsive.

- At its 234th sitting on 23 October 2015, the Board of the NHDC approved the recommendation and the contract was accordingly awarded to Onix Co Ltd on 05 November 2015.

(ii) Structural Remedial Works at Beau Vallon.

- Tenders were launched on 23 April 2015 and at closing date, that is, 02 June 2015, the NHDC Ltd had received seven bids.
- an evaluation exercise was carried out by the Bid Evaluation Committee set up at the NHDC Ltd and recommendation was made to award the contract to the lowest responsive bidder, Onix Co. Ltd.
- Challenges from three aggrieved bidders namely RBL Waterproofing Specialists Ltd, Joint Venture New Horizon Builders Ltd and South Indian Construction, Trivan and Co. Ltd were received on 27 July 2015, 28 July 2015 and 29 July 2015 respectively.
- The Bid Evaluation Committee examined the challenges and on the ...

(Interruptions)

The question is long, so I have to give the answer. The question has been asked for all details. I have to give the details.

Madam Speaker: Is it really long, hon. Minister?

Mr Soodhun: I am going to finish. The Bid Evaluation Committee examined the challenges and on 30 July 2015 and 08 August 2015 informed the NHDC that the aggrieved bidders were not responsive.

- So, at its 234th sitting on 23 October 2015, the Board of the NHDC approved the recommendation and the contract was accordingly awarded to Onix Co. Ltd on 05 November 2015.

Madam Speaker, I would like to table a photo of how it was previously, the condition...

(Interruptions)

Yes. And also, I don't know whether there was pressure upon these people to paint it in blue. I am not going to change it.

(Interruptions)

No, I am just telling! Thank you!

Madam Speaker: Hon. Lepoigneur!

Mr Lepoigneur: Thank you, Madam Speaker. As mentioned in the Budget 2017-2018, there will be more renovations in NHDC. Can the hon. Vice-Prime Minister inform the House whether NHDC of Trou aux Biches and Mont Choisy will form part of these renovations?

(Interruptions)

Mr Soodhun: No, I don't think so.

(Interruptions)

Madam Speaker: Yes, hon. Lepoigneur!

Mr Lepoigneur: As the hon. Vice-Prime Minister announced in 2015 - and it was published in a daily newspaper of 19 February 2016 - there were 72 minors who were beneficiaries of these NHDC apartments at Mont Choisy and Trou aux Biches. Can the hon. Vice-Prime Minister inform the House about the enquiry?

Mr Soodhun: I think I will be very pleased to answer if a substantive question is asked. I will be delighted to answer, Madam Speaker, because it is very important for the House to know.

Mr Abbas Mamode: I have a specific question. Can I ask the hon. Vice-Prime Minister the regions where renovations have already been carried out and the regions where *vous avez l'intention de rénover? Est-ce qu'il y aura une politique à travers l'île Maurice, regionwise?*

Mr Soodhun: I don't have the information. Maybe I can come with a statement in the future to give the hon. Member all the information, but now according to the question that has been asked, it is only for Beau Vallon and La Tour Koenig, not all over the island.

Madam Speaker: Last question, on this issue, hon. Lepoigneur!

Mr Lepoigneur: Concerning the renovation of all apartments of NHDC, is the hon. Vice-Prime Minister aware that people don't live in some of these apartments anymore and they are renting it? So, some people are benefitting from these renovations free of charge and are having a rent every month.

Mr Soodhun: Yes, I have this information and we are going to carry out an enquiry on it and come with a solution. It is true what the hon. Member said.

Madam Speaker: Next question, hon. Lepoigneur!

COROMANDEL - MEDICLINIC - CONSTRUCTION

(No. B/479) Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Quality of Life whether, in regard to the project for the construction of a medi-clinic at Coromandel, in Beau Bassin, as announced in the Budget Speech 2016-2017, he will state where matters stand.

Dr. Husnoo: Madam Speaker, my Ministry proposed to construct a mediclinic at Coromandel with a project value of Rs70 m.

Upon our request, the Ministry of Housing and Lands on 02 August 2016 vested two portions of State lands of a total extent of 2,567 m², situated at Avenue Balsamine, Coromandel in this Ministry for the construction of the mediclinic.

On 26 October 2016, my Ministry requested the Ministry of Public Infrastructure and Land Transport to carry out a survey of the site and submit preliminary drawings for the construction of the mediclinic.

On 12 May 2017, the MPI submitted the preliminary design for the mediclinic for our views and comments.

My Ministry proposed a few amendments to the design which were forwarded to the MPI on 22 May 2017. On 26 May 2017, a meeting was held by the MPI to discuss amendments proposed. Another meeting was held between the Ministry and the Management of Dr. A. G. Jeetoo Hospital (the User Department) on 22 June 2017 where outcomes of discussion with MPI were confirmed and approved. The MPI was requested on 30 June 2017, just a few days ago, to expedite matters to finalise and submit the preliminary designs to this Ministry as well as to seek clearances from the relevant Government Authorities for approval of the design by the Building and Plan Committee.

Madam Speaker: Next question, hon. Lepoigneur!

MS N.S. – LEGAL PROCEDURES – COST INCURRED

(No. B/480) Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière) asked the Attorney-General whether, in regard to the procedures initiated against Ms N.S. for her to face justice in Mauritius, he will state the total cost incurred in relation thereto.

Mr Yerrigadoo: Madam Speaker, the services of Saccucci Fares & Partners with Professor Andrea Saccucci, acting for Mauritius, have been retained for the case against Ms N.S for a total sum of Rs2,546,553.30.

Madam Speaker: Hon. Lepoigneur!

Mr Lepoigneur: Now, concerning the case of Roches Noires against the former Prime Minister, does the hon. Minister intend to assign Ms N.S as witness in the case or by video conference like Boskalis case?

Madam Speaker: No, no! Please, sit down hon. Member! I have drawn your attention to the fact that your supplementary question has to come from your main question.

Mr Lepoigneur: After having failed to bring Ms N.S to Mauritius, can the hon. Minister inform the House if there has been a case lodged for damages from her, at an amount of Rs400 m., against Government? How does Government intend to take this issue in order to prevent taxpayers of Mauritius to pay again from error of Governments?

Mr Yerrigadoo: Madam Speaker, the question is a specific one. If the hon. Member comes with another specific question, I will answer if I can.

Madam Speaker: Hon. Adrien Duval!

Mr A. Duval: Thank you, Madam Speaker. When Ms N.S was in Mauritius, in a Press Conference she made allegations that the procedure was not properly followed by the hon. Attorney General himself, when in Italy, namely that as applicant, he went directly to see the Prosecutor, etc...

Mr Yerrigadoo: Madam Speaker, on a point of order! The hon. Member is misleading the House. I take very strong objection. The hon. Member should not repeat what he has read in the Press. Let me put the record straight. It is totally false...

(Interruptions)

Let me put the record straight. It is totally false...

Madam Speaker: No, you are raising...

Mr Yerrigadoo: No, on point of order, the hon. Member has just made...

Madam Speaker: Please, sit down! Are you raising a point of order? If you are raising a point of order, you say what is your point of order.

Mr Yerrigadoo: Madam Speaker, it is more a point of personal explanation than a point of order.

Mr A. Duval: I am not misleading the House. What I am saying is, in a Press Conference on the radio, Ms N.S. made an allegation. But if he had listened to the question...

Mr Yerrigadoo: One cannot allude to Press conferences, Madam Speaker.

Madam Speaker: Hon. Attorney-General, please, allow him to put his question, then you will reply!

(Interruptions)

Mr A. Duval: Madam Speaker, all I am asking the Attorney-General, is whether in light of the allegations which have not been refuted, whether he can enlighten the House now, whether these are true that the procedure was not respected with regard to the case in Italy and this is why we lost the case? This is my question.

Mr Yerrigadoo: I do not know what Ms N.S. said or did not say. I did not listen to her Press Conference, but on one issue of procedural impropriety I can assure the House that the State of Mauritius should be guided by the legal advice it received by Saccucci Fares & Partners and acted accordingly. I can further state that at all material times in that procedure relating to the extradition of Ms N.S., the State of Mauritius was only and only represented by Saccucci Fares & Partners and no one else, including not even me.

Madam Speaker: Hon Ramful!

Mr Ramful: Thank you, Madam Speaker. From the answer given by the hon. Attorney-General, he stated that the cost for the legal adviser was Rs2 m. May I know from the hon. Attorney-General what was the total cost, including the cost that the State of Mauritius was required to pay following the two cases before the Trial Court, Court of Bologna and the case on appeal? Was the State of Mauritius required to pay cost and, if so, what was the total cost?

Mr Yerrigadoo: All the cost the State of Mauritius has paid in connection to the extradition cases at first instance and on appeal, is Rs2,546,553.30 That's the information I have provided.

FLACQ - PHOTOVOLTAIC SOLAR FARM - IMPLEMENTATION

(No. B/481) Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the proposed implementation of the Photovoltaic Solar Farm 12.24 MW Project by Voltas Green Ltd. at Queen Victoria in Flacq, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to where matters stand.

(Withdrawn)

CEB - ELECTRICAL NETWORK PROTECTION

(No. B/482) Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the electrical network protection, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the type thereof, indicating the –

- (a) name of the manufacturer of the differential frequency relays installed therein;
- (b) site where the relays are installed, and
- (c) purchase price of each relay.

(Withdrawn)

Madam Speaker: Hon. Adrien Duval!

PLEASURE CRAFT LICENCES - ISSUE

(No. B/483) Mr A. Duval (First Member for Curepipe & Midlands) ask the Minister of Tourism whether, in regard to the Pleasure Craft Licenses, he will, for the benefit of the House, obtain from the Tourism Authority, information as to -

- (a) the number thereof issued since January 2017 to date in the category -
 - (i) Commercial Pleasure Craft Licences, and
 - (ii) Private Pleasure Craft Licences, respectively, and
- (b) if there has been a change of policy with regards the issue thereof and, if so, indicate the reasons therefor.

The Minister of Agro-Industry and Food Security (Mr M. Seeruttun): Madam Speaker, with your permission I am going to answer to this Parliamentary Question.

I am informed by the Tourism Authority that since January 2017 to date 11 Commercial Pleasure Craft Licences and 106 Private Pleasure Craft Licences have been issued.

As regards part (b) of the question, there had been no change in policy in respect of the issue of Commercial Pleasure Craft Licences. In this connection, the Tourism Authority is currently carrying out a survey on the holding capacity of the different embarkation points and the carrying capacity of our lagoons.

Mr A. Duval: Madam Speaker, I understand that the Minister is not the substantive Minister. However, there has been a change with regard to the limitation to the ownership of the boats, which have been limited to two. I regret that it is not the substantive Minister here, but I will ask for the sake of the record anyway. With regard to the change of policy, where they have again put a restriction on the ownership, I have information that this has been done because the Tourism Authority can no longer enforce the law with regard to permits and, therefore, has decided to block...

Madam Speaker: Once more, I am drawing your attention, do not provide information, ask for information.

Mr A. Duval: Yes. Can the hon. Minister confirm that there has been this change of policy because of the lack of the Tourism Authority to enforce the legislation, the Tourism Authority Act?

Mr Seeruttun: Madam Speaker, I am not aware of any change. I have just given in my reply that there has been no change in policy, since the decision taken in April 2015, whereby no new licences will be awarded.

Mr A. Duval: For the sake of clarity, I know he is not the substantive Minister, can he confirm, therefore, that there is no change in policy to limit the number of boats that one person can have?

Mr Seeruttun: Are we talking about commercial pleasure craft or are we talking about private pleasure craft? With regard to private pleasure craft, I know that it is limited to one, because since the decision was taken not to award any licences for commercial purposes,

there had been, since that time, an overwhelming number of applications. That is the reason why it was decided that for private applications, it is going to be limited to one licence.

Mr A. Duval: Madam Speaker, if I may, instead of embracing first of all, the marina business, the boatyards because I understand that the policy is due to trying to remove the boats out of the lagoons, instead of embracing all of this and this flourishing sector which is boat manufacturing, we are now stopping people from having how many boats they want...

Madam Speaker: No, hon. Adrien Duval, please!

(Interruptions)

No, but you are making...

(Interruptions)

No, please, sit down!

(Interruptions)

Please, sit down! Hon. Adrien Duval, please, sit down!

(Interruptions)

I am on my feet! Please, sit down! I have said, I have repeated it, I have drawn attention several times to the fact that question time is not for providing information. Question time is for asking information from the respective Minister in respect of his ministerial duties. So, do not provide information, ask for information.

Mr A. Duval: In any case, can he confirm that with regard to the enforcement of legislation for pleasure crafts whether there has been a drastic reduction in fines that are imposed from 25 to now about 5 on a weekly basis?

Mr Seeruttun: Madam Speaker, if we look at the question it has got to do with the licences and nothing to do with fines, so I am not in a position to answer that question.

Madam Speaker: Next question, hon. Adrien Duval!

MUNICIPAL COUNCIL OF CUREPIPE – EMPLOYEES - TRANSFER

(No. B/484) **Mr A. Duval (First Member for Curepipe & Midlands)** asked the Minister of Local Government and Outer Islands whether, in regard to the Municipal Council of Curepipe, he will, for the benefit of the House, obtain therefrom, information as to the number of employees who have been transferred since January 2015 to date, indicating in each case, the respective names, grade, posting and reasons therefor.

Mr Jhugroo: Madam Speaker, with your permission, I am arranging for the information requested by the hon. Member to be placed in the Library of the National Assembly.

The documents contain a list of employees who have been transferred from the Municipal Council of Curepipe (Annex A) as well as those who have been transferred to the Municipal Council of Curepipe (Annex B). Several of the transfers have occurred following appointment/promotion of the officers by the Local Government Service Commission.

Further, I wish to inform the House that the change in posting of an officer, except an officer of the Workmen's group, from one local authority to another, rests with the Unified Local Government Service Board (ULGSB) in pursuance of section 68(1)(b) of the Local Government Act 2011.

The Board which normally meets every fortnight is composed of the –

- Permanent Secretary of the Ministry of Local Government and Outer Islands (Chairperson);
- a representative of the Prime Minister's Office;
- a representative of the Ministry of Finance and Economic Development;
- a representative of the Ministry of Civil Service and Administrative Reforms;
- a representative of the Ministry of Labour, Industrial Relations, Employment and Training, and
- a representative of the Ministry of Local Government and Outer Islands.

I am given to understand that, among others, criteria such as length of service, residential address and administrative convenience are taken into consideration by the Board, while determining a change in posting.

Mr A. Duval: Madam Speaker, may I ask the hon. Minister if it is standard practice, for example, in Curepipe there have been 61 transfers and since 2015 to end of 2016 of which 32 were very senior ranking employees, Chief Executive etc., is that the practice to change the Chief Executive every 2 or 3 months?

Mr Jhugroo: Madam Speaker, as I mentioned earlier, as a responsible Minister of the Republic of Mauritius, I do not interfere with the doing of the ULGSB, so I cannot answer.

Mr A. Duval: Madam Speaker, perhaps the hon. Minister can please look into the matter and make sure that there are no transfers of this nature because it has paralysed - at the time that Mrs Nathalie Gopee was Mayor - all the workings of the Municipality.

Mr Jhugroo: Madam Speaker, as I...

(Interruptions)

Madam Speaker: You see? I have said...

(Interruptions)

Please, calm down!

(Interruptions)

I have said that you should not make provocative remarks!

(Interruptions)

It is because in your question you have made provocative remarks that there has been reply from the other side.

(Interruptions)

Hon. Thierry Henry, please!

(Interruptions)

Yes, please, calm down!

Mr Jhugroo: Madam Speaker, as I mentioned earlier, it is not my habit to interfere and I will not interfere!

Mr A. Duval: Madam Speaker, on the same topic, there is a letter dated 22 August 2016 from the Mayor and it relates to officers of the Municipality who are insubordinates, officers who have refused - I will not name them, it is in the letter which I will give to the Minister - systematically to work *et qui ont mis des batons dans la roue*. Even though we are no longer heading the Municipality but we have a Deputy Mayor there; now I would like the Minister to look into this...

Madam Speaker: No, this is unwarranted in your question. Whatever the hon. Member is saying is not warranted in his question! It is not warranted and this is my ruling! The hon. Member has been a Deputy Speaker and he knows the rules of the House!

(Interruptions)

The hon. Member cannot explain! Next question!

Mr A. Duval: Madam Speaker, this question is about the transfers. The letter, when the Minister will read, relates to transfers. It is a request for transfer.

Madam Speaker: Yes, the hon. Member can table his letter if he wants. But, he cannot make unwarranted remarks!

Mr A. Duval: Therefore, the question is: will he look into it?

Madam Speaker: Next question, hon. Bhagwan!

(Interruptions)

ALBION - PETROLEUM PORT & JETTY PROJECT

(No. B/485) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to the Petroleum Port and Jetty Project at Albion, he will –

(a) give a description thereof, and

(b) state if –

(i) a full feasibility study, including the sociological and environmental impact assessments thereof, have been carried out and, if so, by whom, giving details thereof, and

- (ii) consideration will be given for the carrying out of an Environment Impact Assessment and studies regarding the soil and the *Fond Marine*, indicating if public consultations will be held prior to the start thereof.

Mr Gungah: Madam Speaker, the Petroleum Port and Jetty Project at Albion comprises the construction of an oil terminal and a jetty for the strategic storage of petroleum products for Mauritius, export in the region and bunkering.

The oil terminal will consist, in the first instance, of the construction of tanks for storing around 200,000 tonnes of petroleum products on 36 hectares of land. The jetty will have a draft of about 20 meters to accommodate tankers up to 150,000 deadweight tonnes.

(Interruptions)

Madam Speaker: Hon. Henry, this is the second time I am drawing your attention. Right? There won't be a third time!

(Interruptions)

Mr Gungah: To implement the project a joint working group comprising the State Trading Corporation, Indian Oil Corporation Ltd. and Mangalore Refinery and Petrochemicals Limited has been constituted. The joint working group entrusted to Engineers India Ltd. (EIL) the task of carrying out a pre-feasibility study of the project. EIL submitted its report in January 2016.

In May 2017, the joint working group had issued a Request for Proposal to EIL for carrying out a detailed feasibility study on the basis that EIL had already completed the pre-feasibility study. Discussions are ongoing between the joint working group and EIL to finalise the proposal. The detailed feasibility study is expected to last over a period of around 7 months.

Regarding the Environmental Impact Assessment (EIA), I can assure the House that the EIA will be carried out when required. The EIA study will be prepared by the developer once a decision on the scope of the proposed project is confirmed in line with the provisions of the EIA Act. It will, of course, cover, *inter alia*, the elements referred to in the question namely, sociological impact, studies of the soil and *fonds marins* and will comprise public consultations.

The implementation of the project will depend on the outcome of the detailed feasibility study. The Government will then communicate its stand on the project.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: I have some supplementary being given the importance of the question. From what we have heard from the hon. Minister, the project has progressed as there have been working groups and so on. Is the hon. Minister ready to table a copy of the pre-feasibility study report in the public interest and for transparency purposes?

Mr Gungah: Madam Speaker, the detailed feasibility study will supersede the pre-feasibility study. So, I don't consider tabling the pre-feasibility study.

Mr Bhagwan: Being given that Albion has a past experience of the CT Power project so the inhabitants of Albion are very, very, I would say, upset from what they have heard, especially now that we are having some details. So, will the Minister consider the possibility of meeting before the other region in a very near future, at least, to explain the project apart from what has been explained in Parliament ...

(Interruptions)

Let me finish, I have not finished - *to pe aussi rapide pour alle fer sa tank farm la koman dire...*

(Interruptions)

At least to explain the project and see what are the qualms; the inhabitants are very upset, they do not want the project. They do not want Albion to become again a dumping ground and *vivre ce cauchemar* de CT Power.

Mr Gungah: Madam Speaker, I just said that discussions are ongoing between the joint working group and EIL to finalise the proposal. I also said that the implementation of the project will depend out the outcome of the detailed feasibility study. It is then that Government will decide on the project.

Madam Speaker: Hon. Ganoo!

Mr Ganoo: Can the hon. Minister confirm that, in fact, this project is going to involve 125 or 130 arpents of land at Albion? How was EIL chosen? Was there any request for proposal? How come the working group decided to choose that particular company?

Mr Gungah: Well, Madam Speaker, this project, we all know, is a G-to-G project and as I said, it is not even in the implementation phase. We are still at the stage of studies. Everything is being done to have consultations with experts and EIL which has been asked to conduct the detailed feasibility study. Once things have been sorted out with EIL to carry out the detailed feasibility study, which will take, as I said, almost 7 months, then Government will say its position on this project.

Madam Speaker: Hon. Aliphon!

Mr Aliphon: Je voudrais, *Madam Speaker*, demander au ministre une...

Mr Henry: Is a PPS allowed to put questions?

(Interruptions)

Madam Speaker: You are right! Hon. Aliphon, in fact, I forgot that you are a PPS. I am sorry; PPSs are not allowed to ask questions. Hon. Thierry Henry is right!

(Interruptions)

Hon. Ameer Meea! I think you have had a contempt of what you have just said. You cannot make remarks on the Chair!

(Interruptions)

You made a remark on the Chair! I am a human being like anybody else over here and I said that I had forgotten that hon. Aliphon is a PPS! What is wrong with that? Do I need your remarks? Can you apologise?

Mr Ameer Meea: Madam Speaker, if I have hurt your feelings, I know you are a human being, I remove what I have said and again sorry.

(Interruptions)

Mr Bhagwan: Madam Speaker! I hope the Minister is listening. The region of *Pointe-aux-Caves et les environs, le phare d'Albion font partie du patrimoine mondial. Il y a*

même un projet d'inscription. Being given the public outcry, in order to reassure everybody, I have heard the Minister stating that the developer will prepare an EIA. As I stated earlier in another PQ, will the Government itself commission an independent inquiry, not ask the developer to prepare an EIA in the public interest so that there would be transparency. The developer cannot come with an EIA. There have been cases in the past where there have been projects *où il y a eu litige* and the Government of the day had prepared an EIA through the World Bank. Can I ask the Minister whether he will see to it that there is an independent EIA prepared and commissioned by Government through the World Bank or whatever. At least, this will reassure everybody, especially the delicate region, *place délicat*.

Mr Gungah: Madam Speaker, I will refer to the answer given to my hon. friend in that Government won't put at stake the environment of the country and we will do everything to safeguard our environment.

PUBLIC INTEREST ENTITIES - CODE OF CORPORATE GOVERNANCE

(No. B/486) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Financial Services, Good Governance and Institutional Reforms whether, in regard to State-owned companies and institutions in which the State is a shareholder, such as the Bank of Mauritius, the State Commercial Bank Holding, the State Insurance Company of Mauritius and the Mauritius Telecom, amongst others, he will state if consideration will be given for the advisability of introducing necessary amendments to the existing legislation regarding transparency and good governance with a view to allowing disclosure of the salaries and conditions of service of the Chairpersons and of the Chief Executive Officers thereof.

Mr Sesungkur: Madam Speaker, I wish to inform the House that the Code of Corporate Governance was revised in 2016 to produce a robust set of principles to facilitate effective entrepreneurial and prudent management, and which would ensure sustainability, transparency and good governance. The National Code of Corporate Governance for Mauritius 2016 includes, *inter alia*, an alignment with new laws and guidelines as well as international best practices. All public interest entities, including large public corporations required to report on corporate governance, have to apply all the 8 principles contained in the Code, and to explain in the annual reports how these principles have been applied.

Under the second principle, namely the structure of the Board and its Committees, it is recommended to disclose for every director, the details of each share as well as any of the external or internal directorship that he or she holds in any organisation with details regarding the name of that organisation and the type of directorship being held.

Moreover, the fourth principle, namely Director's duties, remuneration and performance makes mention of a Code of Ethics to which all Directors should comply. This principle also states that the remuneration policy should set remuneration levels that are fair and reasonable in a competitive market, taking into account the skills, knowledge, competencies and experience required by the organisation.

It additionally provides that all Boards should consider disclosing details of the remuneration paid to each individual Director in the annual report. Individual Directors and Senior Executives should not determine their own remuneration. It is also recommended to disclose in the remuneration section of the annual report the following: a statement of the remuneration Policy, and the rational for any changes, and an affirmation that adequacy of the Directors and Senior Executives remuneration has been reviewed by the Board or a special Committee.

Madam Speaker, I wish to point out that the conditions of service, or employment between an organisation and its employees, especially those occupying strategic position such as Chairpersons and Chief Executive Officers are of a private and confidential nature. Disclosure might reveal sensitive information and adversely impact on the share price of listed organisations. In such cases, legislation will not be appropriate. However, I must also add that the remuneration of CEOs is closely linked with the level of responsibility and performance. In some cases, the pay-package of CEO may even be reduced as it was in the case of the CEO of the British Petroleum recently where his pay-package was cut down by 40%.

Moreover, provisions for an asset declaration already exists and many government organisations require that a certificate of assets declaration as well as a Certificate of Morality to be produced before the appointment of a CEO and Chairman. Therefore, adequate provisions are actually in force to ensure transparency and good governance. In case of changes of environment, the National Committee on Corporate Governance which operates independently will certainly take note and make necessary recommendations.

Mr Bhagwan: Madam Speaker, I have taken good note of what the hon. Minister has said, *les paramètres qui existent*, but unfortunately, the hon. Minister can go and see in the annual reports there is no individual salaries, remunerations or fringe benefits.

This is public money in all these companies like Air Mauritius, SICOM Mauritius Telecom and so on. This is public money! So, whenever we ask questions in Parliament, we say: under Companies Ordinance, you can go and see at the Registrar of Companies or whatever. But these fat cats, they behave like demigods. I have stated during my budget speech, one is more than Rs1 m. Can the hon. Minister, at least, inform the House whether he will have an overall of the existing provisions of safeguards with regard to the abuses, especially by Chairpersons and CEOs of these companies, with regard to their salaries, fringe benefits and other benefits which they are now taking?

Mr Sesungkur: Madam Speaker, I have taken good note of the comments made by the hon. Member. However, I wish to draw his attention that there are mechanisms in place where companies do not respect the code of corporate governance. There is, what we call, the Financial Reporting Council which regularly reviews annual reports and they query those companies which have not complied with relevant sections.

As regards fixing of salaries or putting a limit or a maximum limit, this is not under the control of my Ministry. It is for each company to decide.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: Well, it is a well-known fact that for years these appointees, political appointees, *ce sont eux qui tirent les ficelles de certains pouvoirs*. As Minister of Good Governance, is he satisfied that certain fat cats of these companies are drawing more salaries than even the Chief Justice of Mauritius and they are behaving like Gods there? So, is the hon. Minister of Good Governance – now, there is a new Minister - going to put order? Is he prepared to ask these people, at least, to declare their assets before ICAC, as we do? We submit before ICAC. Is he ready to make necessary arrangements for all these fat cats to declare their salaries to ICAC?

Mr Sesungkur: Madam Speaker, as a general answer to the point raised by the hon. Member, may I draw his attention that the so-called fat cats earn much less compared to what a CEO in the private sector earns. I have here in a Press article which was published in “*Le Defi*” –

“Some CEOs in the private sector earns up to Rs3 m. per month.”

Mr Bhagwan: I am here to defend the public. It is public money. It is taxpayers' money. There, they have shareholders and other types of control. When we talk about public money, it is your money and my money also. We all pay taxes.

(Interruptions)

Pas bizin alle souffler li, li assez grand pu reponn!

Madam Speaker: You have got another question, hon. Bhagwan?

Hon. Bhagwan: Can I ask again the hon. Minister - he is a professional, he is a new Minister and he said that he is going to put order - whether he is satisfied with the state of affairs there and with what is happening?

Mr Sesungkur: I fully understand the point of the hon. Member, but all the Members would surely agree with me that as an integrated economy, the public sector should align with what the market is offering. If in the private sector a CEO is getting Rs3 m., you cannot pay a CEO in the public sector Rs50,000. So, there should be an alignment and whatever is being offered is driven by market forces.

Madam Speaker: Hon. Adrien Duval!

Mr A. Duval: The Minister is referring us to the Registrar and the accounts. Is he aware that there are State-owned companies that do not file audited accounts at the Registrar, for example, the Mauritius Duty Free Paradise? Is he aware of that? So, how did he mean to check if there is no disclosure of accounts, which is against the law?

Mr Sesungkur: There is not only Mauritius Duty Free Paradise. Last year, when I was a backbencher, I asked the hon. Deputy Prime Minister about Airports of Mauritius which has not prepared its accounts for years.

(Interruptions)

I just answered we have mechanisms in place.

(Interruptions)

Madam Speaker: Allow the hon. Minister to reply because already we have taken more than eight minutes on this question!

Mr Sesungkur: Madam Speaker, there are mechanisms in place to ensure compliance with the corporate governance principles.

Madam Speaker: I will allow two more questions on this to hon. Ganoo and hon. Fowdar, but, please, I would request you to be brief in your questions and I would ask the Minister also to be brief in his reply.

Mr Ganoo: Madam Speaker, I would be brief. Can I ask the hon. Minister - since we are now living in an era where open Government and transparency is the order of the day - if as Minister of Good Governance doesn't he think independently of what the CEOs of the private sector earn? But this is public money. Doesn't he think, therefore, that on all the websites of these State-owned companies, the salaries of the CEOs and the Chairpersons should be posted as a matter of transparency or another formula, the Minister responsible - *le ministre de tutelle* - should come in this Assembly and make a statement as to how much these CEOs are earning for the sake of good governance and transparency? What is wrong in that?

Mr Sesungkur: I think I have already answered. These are private companies although they have as shareholder the Government, but they are still governed by the Companies Act. In addition to that we have the National Code on Corporate Governance where there are compliance requirements. So, this should be sufficient for transparency and reporting.

Madam Speaker: Hon. Fowdar, last question!

Mr Fowdar: Thank you, Madam Speaker. I know the Minister is new in post now, but he is a professional. We would expect certain standards from him.

Madam Speaker: Be brief in your question, please!

Mr Fowdar: Is the Minister aware that in many State-owned companies, the Non-Executive Directors and the Chairmen confuse themselves as being the CEO of the company and they walk around, they poke their nose into the day-to-day running of the company? Is he going to take any action against these people?

Mr Sesungkur: Yes, this is a very good point, Madam Speaker. I am going to take this further at my level.

Madam Speaker: Next question, hon. Bhagwan!

ROAD ACCIDENTS (FATAL) - SENSITISATION CAMPAIGNS

(No. B/487) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister Public Infrastructure and Land Transport whether, in regard to the fatal road accidents, he will state the number thereof over the past two years, indicating the –

(a) number thereof -

(i) in which motor vehicles and motor cycles respectively were involved, and

(ii) which occurred on pedestrian crossings, and

(b) expenditure incurred on sensitisation campaigns for road security since July 2016 to date.

Mr Bodha: Madam Speaker, I have been informed by the Police that from 15 June 2015 to 27 June 2017, two hundred and sixty-seven (267) fatal road accidents have occurred causing two hundred and ninety-four (294) casualties. Out of the above 294 fatal cases, 182 involved motor vehicles and 119 involved motor cycles.

Regarding fatal accidents which occurred on pedestrian crossings during the same period, I am informed, Madam Speaker, that there have been four such cases.

Madam Speaker, with regard to part (b) of the question, the expenditure incurred by my Ministry on sensitisation campaigns for road safety since July 2016 to date is Rs5.5 m. In addition, sensitisation campaigns on road safety have been carried out both by the Police, my Ministry, the Media, and stakeholders such as the Driving Instructors Federation, Insurance Companies, Petrol Retailers Association, Motor Vehicle Dealers Association, as well as Non-Governmental Organisations. These campaigns include, *inter alia* -

- media adverts on themes such as pedestrians safety, motorcycles safety, tyres safety, drink driving and motorists' safety in general;
- publication of pamphlets on road safety;
- talks to school children, elderly people, drivers and road users in general, and
- counselling *via* Radio; we have a programme called *Info route*.

Furthermore, I wish to inform the House that in reply to PQ B/240, I had enumerated a number of actions regarding road infrastructure, vehicles, enforcement and education being undertaken to curb down road accidents.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: I am sure the hon. Minister will agree with me that this rate of fatal accidents which are on the increase is very alarming. Despite what we have heard here, the amount spent, sensitisation campaigns, recruitment of a foreign expert, I think things are not going in the right direction.

Madam Speaker: Ask your question, hon. Bhagwan!

Mr Bhagwan: So, can I ask the hon. Minister whether he intends to bring legislation, at least, to change the public behaviour? Apart from the behaviour of the road users, motorcycles and so on, I think there is an urgent need to bring legislation to change the public behaviour and also to take actions against those responsible at the Ministry who do not carry out their job properly and who are found faulty where people are involved in case of accidents, which is the fault of the relevant section of the Ministry.

Mr Bodha: I share fully the concern of my colleague; I think it is the concern of everybody. But I would like to address the issue that there is no increase. We have the same trend for the last 3 or 4 years, that is, about 12 casualties for 100,000. It is about 140 people dying on our roads and which is about 2 every 5 days, this is unbearable.

I totally agree also that we have had, in fact, the issue of infrastructure reengineering dark spots and we have also done a lot on education. But we have two issues which have been mentioned by the hon. Member. The motorcycles ride, it is like a jungle of lawless anarchy. Second, there are pedestrians, and the elderly often believe that other road users should take care of them. So, the behaviour is the most important thing, but to change the code, the system, the way we drive and the way the road users behave will take time. We have brought legislation as regards drink driving, the sobering cells and this is doing well. We have also tightened the legislation as regards speeding. Now, as regards bringing legislation for the behaviour of the road users, we are working on it. But we will have to see how to implement such offenses. The most important thing today is enforcement and enforcement requires a lot of resources.

For example, if a policeman were to stand anywhere, at any time, in an hour he would have to, I think, give a number of small papers to a number of people. It is a very important issue, it is costing us Rs4 billion and everybody knows that an accident in a family, before an accident and after the accident it is a tragedy. I totally agree with the hon. Member, we have to work on this, on the behaviour and the content.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you, Madam Speaker. In his reply, the hon. Minister has stated that the Ministry has spent Rs5.5 billion, let alone what has been spent by the Police and the other bodies that he has mentioned. So, it is lot of money. Can I bring the hon. Minister's attention to what is provided in the Budget this year, the Three-Year Strategic Plan 2017-2020, on the item: Render our road safer by reducing the number of road accidents causing deaths or serious injury? The key performance indicator for which is percentage reduction in number of road accidents causing death or serious injury. Now, I was surprised and dumbfounded by this, the target percentage in reduction is 1% for this coming year, 1% for 2018/2019 and 1% for 2019/2020. Is there something wrong there, can the hon. Minister clarify on this very awkwardly low number?

Mr Bodha: I think there is something wrong because the idea is by 2030 to reduce it by 2. So, I think you are right, the figures are not correct.

Madam Speaker: Hon. Bhagwan! Do you have a question? Hon. Ameer Meea!

Mr Ameer Meea: Yes, Madam Speaker, I will tend to agree with the hon. Minister with regard to what he said in relation to motorcycles. But, at the same time, I would ask the hon. Minister, what is being done to motorcycles that are modifying their engines with greater illegal capacity with emitting so much noise, so many accessories like backfire and everything? I must say that I have been canvassing this issue to the House since the previous mandate. It was, at a point in time, question of amending the law for seizure of these motorcycles, but, up to now, nothing has been done.

Madam Speaker: The Minister has understood your question.

Mr Ameer Meea: I think the hon. Minister has understood my point and I would like to have his answer to it.

Mr Bodha: You remember you have the scandal about cars and vehicles which were modified; they had modified their engine and the chassis number. There were about 7,000 of them and we addressed this issue. Now, with the new fitness centres, we are going to address this issue for the motorcycles and we have ordered equipment for the sound, that is, the sound level because a lot of people make abuse of it. Now, in 2 months, we are opening the first *Moto École* which means that you will not be able to drive a motorcycle unless you have a

permit and you have followed a 30-hour course in the *Moto École*. This is opening up in August.

Madam Speaker: Yes, hon. Bhagwan!

Mr Bhagwan: My question is not, I would say, petty politics. I have raised it several times. *L'exemple doit venir d'en haut*. I am not pinpointing anybody - *l'exemple que donne ces VIPSU qui conduisent, les motards*. *J'ai été victime à plusieurs reprises et j'ai même soulevé des questions, je ne veux pas* pinpoint. Can I appeal to the Ag. Prime Minister that clear instructions, through the hon. Minister, be given - because today you are responsible for the Police - at least, clear instructions are given to these *motards* of very important personalities - I would not say very dangerous persons...

Madam Speaker: No!

Mr Bhagwan: I would not say I have said, Madam Speaker...

(Interruptions)

No, I have said I would not say.

Madam Speaker: No!

Mr Bhagwan: Madam Speaker, there is a limit. We all see it on the motorway, on the highway because...

Madam Speaker: Hon. Bhagwan, I think the hon. Minister...

Mr Bhagwan: I appeal to the Ag. Prime Minister, at least, to give clear instructions to the VIPSU. They think they can do whatever they want and they are one of the main causes of accidents.

Madam Speaker: Okay, the Minister has understood your question.

(Interruptions)

Mr Bodha: I will go by the answer which has been given by the Ag. Prime Minister.

Madam Speaker: One last question, hon. Dr. Sorefan!

Dr. Sorefan: Thank you, Madam Speaker. Can the hon. Minister inform the House whether it was not premature to have motorcycle to 200% duty free by the Leader of the Opposition, who was the Minister of Finance and Economic Development three years ago, before having, like you said a *Moto École*? That has created a lot of fatal accidents.

Mr Bodha: I think that most probably, the Government in all good faith wanted to give some facility to people who were using the motorcycle and could not afford to have a car or use the public transport. There was a question as regards the 200% duty free whether we are going to remove it. We did not have time to address the question, but the answer would have been in the negative.

Madam Speaker: Next question, hon. Ameer Meea!

EX-BAI CO. (MTIUS) LTD. – CONSERVATORS & SPECIAL ADMINISTRATORS - APPOINTMENT

(No. B/488) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Financial Services, Good Governance and Institutional Reforms whether, in regard to the Conservators and Special Administrators of the ex-BAI Co. (Mtius) Ltd. and of the entities thereof, he will, for the benefit of the House, obtain from the Financial Services Commission, information as to the respective period of appointment thereof, giving in each case, a breakdown of the fees –

- (a) claimed, and
- (b) paid as at to date.

Mr Sesungkur: Madam Speaker, with regard to Conservators, I am informed that the Financial Services Commission appointed Messrs André Bonieux and Mushtaq Oosman as Conservators of BAI Co. (Mtius) Ltd. on 03 April 2015, pursuant to Section 106 of the Insurance Act 2005. Their appointment ended on 01 May 2015.

With regard to Special Administrators, pursuant to Section 110A(2) of the Insurance Act 2005, the FSC appointed Messrs Mushtaq Oosman and Yogesh Rai Basgeet as Special Administrators of BAI Co. (Mtius) Ltd. with effect from 01 May 2015.

The appointment of Mr Mushtaq Oosman was terminated on 12 August 2015. Mr Yogesh Rai Basgeet continued the assignment as Special Administrator and he resigned on 26 August 2015.

I am further informed by the FSC that Mr Yacoob Ramtoola was appointed as Special Administrator of BAI Co. (Mtius) Ltd. with effect from 26 August 2015 in lieu and stead of Mr Yogesh Rai Basgeet.

Madam Speaker, with regard to parts (a) and (b) of the question, I am informed that Messrs André Bonieux and Mushtaq Oosman claimed an amount of Rs14,332,857 inclusive of VAT and same has been paid.

For the Special Administratorship, Messrs Mushtaq Oosman and Yogesh Rai Basgeet have claimed an amount of Rs109,516,780, out of which an amount of Rs23,862,500 has been paid. In addition, an amount of Rs40 m. (Ex-VAT) would be released shortly.

I am further informed by the FSC that Mr Yacoob Ramtoola has claimed an amount of Rs11,155,000, out of which an amount of Rs10,030,000 has been paid.

Madam Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Thank you, Madam Speaker. In relation to the present Conservators or Special Administrators, I presume Mr Yacoob Ramtoola of BDO, is there any time frame for the work to be completed in relation to what has been agreed, although I agree that there are provisions of the law, that is, the Insolvency Act, whereby the work should be finished before any Conservators/Special Administrators can lay their report? But my question is in relation to the fees, that is, the fees of Rs11 m. that has been claimed, is it for work that has already been done or will it be fees for the duration of the work?

Mr Sesungkur: Madam Speaker, the hon. Member will appreciate that due to the complexity of the assignment, and based on the provision of the law, normally the Administrators will charge their fees as they go along. They cannot charge for the whole of the assignment because there is no idea of the exact time when this will be completed. So, it is for the part they have completed.

Mr Ameer Meea: In his reply the hon. Minister stated that an amount of Rs11 m. has been agreed - Rs11,100,000 and so on - but Rs10 m. has been paid, so far. But this fee of Rs11 m., is it the final fee that was agreed for the whole work or is it for the present work?

Because the work can go on for one year, two years, four years before it is finished. So, my question is: these fees, is it the full and final settlement or will there be any further *réclamations*?

Mr Sesungkur: I just mentioned that this Rs11 m. is not for the full assignment. It is for the work which has been completed till date and there will surely be additional amount claimable.

Madam Speaker: Next question, hon. Ameer Meea!

CWA – STRATEGIC PARTNER

(No. B/489) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Central Water Authority, he will, for the benefit of the House, obtain therefrom, information as to where matters stand regarding securing a proposed strategic partner therefor.

The Ag. Prime Minister: Madam Speaker, I will be making a statement today giving all relevant information to the House.

Madam Speaker: Next question!

Mr Ameer Meea: Just one thing, Madam Speaker, though the Ag. Prime Minister stated that he will be making a statement, can I ask him whether the report from the World Bank will also be...

The Ag. Prime Minister: Wait for my statement, please!

Mr Ameer Meea: Because this has been the question of CWA having a strategic partner, it has been long on the cards and with the present Government, this was also in the Electoral Manifesto, it has been discussed in 2015. Now, there is a PQ, I wanted to ask the hon. Ag. Prime Minister a question about it, but he is now playing, you know, a *vieux truc* that he will make a statement....

Madam Speaker: No, he, in fact....

Mr Ameer Meea: So, we won't be able to ask further questions.

Madam Speaker: Hon. Ameer Meea, please, sit down! The hon. Ag. Prime Minister has said that he is making a statement only today. So, can I kindly request you to wait for his statement and then you may ask further questions at the next sitting.

(Interruptions)

The Ag. Prime Minister: I take objection to the statement 'it's a *vieux truc*'. I could answer the question, but it will take me 10 minutes to answer and then they would protest that I am taking time at Question Time. Let me make my statement and then he will ask questions! But don't accuse me of making '*vieux truc*'.

Madam Speaker: Okay.

Mr Ameer Meea: Madam Speaker, my question won't take 10 minutes and his reply won't take 10 minutes.

(Interruptions)

I have just one or two...

Madam Speaker: Hon. Ameer Meea, please, just understand that we are nearly completing Question Time and there are some questions. I would ask you to bear with the hon. Ag. Prime Minister. He has a statement to make which will be a comprehensive statement. At the next sitting, you will have the opportunity of asking questions.

(Interruptions)

Next question!

(Interruptions)

Mr Ameer Meea: I won't be able to ask questions!

(Interruptions)

CWA – CHIEF OPERATIONS OFFICER

(No. B/490) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to Mr J. S., Chief Operations Officer of the Central Water Authority, he will, for the benefit of the House, obtain from the Authority, information as to the -

- (a) date and terms and conditions of appointment thereof, including the duties assigned thereto and the salaries and fringe benefits drawn, and
- (b) qualifications laid down for the post, indicating the qualifications held by the latter.

The Ag. Prime Minister: Madam Speaker, I am informed by the Central Water Authority that Mr J. S. was appointed as Chief Operations Officer on 26 September 2016 and he resigned on 09 June 2017.

I am tabling the terms and conditions and duties attached to the post as well as the required qualifications.

Madam Speaker: Hon. Ameer Meea!

Mr Ameer Meea: May we know the reason why Mr J. S. has resigned from his post?

The Ag. Prime Minister: Well, clearly the salaries. We are facing this problem at the CWA. The salaries are too low for these qualified people. He was earning some hundred thousand rupees. He has got a much better job. We have this problem with the immense development that is taking this country, what we have is a shortage of engineers. This man was being paid Rs115,000. As soon as you increase his salary to Rs200,000, you are the first one to protest. Now, see the problem we are in. We don't have a Chief Operations Officer because we are paying peanuts. They don't even get monkeys now!

(Interruptions)

Mr Ameer Meea: Madame la présidente, il ne faut pas généraliser. Quand on donne à Madame Sumputh R 350,000, on doit accepter ça!

(Interruptions)

On ne peut pas! On doit préciser qu'est-ce qu'on fait!

(Interruptions)

Madam Speaker: Don't bring in other elements in this question! Hon. Ameer Meea, I won't allow this question. Do you have any other question?

(Interruptions)

Mr Ameer Meea: With this attitude, I have no further question, Madam Speaker.

Madam Speaker: Okay. Next question, hon. Ameer Meea!

(Interruptions)

Mr Ameer Meea: *Donn Mme Sumputh R 350,000, nou pas gagn droit pose question!*

CWA - HEADS OF DIVISIONS - APPOINTMENT

(No. B/491) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Heads of Divisions of the Central Water Authority, he will, for the benefit of the House, obtain from the Authority, a list of the Division and/or Section Directors appointed since January 2015 to date, indicating in each case, the respective –

- (a) date of appointment thereof;
- (b) Division and/or Section to which they are attached, and
- (c) details of the total monthly remuneration package thereof.

The Ag. Prime Minister: Madam Speaker, I am informed by the Central Water Authority, that since January 2015, following open advertisements, it has appointed on contractual basis -

- (1) a Communication Director on 06 June 2016 with a monthly salary of Rs40,000 and a travelling allowance of Rs2,350 and other benefits - leave, passage, gratuity as prescribed by PRB. She ceased working for the Authority on 10 May 2017, and
- (2) an IT Director on 16 June 2016 and a Human Resource Director on 26 July 2016. They are both drawing salary of Rs80,000 each and travelling allowance of Rs11,500 and other benefits such as leave, passage, gratuity, etc. as prescribed by PRB.

On 15 July 2016, one Principal Engineer was promoted as Chief Engineer (Operations) after a selection within CWA. His terms and conditions are as prescribed by the Pay Research Bureau.

Madam Speaker: Next question, hon. Osman Mahomed!

RING ROAD PHASE II PROJECT - IMPLEMENTATION

(No. B/492) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Ring Road Phase II Project proposed for implementation in the forthcoming financial year, he will –

- (a) give a brief description thereof, and
- (b) indicate the expected impact thereof on the traffic situation at the end of the construction thereof, in terms of facts and figures.

Mr Bodha: Madam Speaker, the Ring Road project comprises three major components of the Road Decongestion Programme (RDP) originally planned to be implemented in phases as follows -

- Phase 1 - from Montebello to Guibies over an approximate length of 5 km. That's the Ring Road Phase I.
- Phase 2 - from Guibies to Champ de Mars over 3.9 km through a tunnel of approximately 1.2 km across the Quoin Bluff Mountain, and
- Phase 3 – From Junction at Tranquebar through a bridge, a tunnel across Colline Monneron, uphill of Vallée Pitot and parallel to Military Road to join the Motorway M2 at the Quay D and Mer Rouge.

The Ring Road Phase I has now been completed and is operational since the 26 of May 2017 following the repairs of the cracks and settlement that occurred over a stretch of about 75 metres of the road in January 2014.

As regards the Ring Road Phase II, its original alignment was subsequently reviewed by the Korean Expressway Corporation. It will be the same approximate length of 3.9 kilometres starting from end of the existing Ring Road Phase I on Guibies, but will involve the construction of two parallel tunnels of approximately 1.2 kilometre across the Quoin Bluff Mountain, with an interchange at Tranquebar to the centre of the capital up to Volcy Pougnet street and to Chateau d'Eau at Champ des Mars.

Along with Ring Road Phase I, this project will provide a strategic alternative access that would allow traffic to enter and exit Port Louis, and thus alleviating traffic congestions along the motorways M1 and M2, reducing the traffic load at Place d'Armes.

With the construction of the Ring Road Phase II, it is expected that the average travel speed on roads such as Port Louis-St Jean, Central Flacq Road, Rivière Noire will improve with greater speed. Moreover the average travel time from La Vigie to Port Louis is expected to be reduced. Likewise the average travel time from Rose Hill bus station to Port Louis City Centre via the A1 Road will decrease significantly.

Madam Speaker, concurrently a number of projects is being implemented in Port Louis such as the Decaen entry which provides a new entry to Port Louis from northbound traffic; a new flyover at Quay D project, Jin Fei project, urban terminals at Victoria and Immigration Square and Metro Express, amongst others. In view of these developments,

there will be a re-engineering of the traffic within the City centre, following a new traffic impact assessment which will be updated very soon with new simulation software.

The RDP is being implemented in phases. As you are aware, Madam Speaker, the tender documents for the Jumbo Phoenix and the A1-M1 Bridge have been launched, we expect to have the work starting in three months. My Ministry is recently focusing on the Jumbo Phoenix interchange of the A1-M1 link, and then we will embark on the Phase II, that is, the Ring Road Phase II as I have described it earlier.

Madam Speaker: Hon. Osman Mahomed.

Mr Osman Mahomed: In my question, there are the words ‘forthcoming financial year’, so do I take it from the hon. Minister, since he has not mentioned anything about it, that in this forthcoming financial year, there is nothing provided for the Ring Road Phase II project?

Mr Bodha: In this financial year, we have the budget for Phoenix and for A1-M1 and the study for the tunnel.

Mr Osman Mahomed: Madam Speaker, all consultants are unanimous that traffic jam in Mauritius, its source is in Port Louis, and the Minister, himself, has said, *le plan à trois étapes* for the road decongestion programme, I am quoting from his own statement. So, this is critical, how are we decongesting elsewhere which is not crucial to the detriment of Port Louis where the major bottleneck is. What kind of strategy is that?

Mr Bodha: Madam Speaker, the tunnel itself costs Rs5.5 billion, the Phoenix roundabout flyover is Rs2.5 billion, the A1-M1 is Rs2.5 billion. So, the budget which has been put is for Phoenix and for A1-M1 now, but we are working on the study and we are working on the possibility of using a line of credit from India to see whether we can do the tunnel next year. But we are working on all the specifications; you know that it takes some time. I don’t want to give any, I would say, assurance when I am myself not given the assurance from the Minister of Finance that we will have a budget for this year. But what I can say is that the budget for Phoenix is done, for A1-M1 it is done and the study for the tunnel. The tunnel, as I said, costs Rs5.5 billion so we want to do the tunnel, of course, because once the traffic from Phoenix and A1-M1 come to Soreze - I totally agree with you that the Ring Road Phase II is a very important segment because then we enter Port Louis,

but we are working also on the entry Decaen to lessen the pressure of traffic at Place d'Armes.

Madam Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Is the hon. Minister aware that, in the previous mandate, there was a report from the World Bank stating the contradiction of Mauritius, at the same time, investing in road decongestion programme and Metro Leger. Because in their report they mentioned that for the Metro Leger to be viable, the road must be congested else it won't work. So, my question to the hon. Minister: is he aware of such report, I can't recall the exact date, but I know that it was in the previous mandate because we had a meeting with them in the Public Accounts Committee. So, I would ask the hon. Minister if he can have a fresh look at this report.

Mr Bodha: Well, if the hon. Member can enlighten us on this report, I will be very happy, but I would like to say, the Metro Express and the Road Decongestion Programme are complementary.

Madam Speaker: Next question, hon. Osman Mahomed!

Mr Osman Mahomed: PQ B/493!

PORT LOUIS - WARD IV - SPORTS FACILITIES

(No. B/493) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Youth and Sports whether, in regard to Ward IV, in Port Louis, he will state if the construction of sports facilities thereat is being envisaged and, if so, indicate the -

- (a) nature thereof;
- (b) timeframe for implementation thereof, and
- (c) quantum of investment that will be required therefor.

Mr Toussaint: Madam Speaker, I take this opportunity to draw the attention of the hon. Member that the planning and provision of sport facilities is not done constituencywise or wardwise. In fact, while working out the infrastructural development programme for the sports sector, my Ministry takes into account primarily the demand that may exist for such facilities, but also factors and other elements of material consideration like -

- i. The current state of play and the extent of the presence of involvement in a region or other stakeholders like local authorities, other Ministries/Departments and the private sector;
- ii. Geotechnical considerations;
- iii. Urbanisation and population migration, and
- iv. Consultations with the Mauritius Olympic Committee and National Federations.

In the light thereof, it has been established that there is a case for Port Louis as a sport region defined in the Sports Act 2016 to have a multi-sports complex. Details as to the location thereof, the type of sport complex to be constructed, the sports discipline concerned as well as other technicalities will be worked out soon.

At this stage, it is premature to indicate a time frame, but as soon as the project goes through the procedural stages, including the Project Planning Committee, we shall have a better indication of the implementation schedule.

As regards funding, a project value of Rs75 m. and a provision of Rs5 m. for financial year 2017/2018 have been included in the 2017/2018 Budget.

Mr Osman Mahomed: The answer is quite explicit, but one question about the location, as far as I know there is only one place in the region where there is a vacant State land. Are we talking about this location? At least, can the hon. Minister give an indication?

Mr Toussaint: No, at this stage, Madam Speaker, I cannot give this kind of reply, I think that my answer is quite clear.

Madam Speaker: Hon. Jhuboo, next question !

ALLIED HEALTH PROFESSIONS COUNCIL BILL - INTRODUCTION

(No. B/494) Mr E. Jhuboo (Third Member for Savanne & Black River) asked the Minister of Health and Quality of Life whether, in regard to the draft Allied Health Professions Council Bill prepared by Mr K. D. F. in 2015 in collaboration with professionals of the private sector, he will state where matters stand as to the consultations, if any, he has held with the respective stakeholders, indicating –

- (a) the outcome thereof, and

(b) when he proposes to introduce the Bill in the House.

Dr. Husnoo: Madam Speaker, my Ministry with the assistance of a consultant from the Commonwealth Secretariat worked out a draft Health Professions Council Bill and supporting regulations which were submitted in February 2014. The draft Bill provides for the Regulation of 18 Allied Health Professions which are not yet governed by any legal or institutional frameworks.

A Press Communiqué was issued on 10 February 2015, inviting views and suggestions and proposals from stakeholders and the general public by 16 March 2015.

The Communiqué was also uploaded on the website of my Ministry. At the closing on 16 March 2015, six responses were received.

The deadline for submission of comments was extended up to 31 March 2015 to give opportunity to more people to submit their views.

At the request of some stakeholders the deadline was again extended by another one month up to 30 April 2015 and a communiqué was accordingly issued through the Press and posted on the Ministry's website to that effect.

At the closing date of 30 April 2015, 26 stakeholders, including individuals and professional organisations, submitted their comments, views and proposals. The inputs were compiled and reviewed by a Committee chaired by the then Senior Chief Executive of the Ministry.

Subsequently, a meeting was held on 08 July 2015 under the Chairmanship of my predecessor with the stakeholders to review the amendments to the draft Bill. Following discussions there was general agreement, amongst others, on the title of the Bill, the list of professions to be regulated, the definition of the different professions, objects, functions and composition of the Council, the powers of the Minister, Continuous Professional Development, inclusion of the minimum qualification requirements and exclusion of the regulation of health premises within the ambit of the Bill. The stakeholders were requested to prepare the minimum qualifications required to be registered for the respective professions and also their standards of proficiency, including codes of conduct and ethics.

Working sessions were also held with each group of professionals to work out the minimum qualifications for registration and standards of proficiency and code of ethics.

A series of technical meetings were held in-house to finalise the draft Bill which was then submitted to the State Law Office on 02 October 2015. Following discussions with the State Law Office, the draft Bill was streamlined and aligned with the Medical Council Act and the Pharmacy Act as the Medical Council and the Pharmacy Board are also Regulatory bodies. The draft Bill was adapted to the local legal framework.

After the review of the Bill, the contents were again placed on the website of the Ministry on 01 March 2016 for views and comments of relevant stakeholders. Stakeholders were given 15 days to submit their comments. Comments from 16 stakeholders were received. At the request of a few stakeholders, a last extension of 15 days was granted up to 15 April 2016 to give them more time to reflect on the new amendments. After the closing date, further comments were received and they were taken on board as well.

When I assumed office, I had further consultations with technical staff of my Ministry and the State Law Office was called upon to make amendments and to come up with a vetted version. The final version of the legislation has already been received from the State Law Office. Action is now being initiated for introduction of the Bill into the National Assembly this afternoon, as you know. It has been deposited for this afternoon.

Madam Speaker: The Table has been advised that Parliamentary Question No. B/508 has been withdrawn. Time is over!

MOTION

SUSPENSION OF S.O. 10(2)

The Ag. 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.

Mr Sawmynaden rose and seconded.

Question put and agreed to.

(4.29 p.m.)

STATEMENTS BY MINISTER

(1) BAGATELLE DAM – COMPLETION

(2) WATER REFORM PROJECT

The Ag. Prime Minister: Thank you, Madam Speaker. I have two statements to make. I would like, with your permission - that is my first statement - to inform the House of the taking over of the Bagatelle Dam.

The contractual completion date of the dam was 30 June 2017. The contract provides that the dam should be taken over by my Ministry when the works, including the testing of equipment, are substantially completed.

On 16 June 2017, the contractor gave notice to the Ministry that the works would be substantially completed on 30 June 2017.

The Consultant considers that the works are substantially completed except for outstanding site clearing works and a defective gearbox in the electromechanical equipment. I understand that the contractor has informed the manufacturer of the gearbox of the situation and that the needful is being done for the replacement of the equipment, which is under warranty.

My Ministry expects all outstanding works to be completed by the contractor during the Defects Liability period of one year, starting from 01 July 2017.

On 30 June 2017, the Consultant has issued the Taking Over Certificate, subject to the qualifications on the outstanding works as well as on the defective equipment. I have instructed that this be remedied at no cost to Government and that all these outstanding matters be made good within the shortest time.

The Water Resources Unit of my Ministry is undertaking an inventory of assets and a team of technical staff has been posted at the dam office as from yesterday.

My Ministry has also made arrangements for the Hydro Section of the Central Electricity Board to assist in the operation and maintenance of the electromechanical equipment. In this respect, a Memorandum of Understanding will be signed between my Ministry and the Central Electricity Board.

The second statement I am making, Madam Speaker, relates to the water reform project. In reply to several Parliamentary Questions, I had stated - and even just now - that because of its great national interest, I would make a comprehensive statement in the House at the appropriate time.

Madam Speaker, I could not make the statement earlier, as my Ministry was awaiting confirmation of funding and additional component of information from the World Bank. These have now been obtained. I will, therefore, with your permission, Madam Speaker, make a statement to provide information on the project to Members of the House.

The Central Water Authority, Madam Speaker, has the sole and exclusive statutory mandate for the supply and distribution of water to the population. Over the years, the operation and management of the Authority had deteriorated, resulting in -

- (i) increasing water losses in the network, reaching about 60%, and being a major cause of irregular water supply;
- (ii) inaccuracies in metering and consequential loss of revenue;
- (iii) precarious financial situation with loans reaching Rs2.65 billion - I repeat Rs2.65 billion - in 2016. Since 2009, the CWA has not serviced Government loans amounting to Rs1.3 billion;
- (iv) inability to invest in the replacement and rehabilitation of old, leaking water pipes or upgrading of treatment plants;
- (v) lack of creditworthiness making it difficult for the CWA to raise loans to finance its projects. In 2014, the European Union cancelled the outstanding balance of loans of 14 million Euros which was meant to implement water pipe rehabilitation;
- (vi) governance issues with regard to procurement, cost overruns and delays in implementation of projects;
- (vii) lack of commercial orientation and delayed response to complaints from customers, and last but not least
- (viii) no customer care culture.

In a Statement which I made in the House in 2016, I mentioned how successive Governments had attempted to bring reform, including private participation, in the water sector. Since 1997, at least six such attempts have been made -

- In July 1997, the British Executive Service Overseas submitted a report on Operational Areas and Management Restructuring of the CWA;

- In August 1999, the CWA entered into a two-phase strategic partnership with the Consortium Vivendi/Lyonnaise des Eaux (Vivendi later became Veolia) for a pilot Management Contract of six months ending 29 February 2000 and leading to a Concession agreement;
- In 2003, Government appointed the International Finance Corporation to advise on private sector participation in the water sector. In 2004, IFC recommended an Enhanced Affermage or Concession contract;
- In September 2004, the CWA signed a 3-year service contract with the Severn Trent Water International, UK, to determine water losses in the system, with a large rehabilitation programme financed by a loan of EUR20 million contracted from the European Investment Bank (EIB).
- In February 2007, the Ministry sought the assistance of the UNDP to secure the services of an Expert to advise on the appointment of a Private Sector Operator for a Management Contract for both CWA and the WMA (Waste Water Management Authority)
- In 2010, an agreement was reached with the Singapore Corporation Enterprise to advise on a water sector strategic plan and in 2013, a Project Management services contract was entered between CWA and Singapore Corporation Enterprise to reduce non-revenue water in the Upper Mare aux Vacoas region.

In 2015, we decided to address on a priority basis the longstanding problem of water supply in the country.

On 18 December 2005, Government appointed the World Bank to conduct a study on the reform of the distribution and supply of water and provide strategic advice and support for the design and implementation of a private and public partnership for the Central Water Authority and for potable water sector reform. I am tabling the detailed terms of reference of that exercise.

A 7-member team of the World Bank team carried out the study, which highlighted that Mauritius is classified as a water-stressed country (below 1,700 m³ per capita per year) and is expected to fall under the water-scarce category by 2020 (projected 974 m³ per year, below the 1,000 m³ threshold). The aquifers are over-exploited and rainfall is unpredictable due to climate change. It identified the main weaknesses which I have mentioned earlier.

The World Bank recommended a holistic solution to redress CWA's financial situation, plan future investments and attain the target of 24/7 water supply. CWA's priority should be to reduce water losses and keep more water in the system. The Bank has proposed the appointment of a Private Operator to operate and maintain the potable water distribution system of the CWA on a 15-year *affermage* contract.

An *affermage* contract is a public-private sector arrangement under which the private operator is responsible for operating and maintaining the utility, but not for financing the investment. It does not own the infrastructure. It would also share capital planning functions with CWA to ensure consistency of capital expenditure with improved performance targets. The operator would finance minor investments in technology, equipment.

The Private Operator will be paid a contract management fee and an Operator Fee to cover costs associated with operation and maintenance of the system, based on a percentage of revenue collected on potable water in 2015 and indexed annually with CPI. This fee is designed to incentivise efficiency on the part of the operator.

Any increase in revenue arising from tariff increase before or after the *affermage* contract will be to the benefit of the CWA and not to the private operator. Secondly, the operator will be paid a fee based on key performance targets such as improved service quality and reduction of water losses. A penalty fee will be applied in the event that the operator does not achieve the agreed targets.

Any surplus from revenues collected after making these payments would be for CWA's account.

A periodic review mechanism will be built into the contract to ensure that changes in circumstances and assumptions affecting the parties are duly taken into account.

The Central Water Authority will remain a parastatal organisation and it will continue to own all the water supply pipelines, the water treatment plants and service reservoirs. It will monitor the service provided by the private sector operator. It will be responsible for business planning, capital expenditure and proposing customer tariffs. It will strengthen its team to ensure it is a strong public counterpart to the PPP and to fulfil its mandate.

The World Bank would provide legal advice on amendments to the current legislation governing CWA.

According to the Bank, there will be need for an additional 400 employees to achieve the service delivery improvements, bringing the total number of employees from 1,400 to 1,800. Employees will be offered the opportunity to join the private sector operator with additional incentives. There will be no compulsory termination of employment or redundancy. We will hold consultations with the employees with the assistance of the Ministry of Labour and Employment.

With this reform project, the World Bank forecast is that after 5 years, the Central Water Authority would achieve regular supply of water all year round and achieve financial equilibrium through the performance improvements and tariff reforms. Water losses in the distribution system would have reduced.

On 03 February 2017, Government agreed to the implementation of the recommendations of the World Bank and enlist the services of the World Bank for advisory services; and the International Financial Corporation as Transaction Adviser. This decision was subject to the World Bank providing assistance to Government in securing grant funds to meet the cost of these services.

The World Bank has now confirmed that the Global Infrastructure Facility (GIF) will provide a total of US\$875,000 to support the preparation of the project, of which US\$475,000 has been allocated for the advisory services to be provided by the World Bank and US\$400,000 to the International Financial Corporation. The Government's contribution will be US\$ 400,000, for which a provision of Rs14 m. has been made in the 2017-2018 Budget.

The private sector operator would be recruited through open transparent procurement procedures under the guidance of the World Bank. IFC is expected to start its assignment in July 2017 and to be ready with the bid documents by December 2017.

Concurrently, the World Bank will provide advisory services to support CWA to become strong counterparty to PPP and with stronger focus on asset management and long term business planning, advise on organisation structure, organigram and key positions, design capacity building programme for CWA and support entities that will have oversight or approval responsibilities regarding PPP, including staffing needs and capacity building.

Thank you, Madam Speaker.

Mr Ameer Meea: Madam Speaker, on a point of order. My first supplementary question before the hon. Minister stated that he will give a statement as to whether the report from the World Bank has been tabled or will be tabled. Unfortunately, the hon. Minister, in his statement, did not mention whether this report has been tabled or will be tabled. Also to remind the House that our Standing Order does not allow me to put the same question next week. I have to wait for three months to come with this question again.

Madam Speaker: Hon. Member, I drew your attention to the fact that the hon. Ag. Prime Minister is coming with a statement. You will be allowed to come with your question if you feel next week you can come with your question, but you have to modify it in such a way that the language is not the same as the question that you were going to ask. This is acceptable.

(Interruptions)

Please, proceed!

(Interruptions)

Hon. Ameer Meea, please mind your language! I'll appeal to you once again. Don't use abusive language in the House!

(Interruptions)

Don't argue!

PUBLIC BILLS

First Reading

On motion made and seconded the Allied Health Professionals Council Bill (No. IX of 2017) was read a first time.

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

At 4.49 p.m. the sitting was suspended.

On resuming at 5.37 p.m. with the Deputy Speaker in the Chair.

Second Reading

THE EXTRADITION BILL

(NO. VI OF 2017)

Order read for resuming adjourned debate on the Extradition Bill (No. VI of 2017).

Question again proposed.

The Deputy Speaker: Hon. Dr. Joomaye!

Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac): Thank you, Mr Deputy Speaker, Sir, for giving me the opportunity to debate on the Extradition Bill.

(Interruptions)

I wish to congratulate the hon. Attorney General for coming up in front of this House with this piece of legislation which was long overdue. Long overdue, Sir, because it is replacing an old piece of legislation, which is the Extradition Act 1970.

(Interruptions)

I have taken note!

The Extradition Act 1970 is one of those relics of colonialism which is still prevailing in our law, an outdated piece of legislation which is still differentiating between Commonwealth and Non-Commonwealth States.

In line with the action of this Government to complete the independence of our country after 50 years and to take all necessary actions to recover our sovereignty over the Chagos Archipelago, the former Extradition Act is being repealed and replaced by this new Bill which will be addressing the new challenges faced by our country in 2017.

I am proud here, Mr Deputy Speaker, Sir, to ask all hon. Members to join me to congratulate the Minister Mentor for his success in the United Nations Assembly two weeks ago when a historical vote has been largely in our favour. This is a personal success of his strategy to regain our sovereignty in a fight which apperents the fight of David against Goliath. The Minister Mentor has been consistent in his decisions and actions and despite having been discouraged by some pseudo-specialists of the Chagos issue who have set aside the higher interest of the country and have played petty politics.

I will get back to the Bill. Mr Deputy Speaker, Sir, the world has changed since 1970. Means of communication, ways of doing business, mobility of citizens between States, international context as well have changed. What was formerly called revolution or fight for

freedom in those days is now called terrorism. The development of the Internet has brought us cybercrime which is *transfrontalier*. The new heavy taxation policies in European countries have encouraged tax evasions and created new forms of fiscal offences. We, therefore, have to adapt and adjust accordingly to address these issues of internationalization of crime.

The main object of this Bill is to enhance the effectiveness of international cooperation in criminal matters by simplifying the extradition procedure from and to Mauritius and by preventing criminals to cross borders, change jurisdiction and get away with their offences. The differentiation between Commonwealth and Non-Commonwealth States in matters of anti-criminal cooperation is undoubtedly obsolete. This Bill is fully comprehensive in matters which might require an extradition procedure and it does not leave any stone unturned.

Firstly, all States are being placed on the same level playing field and have been given same consideration regardless of the existence or not of any bilateral or multilateral extradition treaty. Special emphasis has been laid for offences of fiscal or terrorist nature. The section dealing with extraditable and non-extraditable offences as well as the section dealing with extradition from and to Mauritius and transit proceedings are very clear and explicit.

I must congratulate the hon. Attorney-General for the better protection of our citizens against extradition from Mauritius and for the guarantee being given as far as protection of human rights of the individual are concerned. The offences of political origin and ethnic persecution are appropriately dealt with. The Attorney General's Office has to be at the centre of this Bill and we should always bear in mind that, with extradition issues, there are very often diplomatic issues that come along. Therefore, there is a need for coherent governmental action and it is necessary to balance our foreign policy with the facilitation of execution of justice and the safeguard of human rights.

I wish here to remind the House and the population in general about a case which, at that time, was the main headline of our local news. The hon. Leader of the Opposition, who is not here, was in Government at that time. It is the case of Christophe Caterino, a steward of Air Mauritius who was arrested in 2007...

(Interruptions)

It is the case of Christophe Caterino, a steward of Air France who was arrested in 2007 at the SSR Airport landing from Paris on duty. He had in his suitcase 51,583 tablets of Subutex.

Subutex is a name introduced in our vocabulary in 2005 with the coming in power of l'*Alliance Sociale* of the Labour Party/PMSD/MR.

(Interruptions)

The Attorney General was Mr Rama Valayden!

(Interruptions)

The names associated at that time were Cindy Legallant, Sada Curpen.

Christophe Caterino, a French national, was found guilty of drug trafficking and sentenced to four and a half years imprisonment by our Intermediate Court. He appealed against this judgement and was granted a conditional liberty. While enjoying this right he was staying supposedly at the expense of the staff of Air France in a five-star hotel in the south. Due to the incompetence, irresponsibility and amateurism of the Labour/PMSD Government he has been able to escape by boat in 2009 from Mauritius to Reunion Island!

(Interruptions)

This is a total failure of the then Prime Minister, Dr. Ramgoolam, a total failure of the Police Force and the National Coast Guard which he was commanding at that time in 2009. Till now in this case of Christophe Caterino, justice has not been rendered to the country affected by proliferation of Subutex. Justice has not been rendered to those who died of overdose of Subutex.

For me, Mr Deputy Speaker, Sir, Christophe Caterino is not only a drug trafficker but he is a mass murderer as all drug traffickers are. Justice has not been rendered because of insufficient provisions of our present Extradition Act 1970.

I will now refer to a PNQ in the same context referring to Mr Christophe Caterino asked on 14 July 2009 by the then Leader of the Opposition, hon. Paul Bérenger. He was asking the then Prime Minister, Dr. Navinchandra Ramgoolam about the circumstances in which Christophe Caterino was arrested and left Mauritius and, in his answer, the Prime Minister, at that time, said –

“Mr Speaker, Sir, I wish to point out that according to the French “*Code de Procédure Pénale*”, France does not extradite its own nationals. Nevertheless, a diplomatic note has been sent to the French authorities (...).”

One week later, the former Leader of the Opposition stated in a press conference that he regretted that there was no extradition treaty between Mauritius and France and that the issue should be tackled. We know that this issue will be tackled by this Bill.

On the other hand, for those local criminals who have been able to flee from Mauritius when they were fully aware that dark days were coming and they would have to face justice and popular wrath, the Bill deals with them as well. For those Mauritians who would have thought that being a binational, holding another passport would allow them to get away from Mauritius after committing offences.

This is a very strong signal sent by the Government to all those who would need to face justice in our Mauritian Courts. Strong signals to those who have to answer questions to the whole nation. They can run, they can hide, but they cannot escape our Courts of Justice.

I will end here, Mr Deputy Speaker, Sir. I again congratulate the Attorney General for bringing this piece of legislation to the House.

I thank you for your attention.

The Deputy Speaker: Hon. Ramful!

(5.46 p.m.)

Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien): Thank you, Mr Deputy Speaker, Sir. The hon. Member for Savanne & Rivière des Anguilles has opted for a political speech. I will not pursue that line because this is a very serious piece of legislation and this piece of legislation, I believe, has various implications. Various implications with regard to our diplomatic relations with foreign States; implications with regard to our diplomatic relations with the Commonwealth countries, and also being a member of the legal profession, this Bill is very important and we have to be very careful. We have to be very precise and very clear about our intention because this Bill is going to be interpreted in our Courts of Law and we have to be very clear and precise as to our intention when we are coming up with this Bill in the Assembly.

Now, I have gone through the various provisions of this Bill. I have to say that I do not have much qualms about these provisions. These provisions were already present. They were already there in our Extradition Act 1970. Most of them! Most of them have been interpreted before our Courts of Law. Most of them, those provisions are internationally

recognised and applied. So, I do not have much qualms with most of the provisions that are being proposed in this new Bill.

I do take note that there are a few new provisions which are welcoming, for example, the provision on transit proceedings which has been produced in the new Bill. So, I do not have much concern about this. Hon. Dr. Joomaye has made reference to new provisions that are apparently being produced with regard to counterterrorism offences and anti-money laundering offences. And I have to say that these offences are already in our law and they are, as per our law, already recognised as being extraditable offences. So, I don't see anything new with regard to those provisions.

I have one or two clarifications from the hon. Attorney General. Unfortunately, he is not here. One or two clarifications which are very important! The state of the law at present when we look at the legislations, we have one piece of legislation, the Extradition (Commonwealth Countries) Act 1970, which applies to Commonwealth countries and we have the Extradition (Foreign States) Act which applies to foreign States, and also the provisions apply to States with which the United Kingdom, before we attain our Independence, had already contracted, had already signed extradition treaties with some foreign countries. And by declaration of succession in 1968 by the then Prime Minister, we, on attainment of our independence, are also bound by those treaties that had been signed by the UK before we got our independence. So, these are the pieces of legislations as matters stand. These are the provisions of our law that would apply to extradition cases, Commonwealth countries, foreign countries and countries with which the UK had already signed treaties before we attain our independence.

The object of this Bill apparently is to place all countries on equal footings. There will be no distinction. When I read the object of this Bill, it would appear that there would be no distinction with regard to Commonwealth countries, foreign countries and countries with which the UK had signed extradition treaties, at that time we were still a colony of the UK.

Therefore, my question is: this present Bill upon promulgation will repeal the Extradition (Commonwealth Countries) Act, what will happen to our relationship with regard to extradition in relation to countries that are found in the Commonwealth? At present, we do not need any treaty with regard to these countries by the operation of the law itself. This was the reason why in 1970 the Extradition (Commonwealth Countries) Bill 1970 was passed. I am going to read the Second Reading of the Bill when it was passed.

The main object of this Bill is to implement in the law of Mauritius the Fugitive Offenders Scheme formulated at the meeting of Commonwealth Law Ministers held in 1966. So, there was a meeting of the Commonwealth Law Ministers. At that meeting, the arrangements for the extradition of fugitive offenders within the Commonwealth were reviewed in the light of the substantial changes which had taken place within the Commonwealth since the passing of the Fugitive Offenders Act 1881. The meeting considering that Commonwealth extradition arrangements should be based upon reciprocity and substantially uniform legislation formulated the Fugitive Offenders Scheme setting out principles which should form the basis of legislation within the Commonwealth, and recommended that effect be given to the scheme in each Commonwealth country. And Mauritius being a Commonwealth country, in order to give effect to that scheme, we had passed the Extradition (Commonwealth Countries) Act. Now, when we are doing away with this, do we, therefore, have to sign treaties even with Commonwealth countries? Is this our intension? This is the first issue that I wanted to highlight. I will await the statement of the Attorney General during the summing-up on this issue.

The second issue, Mr Deputy Speaker, Sir, is with regard to countries with which the United Kingdom had signed extradition treaties and which Mauritius succeeded upon attaining its Independence - I stated earlier on - by virtue of a declaration of succession made by the then Prime Minister on 12 March 1968, which was addressed to the Secretary of the United Nations. So, the idea was at the time of Independence with this declaration, the declaration of succession, automatically, Mauritius being an ex-colony of the British, those treaties that were applicable to the UK would automatically apply to Mauritius, without any need for any further treaties between Mauritius and a foreign State.

Now, the issue is with regard to those countries, those foreign counties. Now, by passing this piece of legislation, do we, therefore, need to have separate treaty or diplomatic arrangements with these foreign counties? This issue has been interpreted before by the Supreme Court. There is the case of Heeralall and the Commissioner of Prisons that was back in 1992. In fact, there are conflicting judgements. Heeralall against the Commissioner of Prisons involves a request for extradition to France. There was a request from France to extradite Mr Heeralall for alleged offences he had committed in France. The then Chief Justice, Justice Glover, his interpretation was that this declaration of succession was not enough, we need to have a treaty, a separate treaty with France for the Mauritian authorities to be able to entertain a request for extradition from France.

Then in 2002, we had a case before the Supreme Court again, Danche against the Commissioner of Police, and the then Chief Justice, Justice Pillay, had a different interpretation; that involved a case where there was a request for extradition from the US to the Mauritian authorities. The interpretation of the Supreme Court was that by relying - since we had already this declaration of succession that we had made in back 1968, being an ex-colony of the UK, since UK already had an established treaty with the United States, there was no need for an additional treaty between Mauritius and the US.

So, we have two conflicting judgments of the Supreme Court on this issue, whether with regard to those foreign States, do we need to have a separate treaty agreement on extradition with them or not. I wanted to know from the Attorney-General, with the passing of this piece of legislation, is this going to solve the problem or do we still need to go and finalise and sign a treaty with those countries?

Hon. Dr. Joomaye has made reference to the case of Caterino. Caterino is not a political issue. We were not able to bring Caterino to justice because there was no extradition treaty between Mauritius and France. That was the reason. I think the Attorney-General was not here. I just explained, we cannot rely on the declaration of succession. The Attorney-General has been present in the case of Nandane Soornack and the State of Mauritius. We want to know what was the reason why we have lost the case in Italy? Is it not because, again, of the lack of treaty between Mauritius and Italy? Is it not the reason why? The Attorney-General would appeal, has gone there and had tried to rely on the declaration of succession. Again, he was faced with that difficulty. We need to have an additional treaty between those two countries.

So, how does this Bill solve the problem that we have encountered in the past in those cases, the difficulties that we have encountered in those cases? How does the Bill come and bring solutions, bring a remedy to these difficulties? It would seem that we, in Mauritius, the authorities and our Courts have always been in favour of the requesting State. We have had no difficulty in extraditing people to foreign countries at the request of foreign countries. However, when we had made similar requests we have always had difficulties in getting people back in our jurisdiction before our Courts of Law to be tried for offences that they have had committed in our territory.

So, Mr Deputy Speaker, Sir, I have said I have no qualms with most of the provisions of this Bill. I have said that these provisions are already there in our law, treaties that there

are a few new sections, which is welcoming. However, I have these few points that I have highlighted and I will, of course, await the reply of the Attorney-General on this issue.

Thank you very much, Mr Deputy Speaker, Sir.

The Deputy Speaker: Hon. Mrs Jeewa-Daureeawoo!

(6.04 p.m.)

The Minister of Gender Equality, Child Development and Family Welfare (Mrs F. Jeewa-Daureeawoo): Mr Deputy Speaker, Sir, this is a very important piece of legislation, as has been rightly pointed out by hon. Dr. Joomaye. The present Bill was long overdue as the present law dated back 1970. Much has already been said on this present Bill, so I will be brief and precise.

Allow me, right from the outset, to thank the hon. Attorney-General for bringing forward this important piece of legislation; I must say a piece of legislation well drafted. Well, I have listened carefully to the intervention of hon. Ramful. I have difficulty to understand how the hon. Member could say that the present Bill *n'a pas sa raison d'être*. My reading of the Bill allows me to say that the present Bill takes care of many loopholes which existed in the present law.

Mr Deputy Speaker, Sir, law is meant to be changed, law is dynamic in the sense that it is constantly changing due to change in society such as new needs. This Bill, indeed, I must say, yields very significant changes. Our country has faced difficulties over the past years when it comes to the extradition of persons to and from Mauritius. Several decades have gone by and significant changes have occurred. Therefore, there is an urgent need for a new piece of legislation with new provisions which would better care for the extradition requirements of today.

The Extradition Bill 2017, therefore, paves the way towards a modern and more responsive extradition system. As we all know, Mauritius joined the Commonwealth countries in 1968, the year it was blessed with its long awaited independence. The Commonwealth created in 1949 is one of the world's oldest voluntary political associations of countries.

Back in 1970s Mauritius gave effect to the distinction between Commonwealth and non-Commonwealth countries in the Extradition Act. Today, this 2017 Bill does away with

the different treatments afforded to Commonwealth and non-Commonwealth countries for the purpose of extradition. Mauritius will be commended for placing all foreign States on the same footing when it comes to extradition of persons from Mauritius.

I wish to highlight the spirit with which this Bill is being considered. I draw the attention of the House on Clause 4(2) of this Bill -

“(...) a request for the extradition of a person by a foreign State may be considered by virtue of comity (...).”

This means that the foreign State concerned will be encouraged to give us assurance as it would comply with a comparable request from Mauritius. The comity sought will undoubtedly extend our friendly relationship with the foreign States.

This progressive Bill makes special provisions for offences of a fiscal nature unlike the Extradition Act 1970. The Bill provides that an act which contravenes the laws of a requesting State in relation to tax, duty, customs, or exchange control will constitute an extraditable offence. We cannot turn a blind eye to the soaring number of tax evasion cases around the world. By incorporating extradition procedures for offences of a fiscal nature, this Bill is seen to be innovative and far-reaching.

We keep on priding ourselves on the mutual synergy we share on the international forefront when it comes to the protection of human rights. Chapter 2 of our Constitution provides for the protection of the fundamental human rights of an individual. However, the Extradition Act 1970 did not make any reference to the protection of human rights.

In an attempt to celebrate the need to ensure that human rights are, in fact, protected, this 2017 Bill incorporates a provision on the protection of human rights. Clause 8 of the Bill provides that –

“A request for the extradition of a person by a foreign State shall not be favourably considered where, in the opinion of the Attorney-General, there are substantial grounds to believe that the person sought –

- (a) is likely to be prosecuted or punished in that State on account of his race, religion, nationality, ethnic origin or political opinions (...).”

The Clause goes on to extend protection to that person in cases, *inter alia*, where it is likely that he will be -

“(...) subjected in that State to torture or cruel, inhuman or degrading treatment or punishment (...)”

It is easy to praise oneself by talking about how to protect people from the deprivation of their human rights. Yet, it is a totally different thing to implement those speeches into action. This is what this Bill is aiming at. We are here to give effect to the fundamental rights of people and we shall do our best to do so.

I now turn to terrorism. The world has experienced an ever-growing number of gruesome terrorist attacks. Terrorism has become a real plague so much that it made it daunting to live freely. This Bill does make provision for offences falling within counterterrorism conventions. Particular attention should be paid to Clause 6 (1) of the Bill.

You will note that where Mauritius is a party to a prescribed counterterrorism convention, and where an extradition agreement exists between Mauritius and a requesting State which is also a party to that convention, the extradition agreement will therefore allow extradition for offences falling within the scope of the convention. Those offences will, thus, be deemed to be extraditable offences.

This will be our contribution to the world in the quest for the eradication of terrorism, Mr Deputy Speaker, Sir. This will be our support to the mass of population suffering the death of the near ones in horrible terrorist attacks. Our history has demonstrated how it might cost us in terms of money and time to cause a person to be extradited to Mauritius for the purpose of investigation and prosecution for criminal offences. This Bill is comprehensive as it does make provision under its Part IV for the extradition procedures to be adopted to enable smooth extradition to Mauritius.

I wish to draw the attention of the House to yet another innovation of this Bill, the right of recourse to judicial review under Clause 19 of the Bill. This was not available expressly in the Extradition Act 1970. Now, it will be possible to apply for judicial review before the Supreme Court of Mauritius within a period of 21 days after the Magistrate order concerning a person's extradition.

I will end by saying that this Bill has taken, Mr Deputy Speaker, Sir, into consideration a number of matters which were not taken care of in the Extradition Bill 1970. The promulgation of this piece of legislation caters, as I have said earlier, for the loopholes in

our extradition law. Still, on a reminder note, I commend and thank the hon. Attorney-General for bringing forward this important piece of legislation.

Thank you.

The Deputy Speaker: Hon. Fowdar!

(6.13 p.m.)

Mr S. Fowdar (Third Member for Grand' Baie & Poudre d'Or): Thank you, Mr Deputy Speaker, Sir. Mr Deputy Speaker, Sir, I am not going to tell a long story about extradition. I am not an expert, not a lawyer, but it is a subject of interest to all of us and I have gone through some reading to find out why we are bringing this Bill. So, at the end of the day, I think the Bill is to punish those who are left unpunished - people coming to Mauritius from other countries to hide here or people from Mauritius going to hide in other countries when they have committed a crime in Mauritius or they have committed a crime in other countries.

But, how do we define crime? This is where we have this concept of dual criminality, reciprocity and also we have this issue of human rights. I don't know how far we are with human rights in Mauritius, but as far as European countries are concerned they are very concerned about human rights and I think these three things, that is, reciprocity, dual criminality and the issue of human rights can make this issue of extradition very difficult if not almost impossible in many cases.

Recently in the case of the famous Nandanee Soornack, I think there has been a lot of human rights consideration into it. I was sure she was not going to come back because I knew that, in European countries, they will see Mauritius as an African country where people are tortured, where we have crimes and all these things, so they would be very reluctant to send people to Mauritius.

Today, we have seen in the Press the famous case of the two French nationals, who are being asked to be extradited to France and, very surprisingly, they are themselves coming forward to say, okay, they want to go. Hopefully, their case is strong and they fired their lawyer.

So, extradition is, at the end of the day, a very complex issue and, in most cases, you are not going to succeed in extraditing people. But what is happening? Why are we coming

these days with a new law, we are updating the law? I think the issue is globalisation. The free movement of people from one country to another is making things easy for criminals to walk around easily, move out of crimes easily to go into another country and to hide. If extradition laws are not tough and easy, it is going to make things easy for the criminals to get away with crimes.

Now, I wanted to talk about financial crimes in particular. When we talk of extradition, we mostly think of murders, manslaughter, hardly about financial crimes because Mr Deputy Speaker, Sir, financial crimes are very sophisticated and it is very difficult to track down those financial criminals. An extradition may be very difficult in these cases. So, how do we go about curbing down this issue of financial criminals? I think there is one issue which the Attorney-General will need to look into; it is to review our process of giving citizenship to people and also occupational permits. A lot of people are coming to Mauritius, but we do not vet what they have been doing in their country. We do not know whether they are criminals and when they come here, they are just white people. I mean, in terms of their character, they can do business and ultimately we give them citizenship. I do not want to cite any names here, but we know with experience that there is a lot of financial criminals around; people are stealing money; drugs money, crime money, and they are moving into another country. Mauritius is well poised for that because we are a financial centre here!

Mr Deputy Speaker, Sir, this is one of the issues I would urge the Government to look into because finance crime is increasing, so we need to be very cautious about it. Now there is another thing which I know the Attorney-General can be angry about, but this is a fact. How come, in Mauritius, cases take 10 to 15 years to be sorted out? If you look in the Press, the last few weeks, all the cases date back to 2005, 2006, 2007 and they are being finalised now. This is quite a lot of pain for those people who are innocent and a lot of relief for those people who are criminals. Now, I have seen a case where a person committed rape, he was like 45 years. After 15 years, he is being condemned. After 15 years, probably he is not capable of doing any other rape so what is the purpose? We have not punished this person. He has been free for 15 years. Now when we talk of reciprocity and general criminality, we are talking of those countries that are going to do an extradition treaty with Mauritius. Are they going to agree to this - that the criminals in our country will take 15 years to be condemned whereas in the other country, it takes only one or two years. I know this is not the fault of my good friend, the Attorney-General; it is neither the fault of the present Government. It has been here for years and years, but something has to be done, Mr Deputy

Speaker, Sir. We cannot go on like this where evidence is eroded, witnesses are dead, the cases become obsolete and people get out of it. So, extradition is one good thing we are doing, but, at the same time, we need to look at our laws in the country here. Mr Deputy Speaker, as a lawyer, you must be aware about this, the time it takes, maybe it is good for you, you get more money, so far it takes more time, but then people suffer. Mr Deputy Speaker, Sir, prosecution must be expedited. It has to shape up quickly and cases must be sorted out within one year or two years.

Mr Deputy Speaker, Sir, I lived in the UK for quite a long time and my uncle is a big businessman. I have assisted him when he had so many cases. Surprisingly, I have seen him sorting out his cases in a year's time, 12 months. The system is so quick and fast that you go to Court, you cannot bring any new element, it is all decided well in advance. Why can't we start something here? I am sure my friend the Attorney-General will take good note about this. One more thing I wanted to raise, is: we were in Government together, we remember the famous MCB case and one of the persons is still free out there! He is still not back to Mauritius for trial. I know we did not have an extradition treaty with the UK, we have it with Europe, I do not know how we had any extradition treaty with European countries, but there was a problem with the extradition for this fellow and he is still enjoying his freedom. Here, it is almost a case of Rs1 billion, Mr Deputy Speaker, Sir. I am very happy the Attorney-General has brought this piece of legislation, but I am sure it is going to be very difficult to implement unless we have it one-to-one. I know it is going to be general, but we need to make it one-to-one, and also we need to give confidence to the other countries that we are good law makers here and we will ensure that law abiding people stay in our country and those, who do not, go to prison or back to their country.

I thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Hon. Rutnah!

Mr S. Rutnah (Third Member for Piton and Rivière du Rempart): Thank you, Mr Deputy Speaker, Sir. Mr Deputy Speaker, Sir, the Extradition Bill comes at a very opportune time in Mauritius in order to deal with cross-border crime. Now, what is extradition? In a nutshell, it simply means the transfer of an accused from one jurisdiction to another and the jurisdiction seeking that accused who is involved in cross-border crime to face justice, to face trial. Mr Deputy Speaker, Sir, extradition is an important part of prosecuting cross-border

crime, but there should always be safeguards that ensure that extradition serves the interest of justice.

Against this introductory background, let's look at what is in the Bill at the moment, but, before coming to the Bill, let's go back in time to when the Extradition Treaty of 1970 was passed. Then, we had an amendment of that Extradition Bill in 1972. It is important to note that the Extradition Act of 1970 makes distinction between Commonwealth countries, Foreign States and now we have moved on in time, in history and there is a need for modernisation. If we go back in time, in 1970, two years after our independence, we still had that attitude of harnessing colonial attitude, colonial heritage. This is what Sir Veerasamy Ringadoo said in 1970, and this was also quoted by my very able and learned friend, hon. Ramful –

“The main object of this Bill is to implement in the Law of Mauritius the Fugitive Offenders Scheme formulated at the meeting of the Commonwealth Law Ministers held in 1966.”

So, we are here speaking in 1970 of a meeting that was held in 1966 prior to our independence which demonstrate how we were still harnessing the mentality, the attitude of the colonial powers.

At that meeting, the arrangements for the extradition of fugitive offenders within the Commonwealth were reviewed in the light of substantial changes which had taken place within the Commonwealth since the passing of the Fugitive Offenders Act of 1881. The meeting considering that Commonwealth extradition arrangements should be based upon reciprocity and substantially uniform legislation, formulated in the Fugitive Offenders Scheme, setting our principles which should come from the basis of legislations within the Commonwealth and recommended that effect to be given to the scheme in each Commonwealth country. So, this is the background we had in 1970, and since 1970, the world has evolved.

Mr Deputy Speaker, Sir, since 11 September 2001, the world order changed. Then, we had the Madrid massacre in 11 March 2004. Then, we had the London massacre in July 2004. Thenceforth, the world order changed rapidly and many States, in their own jurisdiction, started to think about how to smoke out people who were involved in serious criminal activities. Jurisdictions after jurisdictions where States had to smoke out terrorists from

Yemen, from Pakistan, from Afghanistan and many other countries! So, the countries who wanted to provide security to their people had to review and modernise the law. In doing so, the present Attorney-General is using his best endeavours to revamp the 1970 Act to make the law become a modern law that reflects international attitude in relation to smoking out people who think that it is easy to come to Mauritius and commit crimes of different nature and run away and then we won't be able to catch them. No! Catch them, we can with this law that is scrapping the 1970 Act and bringing into new sorts of sanctions, provisions and also policing.

Mr Deputy Speaker, Sir, it is important; when we look at the Bill there are a number of provisions where reference is made to assurances. I will come to assurance because in the entire Bill, the word 'assurance' which may be of a diplomatic nature, diplomatic assurance is the most important word in this Bill and I will come to it later. But before I come to it, let us go back a little bit more in time. Earlier, hon. Dr. Joomaye referred to the case of Teeren Appasamy. My learned friend, hon. Ramful, also referred to the case of Heeralall. These are examples where we have failed and interestingly, I did some research in relation to Heeralall. I think, hon. Ramful, outlined it very well. But when we look at the case of Teeren Appasamy, the first time that question was put in this House was on 13 June 2006 by Mr Ashok Jugnauth, the then first Member of Quartier Militaire/Moka. What transpired was that, Mr Appasamy, who was involved in big financial crimes in Mauritius, when application for extradition was made, he challenged that application for extradition and he resisted and we could not get him back to Mauritius.

Eventually, there were questions about him on 07 November 2006 as well. Questions were put again on 10 April 2007 by Mrs Françoise Labelle. Then again, questions on him on 01 April 2008 by hon. Varma, the First Member for Mahebourg and Plaine Magnien, again, on 06 July 2010, on the MCB/NPF affair by a Private Notice Question by the then hon. Leader of the Opposition, Mr Paul Bérenger. Then again, I think, my very able and learned friend, hon. Reza Uteem, asked questions as well after the PNQ on 27 July 2010. Eventually what transpired is that the said Teeren Appasamy, after having resisted the application in Courts in England, it transpired that he was sick to such an extent that he could not be sent back to Mauritius to stand trial. So, we lost him.

Then, we had the French National case in relation to Subutex. Question was put on 19 April 2011 by hon. Alan Ganoo - who is not here - in relation to one Mr M. B. and one Ms K.

T. It is the Caterino Affair which was alluded to earlier on by my friend, hon. Dr. Joomaye. Then, we also had another extradition case on which questions were put in this House by hon. Bhagwan on 22 October 2013 in relation to Mr M. L. S. Again, we could not lay hand on Mr M. L. S. who was involved in huge financial crimes. Recently, we know that for various reasons we could not bring back Mrs Nandini Soornack as well, and this state of affair cannot continue in our society, in a society where we believe in the principle of rule of law, fairness and justice.

Sometimes, in applications of extradition, you will hear a Judge say: when a Judge wants to be nasty to Counsel and when a Judge has already decided who would win, he will tell you that his hands are bound by the law. He will tell you that he will have to apply the law. But when a Judge wants to do justice, wants to be fair, he will tell you: "I will apply the law to do justice". Applying the law as it is and applying the law as it is to do justice are two different things. So, this is what happened in the case of Mrs Soornack. People may criticise my friend, the Attorney-General, but if the Italian authorities had applied their mind to the way our justice system works in Mauritius, the way in which our Police Force work in Mauritius, - yes, I agree that there are odd cases where Police exercise pressure, where Police coerce people to give statements and obtain confessions - if they would have done some researches and applied their mind properly, they would have discovered that Mauritius is a country where rule of law are respected, where human rights are respected. Yes! And where they are not respected, it is lawyers like you and I have fought in Courts and elsewhere for the maintenance and respect of human rights.

Mr Deputy Speaker, Sir, there are two aspects. There is this aspect of protective and cooperative function whenever we speak about extradition. The protective function of any State is to ensure that when someone is being requested by another country to their jurisdiction to stand trial or to face justice, we must ensure that he will receive a fair trial in the country that he is going. We must ensure that his human rights are going to be respected, that he is not going to be the subject of a risk for his personal life, that he is not going to be at risk that he will be treated in a cruel, inhuman and degrading manner. This is the protective function, and then we have the corporative function.

Once the Attorney General receives the assurances, the diplomatic assurances or the assurances that he is expected of the receiving State, then the Attorney General will have to

apply his mind to all the protection that is needed. I am glad, hon. Attorney-General, that you made it a duty to incorporate Clause 8 in the Act in order to spell out that –

“A request for the extradition of a person by a foreign State shall not be favourably considered (...).”

And I like the words “shall not be favourably considered” because it becomes mandatory.

“where, in the opinion of the Attorney-General, there are substantial grounds to believe that the person sought –

- (a) is likely to be prosecuted or punished in that State on account of his race, religion, nationality, ethnic origin or political opinions;
- (b) is likely to be subjected in that State to torture or cruel, inhuman or degrading treatment or punishment, and
- (c) is not likely to receive the minimum fair trial guaranteed in criminal proceedings in that State;”

And then, it goes on. So, I am glad that we have, in the legislation, spelt out clearly.

Now, Mr Deputy Speaker, Sir, the question is, to what extent and under what condition, may diplomatic assurance serve to harmonise protective and corporative function of the extradition? To demonstrate that, Mr Deputy Speaker, Sir, I would like to remind the House, that one of the first cases where the European International Court of Human Rights dealt with the case of Soering against the United Kingdom. In this judgement the European International Court of Human Rights found for the first time that the State responsibility could be engaged if it decided to extradite a person who risked being subject to ill-treatment in the requesting country. We know that the case concerned a decision by the UK Home Secretary to extradite the applicant to Virginia, U.S, to face charges of capital murder allegedly committed in a symbiotic relationship with his girlfriend on her parents. Eventually, what the Court said in this case is that because it was likely for the accused to face death sentence and that was not human right compliant, and the application was refused.

Mr Deputy Speaker, Sir, now coming to the aspect of assurances, I will very briefly refer to a few cases where it deals with this aspect. We have the case of Serkov and others against Ukraine, where the Court finds a violation of Article 3. The applicant here was a Kazakhstan opposition activist who was to be extradited to his home country. The Court considered that the assurances given by the Kazak authorities were unreliable and that it

would be difficult to ensure that they were honoured, given the lack of effective system of torture prevention.

Then, we had the case of Klein against Russia, the extradition from Russia to Colombia of an Israeli mercenary convicted in criminal proceedings, would be contrary to Article 3. Article 3 deals with inhuman and degrading treatment and the same article is mirrored in our Constitution at Section 7 of the Constitution.

Like this, we have also the case of Abu Qatada against the United Kingdom. Abu Qatada, a Jordanian national, who was sought by Jordan, he contested his extradition in English Courts on the grounds that the so-called diplomatic assurances were not sufficient to guarantee him, that when he will go back to Jordan, he will receive a fair trial within the meaning of Article 6 of the International Convention on Human Rights which is reflected in our Constitution in Section 10 of the Constitution. So, the Court denied his extradition in England.

However Abu Qatada being Abu Qatada, he asked the British Government to ensure by way of a Memorandum of Understanding that should the Jordanian authorities give diplomatic assurances that he will be treated fairly in Jordan, then he will go back home voluntarily. This is what he did, although the Court found a violation of Article 6, that is, the right to fair trial in his case and refused to extradite him, yet, Mr Abu Qatada being Mr Abu Qatada decided to go back on his own volition once he was given all the assurances that he is not going to be faced with a breach of his human rights.

So, where are we now, Mr Deputy Speaker, Sir? We are in the arena of justice, fairness, equality before the law, rule of law. Whatever others may say from the Opposition bench, but today what we are witnessing is a modern piece of legislation with safeguards for human rights to an extent that the Attorney General will independently with all his advisers, his panel, consider the least doubt that we cannot give that diplomatic assurance or if we do not receive that diplomatic assurance, we are not going to send people to the gutters. We are going to ensure that justice is not only done, but justice is seen to be done.

For all these reasons that I have said today in this House, I will invite all Members of this House, be it from this side of the House or from the Opposition side, at the end of the day, this is a Bill that is in quest for justice, fairness, equality and human right compliant. To support the Attorney-General and to vote for this piece of legislation and my today's speech, given that my leader is the Acting Prime Minister, I dedicate my speech today to my leader.

On this note, thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Hon. Rampertab!

(6.45 p.m.)

Mr R. Rampertab (Second Member for Flacq & Bon Accueil): Thank you, hon. Rutnah. Mr Deputy Speaker, Sir, first and foremost, let me congratulate the Attorney-General for coming up with this piece of legislation which was long overdue, and thank you for allowing me the floor this evening in this august Assembly to address my views in relation to the Extradition Bill. I would emphasise on the importance of the enacting of such a piece of legislation, that is, to provide for better provisions for the extradition of persons from and to Mauritius, and for related matters in compliance with best international standards and practices of extradition law.

Mr Deputy Speaker, Sir, for example, given the phenomenon of cyber crime, perpetrators are based globally and individuals, corporates and the States are prone to attacks at any time. Hence, it is imperative that our country is equipped with a robust extradition legislation which allows the State to effectively activate the procedures to track down, arrest, and prosecute criminals and cyber criminals under our jurisdiction.

Mr Deputy Speaker, Sir, put simply, extradition takes place when a person who is accused or convicted of a criminal offence is returned from one country to another to be tried, sentenced, or to serve a term of imprisonment.

Extradition is a discrete legal process, but it operates within the context of other legal, political and international consideration. Our consideration of extradition law is based on some founding principles. It is believed that to misunderstand these principles is to misunderstand the extradition law. That is extradition is based on comity and cooperation between States. This requires countries to accept within limits the criminal justice systems of others. Although such acceptance is a founding assumption, it is not absolute. For example, the UK has the responsibility to protect those it extradites from foreseeable human rights abuse. For example, extradition from the UK must be compliant with the European Convention on Human Rights.

Extradition is not a process concerned with determining the innocence or guilt of a person. That is a matter for trial in the issuing State and the fundamental purpose of

extradition is to bring criminals to justice. The interest of the victims of crimes must, therefore, always be considered. Our present Extradition Act dates back to 1970.

Mr Deputy Speaker, Sir, the present law has become outdated in light of recent events both locally and globally. It must first be determined whether the offence in question is also an offence in the country where the person concerned is located. If so, it must be ensured that this offence is punishable by extradition in the country in question.

Mr Deputy Speaker, Sir, let us look at the present Mauritian law on extradition. The Extradition Act defines criminal extradition in precise terms. It distinguishes between Commonwealth countries and those that are not. In the case of a Commonwealth country, the offence must be recognised under Mauritian law and punishable by more than 12 months' imprisonment up to the death penalty. If the offence was committed in a country other than a Commonwealth country, it will be necessary to determine whether the offences are mentioned in the Extradition Treaty with that country. Extradition cannot be requested for any offence. Schedule 1 of the Act lists offences that can be characterised as extradition offences. These crimes are generally considered serious crimes, including assassination, rape, drug offences, money laundering and many others.

Mr Deputy Speaker, Sir, accordingly with a view to enabling and facilitating extradition even in the absence of treaties, the Extradition Act is being repealed and replaced by a new legislation to do away with distinction which exists between Commonwealth and non-Commonwealth countries to simplify extradition procedures and to promote cooperation without for that matter neglecting to make adequate allowance for the rights of persons whose extradition or arrest is sought.

Mr Deputy Speaker, Sir, the Bill, for example, places all the foreign States on the same footing regarding the extradition of persons from Mauritius, can afford better protection against extradition from Mauritius to citizens of Mauritius. And it enables the hon. Attorney-General to refuse to grant in public interest, a request for the extradition of a person from Mauritius.

Mr Deputy Speaker, Sir, among the important clauses introduced, it is noted that countries requesting extradition of a person must also give guarantees that they will respect similar requests coming from Mauritius. The hon. Attorney-General will have the authority to dismiss an application from the foreign country if there are substantial grounds for indicating

that the offence for which the person is sought is of a political nature. However, the new law will allow two States to work together to find a solution and the conditions for extradition of a person accused of terrorism-related offences are also defined.

Another important clause concerns countries where death penalty is in force. If Mauritius does not obtain guarantees that the death penalty will not be applied to the person sought before his extradition, the request may not be favourably considered.

Mr Deputy Speaker, Sir, this Bill will also ensure that protection of human rights is there. Thus, a request for a country may be rejected if the person sought is likely to be prosecuted or punished in that State on account of his race, religion, nationality, ethnic origins or political opinions. Overall, Mr Deputy Speaker, Sir, this promising law is very much likely to rekindle international confidence in the extradition and human rights laws.

To conclude, Mr Deputy Speaker, Sir, my intervention with the following reflection: when a person is suspected of having committed an offence that cannot be characterised as a crime extradition, the Mutual Assistance in Criminal and Related Matters Act may be used. According to Article 3 subsection (4) of this law, there may be an informal assistance between Mauritius and any other States.

This Bill, Mr Deputy Speaker, Sir, also reinforces the international commitments Mauritius has adhered to in the field of extradition. Mauritius thus signals its firm commitment to its international partners like the SADC with whom we have signed the 2002 Extradition Protocol in promoting mutual legal assistance and consolidating our utmost respect to human rights. I would urge, here, Mr Deputy Speaker, Sir, the hon. Members of this House to certainly provide their constructive feedback, but ultimately to support this transformational piece of legislation by engaging in its implementation.

Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Hon. Attorney-General!

(6.54 p.m.)

The Attorney-General (Mr R. Yerrigadoo): Thank you, Mr Deputy Speaker, Sir. Allow me to thank all hon. Members who have intervened on this Bill. I thank them for their very valuable comments, and I was particularly very moved by a lot of the different research works they have done.

Hon. Ramful is the only Member of the Opposition, in fact, who took the floor on this Bill. Unfortunately, on Friday last when I did my explanatory speech, when I moved Second Reading, hon. Ramful was not there and I say this very humbly because all the Oppositions had walked out. But the issues he has alluded to, I will very briefly reply to them. But I had, in fact, addressed all of them.

For all the treaties, you know, which Mauritius would have acceded on 12 March 1968, in fact, I was quite impressed when I saw that Minute - when we were preparing another case - which was signed on the same day, 12 March 1968, by then Sir Seewoosagar Ramgoolam which was then deposited at the General Assembly, Atunga at the UN, in the Interpretation section itself, when we defined 'Extradition Treaty' in the second limb, it says -

“includes a treaty made before 12 March 1968, which extends to, and is binding on, Mauritius.”

Now the second thing, it is not a Bill which has come up because of recent events. In fact, it is a Bill which my office had been working on since 2008, long standing, and I would subscribe to what everyone has said on the new world scene about new crimes, etc.

In fact, the Bill reads through in a very simple manner, it flows through and we have taken great care to make it as simple as possible. In international law, one should not forget the assurances hon. Rutnah was referring to earlier. In fact, this is how it works because a request has to be made through diplomatic channels.

Of course, I would not allude to any cases past or current in our Courts or elsewhere. When Mauritius would be asking to a foreign State for the extradition of someone, you would see clause 26, Extradition or related request in Part IV - extradition to Mauritius. In fact, I cannot legislate for that State, but what is important is the request for extradition is not a mere administrative act. Treaty: it's channelled through diplomatic channel more often than not through the Attorney-General, Ministry of Justice whoever has that portfolio, same concept in MLAs as concept of central authority, somewhat, but then it is subject to judicial checks and balances.

In fact, be it in Mauritius or with all the countries which we are talking about, at the end of the day, it is a magistrate or a judge who would order the extradition of the person. So, there is that important element of judicial control and whenever there is an administrative decision like in this law, like many other extradition laws where the Attorney General has to

use his good judgement within parameters in law then that is subject to judicial review should that Attorney General have erred or any other thing.

So allow me, Mr Deputy Speaker, Sir, to thank once again everyone and to thank Parliamentary Counsel at the level of the Attorney General's Office and everyone who has worked on the Bill, all the law officers, and I had the opportunity of paying a special tribute to late Shahnawaz Namdarkhan on a previous occasion and I have a rejoin on that.

With these words, Mr Deputy Speaker, Sir, I commend the Bill to the House.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(The Deputy Speaker in the Chair)

THE EXTRADITION BILL

(No. VI of 2017)

Clauses 1-3 ordered to stand part of the Bill.

Clause 4 (Basis for extradition)

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

Mr Yerrigadoo: I move for the following amendment in clause 4(2) -

“(i) to letter the existing provision as paragraph (a);

(ii) to add the following new paragraph –

(b) Where a request for the extradition of a person is considered by virtue of comity pursuant to paragraph (a), Parts II, III, V and VI shall apply as they would apply to a request made pursuant to an extradition treaty, with such modifications, adaptations and exceptions as may be necessary;”

Amendment agreed to.

Clause 4, as amended, ordered to stand part of the Bill.

Clauses 5-18 ordered to stand part of the Bill.

Clause 19 (Judicial review)

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

Mr Yerrigadoo: I move to insert in clause 19(1), after the words “Supreme Court”, the words “and shall be served on the relevant parties”.

Amendment agreed to.

Clause 19, as amended, ordered to stand part of the Bill.

Clauses 20-36 ordered to stand part of the Bill.

The title and the enacting clause were agreed to.

The Bill was agreed to.

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

Third Reading

On motion made and seconded, the Extradition Bill (No. VI of 2017) was read the third time and passed.

Second Reading

OUTER ISLANDS DEVELOPMENT CORPORATION (AMENDMENT) BILL

(No. VIII of 2017)

Order for Second Reading read.

The Minister of Local Government and Outer Islands (Mr P. Jhugroo): Mr Deputy Speaker, Sir, with your permission, I move that the Outer Islands Development Corporation (Amendment) Bill be read a second time.

The object of this Bill, as the House will note, is to provide for a representative of the Ministry responsible for the subject of outer islands to be a member of the Outer Islands Development Board.

Mr Deputy Speaker, Sir, the House may wish to note that Section 6(2) of the Principal Act currently provides that the Board of the Corporation shall consist of -

- a Chairperson,
- a representative of the Prime Minister’s Office;

- a representative of the Ministry responsible for the subject of finance;
- a representative of the Ministry responsible for the subject of fisheries;
- a representative of the Ministry responsible for the subject of public infrastructure;
- the Director of the Meteorological Services or his representative;
- the Director of the Civil Aviation or his representative;
- a person with experience in fishing activities;
- a person with experience of work conditions on the Outer Islands, and
- a person with experience of the Outer Islands.

There is, as such, no representative of my Ministry on the Board, despite the fact that I have been assigned the responsibility for the administration of the departments in respect of, *inter alia*, the subjects of Agalega, St Brandon and the lesser departments, as well as the Outer Islands Development Corporation.

Mr Deputy Speaker, Sir, there are many sections in the Principal Act which provide that the Board needs to have the approval of the Minister to whom responsibility for the subject of outer islands is assigned, prior to undertaking an activity or implementing a Board decision.

For instance, section 22 of the Principal Act provides that the Board has to submit to the Minister an estimate of the income and expenditure of the Board for the financial year and the Minister has, before the beginning of the financial year, to signify to the Board his approval of the estimate.

Moreover, the same section of the Principal Act also provides that the Corporation cannot incur any expenditure in excess of Rs100,000, unless it has been approved by the Minister.

The House may wish to note that for the financial year 2016/2017, the Corporation had an estimate of Rs354.9 m. while for the next financial year, an estimate of Rs125.3 m. has been voted by the House.

Further, as the House is also aware, the hon. Prime Minister and Minister of Finance and Economic Development has announced in his Budget Speech 2017-2018 that a major development programme in respect of sea and air infrastructure in Agalega has been agreed upon and that a new runway, as well as a jetty will be constructed, with the financial assistance from India.

Mr Deputy Speaker, Sir, over the years, the role of the Corporation has evolved, whereby it not only ensures the well-being of its employees but all the residents of Agalega, including officers on tour of service. The facilities available for accommodation, food storage, water, electricity, education, health and transport are upgraded on a regular basis. During my recent visit to the island, I took stock of the various projects undertaken by the Corporation such as the installation of cold room, provision of additional generators, upgrading of transport facilities with the acquisition of new vehicles and other facilities for fishermen and farmers.

I, therefore, consider that, in addition to site visits, the other avenue for the Minister to be in the know of what is going on at the level of the Corporation and for him to take informed decisions as may be appropriate, is to have the representative of his Ministry sitting on the Board of the Corporation.

Accordingly, section 2 of the Principal Act is being amended to provide for the definition of “Ministry” as meaning the Ministry responsible for the subject of outer islands.

Further, the amendment being proposed at section 6(2) of the Principal Act is to provide for a representative of the Ministry responsible for the subject of outer islands to sit on the Board of the Corporation.

Finally, section 7(2) of the Principal Act is being amended so as to provide that at any meeting of the Board, 7 members, instead of 6 as is currently the case, shall constitute a quorum.

Mr Deputy Speaker, Sir, this is a straightforward Bill which primarily aims at correcting an anomalous situation and which will assist in enhancing the working relationship between the Ministry which is being or will be assigned the responsibility for the subject of outer islands and the Corporation.

With these words, Mr Deputy Speaker, Sir, I commend the Bill to the House.

Mr Boissézon rose and seconded.

The Deputy Speaker: Hon. Rutnah!

(7.10 p.m.)

Mr S. Rutnah (Third Member for Piton & Rivière du Rempart): Thank you, Mr Deputy Speaker, Sir. Mr Deputy Speaker, Sir, the amendment that my very able friend, hon. Mahen Jhugroo, wishes to bring today in this House is simply, as he says, to correct an anomaly and it is important to do so because we cannot have an Outer Islands Development Corporation Act without a representative of the Ministry in charge of that Corporation. It is a Body Corporate and if we look at the Act itself we see that there is a Board by virtue of section 6 subsection (2) and the Board consists of -

- a Chairperson;
- a representative of the Prime Minister's Office;
- a representative of the Ministry responsible for the subject of finance;
- a representative of the Ministry responsible for the subject of fisheries;
- a representative of the Ministry responsible for the subject of public infrastructure;
- the Director of the Meteorological Services or his representative;
- the Director of Civil Aviation or his representative;
- a person with experience in fishing activities;
- a person with experience of work conditions on the Outer Islands, and
- a person with experience of the Outer Islands.

So, with all these representatives and the representative of the Ministry, the Body that is supposed to manage this Corporation does not have a representative! So, it is important to correct this anomaly. It is important that the Ministry has a representative so that appropriate representation could be made at Board level that reflects the philosophy of the Ministry that runs the Corporation.

In doing so, what are we aiming at? In fact, we are aiming at more democratising the Board, reflecting transparency and democratic principles and we are a democratic Government that ensures that everything runs by the book and the hon. Minister is right to bring this small but very important amendment for the sake of transparency, democracy and fairness in what the Board is going to do and I endorse everything that he has said today. I support the Bill and I ask Members on both sides of the House to support the Bill.

Thank you, Mr Deputy Speaker, Sir.

The Deputy Speaker: Hon. Mrs Perraud!

(7.13 p.m.)

Mrs A. Perraud (First Member for Port Louis North & Montagne Longue): M. le président, j'ai bien écouté le ministre introduire les amendements à cette loi et j'ai aussi écouté l'honorable Rutnah et ce que j'ai retenu c'est que la démocratie est très importante pour ce gouvernement, la transparence est importante pour ce gouvernement. Je crois qu'à la fin de mon discours, le ministre aura l'occasion et je suis sûre qu'il va saisir l'occasion pour démontrer à la nation à quel point la démocratie et la transparence sont importantes.

M. le président, nous sommes appelés aujourd'hui dans cette Chambre à voter trois amendements à l'*Outer Islands Development Corporation Act* de 1982. Il est vrai que ces trois amendements mineurs, trois petits amendements sont importants, c'est vrai, pour permettre qu'il y ait un représentant du ministère des Collectivités locales de siéger sur le *Board* de l'*OIDC*. Puisque ce n'est que trois petits amendements, je ne compte pas faire un long discours, d'ailleurs très peu, rien que deux orateurs sur ce projet de loi.

Mais, M. le président, nous sommes d'avis qu'au lieu d'apporter ces petits changements en faveur du ministère, il serait opportun d'apporter un changement en profondeur au sein de l'*OIDC* pour mieux servir les intérêts des habitants de la communauté Agaléenne. M. le président, vous n'êtes pas sans savoir qu'Agaléga est sous le feu des projecteurs.

Il n'y a jamais eu autant d'intérêts, d'inquiétudes, de doutes, de questionnements par rapport au sort des Agaléens, par rapport à l'avenir de nos frères et sœurs d'Agaléga. Donc, M. le président, l'heure n'est pas à des amendements timides, administratifs, fonctionnels, c'est l'heure où la vérité, la sincérité a sonné. L'heure est arrivée, où vraiment les Agaléens doivent être au centre de toute préoccupation. L'heure est arrivée où les Agaléens doivent participer dans la construction de leur avenir. Ceci dit, M. le président, lorsque nous regardons la composition du *Board*, nous sommes surpris de constater que le *Board*, à aucun moment, ne mentionne qu'une place est réservée à un natif d'Agaléga ou à un Agaléen. Je ne vais pas relire la composition du *Board*, puisque le ministre l'a déjà fait. Donc, je l'ai devant moi. Je crois, si je ne me trompe pas, que l'honorable Rutnah aussi en a parlé. Donc, nous avons toute une liste de membres, mais à aucun moment, nous voyons figurer sur cette liste un Agaléen.

Deuxième point que je relève, que je trouve abusif, c'est que tous les membres du *Board* sont sommés par le ministre. Tous les membres du Board du *OIDC* sont nommés par le ministre. *The persons mentioned in subsection 2(a) and (i)-(k) shall be appointed by the Minister.* Donc, M. le président, même si le ministre choisit un Agaléen, le risque est qu'il puisse être un copain du ministre, puisque c'est le ministre qui choisit la personne. La personne est nommée par le ministre. Et c'est d'autant plus grave car nous avons été, je dois le dire, toute la population a été offusquée, révoltée de voir l'empereur Mahen - les deux empereurs se faire accueillir comme des dieux lors de leur visite à Agaléga. Mon point, M. le président, est comme suit: nous avons aujourd'hui devant nous, le projet de loi, l'*OIDC*, à être amendé. Donc, pourquoi ne pas amender cette loi pour inclure des représentants de la communauté d'Agaléga, des Agaléens sur ce *Board*, dans le but de montrer que nous avons à cœur la démocratie - n'est-ce pas, l'honorable Rutnah? - que nous avons à cœur les Agaléens et pas seulement l'île Agaléga pour ce qu'elle représente en termes économique et stratégique dans la région. C'est la proposition du PMSD que nous donnions plus de place aux habitants, qu'il y ait une contribution participative, donnons aux Agaléens la place qui leur revient.

M. le président, toujours concernant les amendements, nous sommes d'avis que l'*OIDC* gagnerait davantage. Les Agaléens gagneraient davantage si un représentant de l'Eglise catholique pourrait aussi siéger sur le *Board*. Tout de suite, je vois tout le monde se poser la question: pourquoi l'Eglise catholique? M. le président, savez-vous que l'Eglise catholique y est présente depuis plus de 150 ans? Savez-vous que l'école appartenant à l'Eglise catholique a eu une très belle performance en termes de résultats académiques et d'accompagnement des élèves. Donc, M. le président, ce dont l'*OIDC* a besoin, ce sont des experts, oui ; des gens qui puissent exécuter des projets, oui ; des projets d'infrastructures, mais aussi et avant tout des gens qui connaissent la réalité, la spécificité, le vécu, l'ambition, le rêve des Agaléens.

Agaléga a besoin d'être d'abord aimé. Agaléga a besoin d'être compris et d'être protégé. Agaléga n'a pas besoin d'être désiré, d'être envié, d'être lorgné, d'être convoité. M. le président, faisons de la place pour les Agaléens et les amis d'Agalega. Je tiens aussi à attirer l'attention de la Chambre que le *Agalega Island Council Act* - je l'ai devant moi - prévoit que les trois résidents d'Agalega soient nommés par le ministre. Il y a trois résidents, trois Agaléens sur ce *Council*, mais là aussi ces trois Agaléens sont choisis, sont nommés par le ministre. D'ailleurs, tout comme l'*OIDC Act*, le *Board* du *Agalega Island Council* est nommé par le ministre, tout le *Board*.

M. le président, ce soir, j'aurais tant aimé parler de ce que tout le monde appelle - dans la presse on en parle - un génocide à mort lente. Mais je sais que vous allez me rappeler à l'ordre me disant que c'est hors sujet, que cela ne concerne pas les amendements, que ce n'est pas approprié. Et vous avez raison, je ne vais pas parler dessus, je ne fais que mentionner. Je ne peux pas parler sur Agalega sans mentionner ce que les gens savent, ceux qui connaissent Agalega, nomment comme un génocide à mort lente.

Toutefois, M. le président, il faudrait trouver du temps, de l'espace pour que le gouvernement aborde ce sujet en toute franchise. Vous savez tous de quoi je parle. Pourquoi tous les nouveau-nés, c'est-à-dire, toute la descendance agaléenne voit le jour à Maurice malgré la présence d'un service hospitalier sur l'île. Et l'acte de naissance de ces nouveau-nés est donc établi à Maurice sans mention de leur origine.

Autre point, M. le président, cette fois-ci, concernant l'*OIDC*, puisque si je comprends bien le gouvernement est de bonne foi et que ses amendements vont aider à faire concrétiser, à faire bouger les projets dans l'intérêt d'Agalega. Donc, nous, nous proposons d'aller plus loin dans cette démarche, employer des Agaléens vivant à Maurice au sein du *OIDC*. A ce jour, aucun Agaléen n'est employé au *OIDC*. Pourquoi? Est-ce que le gouvernement ne sait pas où trouver des Agaléens à Maurice? Est-ce que les Agaléens vivant à Maurice ne sont pas assez qualifiés pour être des *cleaners*, des *general workers*, des *manual workers*? Pourquoi on n'emploie pas les Agaléens vivant à Maurice pour travailler au sein du *OIDC*? Qu'un Agaléen puisse avoir la chance de travailler au *OIDC*, c'est ce que j'appelle mettre l'humain au centre, mettre l'Agaléen au centre et non pas son île comme objet de convoitise.

M. le président, c'est vrai que nous avons fait du chemin, je le dis au risque d'être traitée de souffrir du '*syndrome narien pas bon*'. Nous avons fait du chemin, M. le président, pour arriver là où nous en sommes aujourd'hui avec l'*OIDC Act*. Rappelez-vous, M. le président, que le *Agalega Corporation* fut créé en 1974 ou 1975 par voie de législation?

Rappelez-vous qu'*Agalega Corporation Bill* fut voté dans cette Chambre suite aux scandales soulevés par un député PMSD à l'époque, l'honorable d'Unienville. Il souleva le scandale de la situation sur Agalega. Après l'*Agalega Corporation Bill*, nous avons eu l'*Outer Islands Development Corporation Act* en 1982. Donc, comme je le disais, nous avons fait du chemin. Mais il faut aller plus loin. L'histoire retiendra, si nous qui sommes là ce soir, si nous sommes vrais, sincères et courageux, M. le président, il est l'heure de changer tout

cela. Il est l'heure d'inclure nos frères et sœurs d'Agalega et non de les dicter. De les écouter et non de décider à leur place. Le PMSD propose qu'on inclut plus de membres de la communauté d'Agaléga et qu'ils soient votés et non désignés ou choisis par le ministre.

Merci beaucoup.

The Deputy Speaker: Hon. Jhugroo!

(7.26 p.m.)

The Minister of Local Government and Outer Islands (Mr P. Jhugroo): Thank you, Mr Deputy Speaker, Sir. First of all, let me thank hon. Ravi Rutnah and hon. Mrs Aurore Perraud, who have intervened on this Bill. Being given that this is my first Bill since my appointment as Minister, I would have appreciated not to be irrelevant for the purpose of the amendment proposed. *Mais laissez-moi répondre à l'honorable Mme Perraud.*

Je crois que le PMSD vient de découvrir Agaléga sur le *map*, la carte du monde.

(Interruptions)

C'est maintenant! Laissez-moi poser la question, tout d'abord, à l'honorable Mme Perraud. Quand elle était ministre ...

(Interruptions)

The Deputy Speaker: Order!

Mr Jhugroo: ... combien de fois l'honorable Mme Perraud a visité Agalega?

(Interruptions)

The Deputy Speaker: Order, please!

Mr Jhugroo: Laissez-moi poser la question!

(Interruptions)

C'est maintenant qu'on découvre. Les grands défenseurs d'Agalega, pendant 10 ans dans le gouvernement du Parti Travalliste, pourquoi la donneuse de leçons, Mme Aurore Perraud, n'a pas trouvé le moyen de mettre ...

(Interruptions)

Ta criminel pas laisse mwa coze lor twa!

(Interruptions)

Talere mo coze lor twa criminel!

(Interruptions)

La donneuse de leçons nous montre - pourquoi eux, ils ne l'ont pas fait ? Pourquoi?

(Interruptions)

The Deputy Speaker: Order, please!

(Interruptions)

Order!

(Interruptions)

Order, please!

(Interruptions)

Hon. Henry!

(Interruptions)

Hon. Armance!

(Interruptions)

Hon. Henry, please ! Hon. Armance! Hon. Jhugroo!

(Interruptions)

Hon. Armance, please!

Mr Armance: Mr Deputy Speaker, Sir, I have got a point of order. The hon. Minister is imputing motives and asking ...

The Deputy Speaker: Hon. Armance, please resume your seat!

(Interruptions)

Hon. Jhugroo, you have the floor.

Mr Jhugroo: Thank you, Mr Deputy Speaker, Sir. Nous n'avons pas de leçons à prendre du PMSD. Pendant 10 ans ...

(Interruptions)

The Deputy Speaker: Hon. Henry!

(Interruptions)

Hon. Armance, I understand you have a point of order to take!

Mr Armance: I do have a point of order. The hon. Minister has been imputing motives and calling hon. Thierry Henry of '*criminel*.' The hon. Minister needs to withdraw.

The Deputy Speaker: Hon. Jhugroo, I would request you to withdraw these words.

Mr Jhugroo: Comme un ministre responsable, je retire mes mots et je voudrais que l'honorable Henry qui m'a traité de 'voleur', qu'il retire ses mots lui aussi.

The Deputy Speaker: Hon. Henry!

Mr Henry: Moi, je n'ai pas de problème pour retirer le mot 'voleur.'

(Interruptions)

The Deputy Speaker: Hon. Jhugroo, please resume!

(Interruptions)

Order, please!

Mr Jhugroo: Je demande qu'on garde le silence, M. le président, parce que quand l'honorable ...

(Interruptions)

The Deputy Speaker: Order!

Mr Jhugroo: ...Mme Perraud intervenait, je suis resté tranquille.

Elle m'a traité d'empereur.

(Interruptions)

The Deputy Speaker: Hon. Mrs Perraud! I have listened carefully to you. Please, allow me to listen to hon. Jhugroo!

Mr Jhugroo: M. le président, ce gouvernement n'a pas ...

(Interruptions)

The Deputy Speaker: Order, please!

Mr Jhugroo: ... de leçons à prendre du PMSD. Le PMSD était au gouvernement pendant 10 années. Ils n'ont rien fait pour le peuple d'Agalega. Même votre *leader*, en tant que ministre des Finances, n'a jamais visité Agaléga pendant ces 10 dernières années.

(Interruptions)

Jamais!

(Interruptions)

Now, they want to give us lessons! Bann jouisseurs! They want to give us lessons! C'est maintenant qu'ils ont découvert Agalega sur le map du monde !

(Interruptions)

Alle cachie do!

The Deputy Speaker: Hon. Jhugroo, please, restrict yourself to the Bill!

Mr Jhugroo: C'est maintenant!

(Interruptions)

Pendant 10 années! L'honorable Xavier-Luc Duval était ministre des Finances pendant combien d'années dans le gouvernement de Navinchandra Ramgoolam? Pourquoi il n'a pas construit la piste d'Agalega? Pourquoi il n'a pas fait le *jetty*? Pourquoi aucun projet sur Agalega? Pourquoi aucun membre sur l'*OIDC*? C'est en 2000 qu'on a eu l'*Agalega Islands Council* et cette année-ci, pour la première fois, ce n'est pas le ministre qui a nommé le président d'*Agalega Islands Council*, c'est moi quand j'étais là-bas, j'ai dit au peuple de décider et ils ont décidé de nommer un président, par leur choix, M. Gino Alfred. Je n'ai pas

de leçons à prendre du PMSD! Et moi, j'ai été accueilli, avec mon collègue Mahen Seeruttun, il y avait même une journaliste du Mauricien, qui est mon attachée de presse maintenant, elle a tout vu là-bas. Les gens ont jeté des fleurs et nous, les hindous, nous n'aimons pas qu'on jette des fleurs, mais malheureusement c'est l'accueil que nous a réservé l'île du Sud. Je dis à son *leader* d'aller à Agaléga et on va voir s'il aura le même accueil que moi j'ai eu. Allez dire que je suis empereur! Je suis fier parce que les gens m'aiment à Agalega! Les gens m'aiment à Agalega!

Et je dis au PMSD, on n'a pas de leçons à prendre du PMSD *because they are born to* jouir et ils ont eu l'appétit fort et ils croient que leur *leader* va devenir Premier ministre. *Ale revé do kamarad! Arret rever!*

(Interruptions)

I do not want to be too long, Mr Deputy Speaker, Sir, but next time ...

(Interruptions)

The Deputy Speaker: Order!

Mr Jhugroo: ... *mo pu regler zot compte*. It is sure!

(Interruptions)

Mo pu regler to compte, twa criminel!

(Interruptions)

The Deputy Speaker: Order, please! Hon. Henry!

(Interruptions)

Hon. Jhugroo, please resume!

(Interruptions)

Mr Jhugroo: Mr Deputy Speaker, Sir, may I avail myself ...

(Interruptions)

Toi, tu n'es jamais parti pour Agalega comme ministre. Tu n'as pas de leçons à me donner!

The Deputy Speaker: Hon. Jhugroo, please address the Chair!

Mr Jhugroo: Mr Deputy Speaker, Sir, may I avail myself of this opportunity to, once again, thank the Government, in particular, the hon. Prime Minister and Minister of Finance and Economic Development for his unflinching support, for all the efforts geared towards the Outer Islands.

(Interruptions)

The very fact that the hon. Prime Minister has agreed that I take the time of the Cabinet and the House for the technical Bill is very much illustrative of his support to the remote communities of Agalega.

With these remarks, Mr Deputy Speaker, Sir, I commend the Bill to the House.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(The Deputy Speaker in the Chair)

OUTER ISLANDS DEVELOPMENT CORPORATION (AMENDMENT) BILL

(No. VIII of 2017)

The Outer Islands Development Corporation (Amendment) Bill (No. VIII of 2017) was considered and agreed to.

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

Third Reading

On motion made and seconded, the Outer Islands Development Corporation (Amendment) Bill (No. VIII of 2017) was read a third time and passed.

ADJOURNMENT

The Ag. Prime Minister: Mr Deputy Speaker, Sir, I move that the House be adjourned to Tuesday 11 July 2017 at 11.30 a.m.

The Deputy Speaker: The House stands adjourned.

MATTERS RAISED

BEAU BASSIN-ROSE HILL – GYMNASIUM - VOLLEYBALL TEAM

Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière): Thank you Mr Deputy Speaker, Sir.

Ma requête s'adresse à l'honorable ministre Jhugroo et si en même temps l'honorable ministre Toussaint peut écouter car cela concerne le sport aussi. Il y a une équipe de volleyball qui est en plein milieu de la saison. La saison termine à la fin de l'année mais malheureusement, le gymnase a été enlevé à cette équipe-là les lundis. On a répondu à la lettre de la municipalité mais finalement j'ai cru qu'on avait eu rendez-vous demain à 03.15 pour résoudre le problème.

Je souhaiterais si l'honorable ministre peut jeter un coup d'œil à la lettre pour reprendre l'affaire parce que dans cette équipe-là, il y a des filles qui représentent la ville de Beau Bassin/Rose Hill, qui, lors des deux éditions des Jeux des Villes, ont ramené la médaille d'or à la municipalité. Il y a six filles qui forment partie de la sélection nationale ; elles ont participé aux Jeux des Iles 2015, et je suis sûr qu'ils vont être dans la sélection finale pour les jeux 2019. Donc, un peu de doléances s'il vous plaît pour ces athlètes-là. De toute façon, la mairesse m'a donné rendez-vous demain pour résoudre le problème. Je pense que ce sera résolu demain. On vient de m'appeler il y a une heure de cela. Merci.

The Deputy Speaker: Hon. Jhugroo!

The Minister of Local Government and Outer Islands (Mr P. Jhugroo): Yes, Mr Deputy Speaker, Sir, I have taken note and I will pass on to the Municipal Council of Port Louis to do the needful.

Mr Lepoigneur: Non pas Port Louis, Beau Bassin!

The Deputy Speaker: Hon. Armance!

GRNW - BUS SHELTERS

Mr P. Armance (First Member for GRNW & Port Louis West): Thank you, Mr Deputy Speaker, Sir. My request goes to the Minister of Public Infrastructure. It is regarding two bus shelters in the region of Grande Rivière and Cité Borstal, the one going to Rose Hill has been replaced and is standing there nicely whereas the other one is still standing there as

an eyesore, and even the one at Cité Borstal. Can you please do the needful to get them replaced?

The Deputy Speaker: Hon. Minister of Public Infrastructure and Transport Transport!

The Minister of Public Infrastructure and Land Transport (Mr N. Bodha): This is a nice request, Mr Deputy Speaker, Sir. I will attend to it.

The Deputy Speaker: Hon. Ms Sewocksingh!

ENGRAIS CATHAN ROAD, CUREPIPE - TARRING

Ms M. Sewocksingh (Third Member for Curepipe & Midlands): Thank you, Mr Deputy Speaker, Sir. My question relates to the hon. Minister of Local Government. Décidément, ...

(Interruptions)

The Deputy Speaker: Order!

Ms Sewocksingh: Mr Deputy Speaker, Sir, there is a road in my constituency known as Engrais Cathan which is very near to the football playground of Eau Coulée and this road needs to be urgently tarred. This road is a public one and it concerns approximately 11 families; some are very vulnerable and there are also elderly people. It becomes really difficult for them to use this road. They cannot have access to this road. Petitions have been done; requests have been made since long and if I am not mistaken, more than a year. It was in the press also some months back.

Mr Deputy Speaker, Sir, I would request the hon. Minister if he could look into this matter and try to see with the local authority if this road can be tarred as soon as possible. Thank you.

The Deputy Speaker: Hon. Minister of Local Government!

The Minister of Local Government and Outer Islands (Mr P. Jhugroo): Thank you, Mr Deputy Speaker, Sir. After having listened to hon. Ms Sewocksingh, I will talk to the Municipal Council of Curepipe to see if they can do the needful.

The Deputy Speaker: Hon. Ramful!

MAURITIUS DUTY FREE PARADISE – EMPLOYEES – TERMINATION

Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien): Thank you, Mr Deputy Speaker, Sir. I have an issue which concerns the Minister of Labour, it is in relation to the 26 employees of the Mauritius Duty Free Paradise, their contract of employment had been terminated back in May of this year and they have apparently reported the matter to the Ministry. In particular, I am given to understand, they have also reported a criminal case of victimisation and discrimination against the Mauritius Duty Free Paradise. May I request the hon. Minister to kindly look into the matter?

The Minister of Labour, Industrial Relations, Employment and Training (Mr S. Callichurn): Mr Deputy Speaker, Sir, we are looking into the matter.

The Deputy Speaker: Hon. Osman Mahomed!

PORT LOUIS – ILLEGAL PARKING

Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central): Thank you, Mr Deputy Speaker, Sir. I have an issue that concerns illegal parking and I am supposed to address it to the hon. Minister Mentor but he is *in absentia*. I will address my request to the Ag. Prime Minister.

In the region of Port Louis, the authorities have drawn double yellow lines in lots of places. It has been noticed that people still park on these double yellow lines and this creates a serious issue of safety and all the implications that these have. Last week, there was one issue at Military Road. I spoke to the Police Station of Plaine Verte and the matter was resolved. But what is more worrisome is that at Champs de Mars, on horse racing days, people still park all over the place, irrespective of the kind of lines there are. Now, can I request the hon. Ag. Prime Minister to look into the matter with the Commissioner of Police so that enforcement be done for the sake of safety and for the sake of citizens abiding with the provisions of the law? Thank you.

The Deputy Speaker: The Ag. Prime Minister!

The Ag. Prime Minister (Mr I. Collendavelloo): Mr Deputy Speaker, Sir, I shall straight away speak to the Commissioner of Police about it.

The Deputy Speaker: Hon. Abbas Mamode!

BORNEO STREET – OLD DISPENSARY – YARD CLEANING

Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East): Thank you, Deputy Speaker, Sir. My issue concerns the Minister of Local Government.

(Interruptions)

Do not get excited, be cool! Just right now we are facing the flu...

(Interruptions)

So, we are facing the flu problem just right now. Concerning the old dispensary at Borneo Street where, I suppose, a Medi-Clinic will be built in the coming years, the yard itself is in a very bad condition, you know, mosquitoes and all that. If the hon. Minister can help throughout the Municipal Council of Port Louis to have the yard cleaned, please.

The Deputy Speaker: Hon. Minister of Local Government!

The Minister of Local Government and Outer Islands (Mr P. Jhugroo): Yes, Mr Deputy Speaker, Sir. It is just to inform my friend that I got excited because of his friend's message; because of her...

(Interruptions)

So, I will try to pass this message to the City Council of Port Louis.

The Deputy Speaker: Hon. Lepoigneur!

MONT ROCHES – TRAFFIC LIGHTS

Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière): Thank you, Mr Deputy Speaker, Sir.

L'année dernière, j'avais fait une requête concernant la route de Mont Roches qui mène vers St Martin à l'embranchement de Roches Brunes. J'avais fait une requête à l'honorable Bodha concernant les feux de signalisation, et quand on fait des requêtes, il faut savoir dire merci parfois. Je remercie, donc, l'honorable Bodha car...

(Interruptions)

...l'essentiel a été fait suite à ma requête de l'année dernière. Merci aussi pour les feux de signalisation.

The Deputy Speaker: Hon. Henry!

LE MORNE, FLIC EN FLAC & BAMBOUS - AQUACULTURE PROJECT

Mr T. Henry (Fourth Member for Mahebourg & Plaine Magnien): Merci, M. le président. Ma question vient au ministre de la Pêche, l'honorable Koonjoo. Samedi dernier, il y a eu un rassemblement à Albion au sujet d'aquaculture qu'on aura du côté de Le Morne, Flic en Flac, Bambous et les gens sont très inquiets avec ce projet-là parce que c'est vraiment flou. Personne n'est au courant de ce qui se passe. Ils ont passé des films qui montrent qu'à La Réunion ils ont fait le même genre de projet et le résultat est qu'aujourd'hui on voit qu'il y a eu beaucoup d'attaques de requins à la Réunion.

Donc, je demanderai au ministre d'aller vers ces personnes, de les renseigner et même d'aller à La Réunion pour voir ce qu'ils ont fait là-bas et aussi comment le secteur touristique a eu de gros problèmes là-bas. Il y a eu plus de 21 attaques de requins à La Réunion à cause de ces aquacultures. Donc, je demanderai à l'honorable ministre de bien vouloir faire le nécessaire, s'il vous plaît.

The Deputy Speaker: Hon. Minister of Fisheries!

The Minister of Ocean Economy, Marine Resources, Fisheries and Shipping (Mr P. Koonjoo): Yes, we are looking into the matter.

The Deputy Speaker: Hon. Henry!

BLUE BAY BEACH - INCIDENT

Mr T. Henry (Fourth Member for Mahebourg & Plaine Magnien): Ma deuxième requête vient à l'honorable ministre qui remplace le ministre du Tourisme.

Le weekend dernier, à la plage publique de Blue Bay, il y a eu des problèmes entre les canvasseurs et les propriétaires de bateaux sur la plage. Devant tout le monde, il y a eu des bagarres et la police a dû intervenir. Je demanderai à l'honorable ministre de bien vouloir envoyer une équipe de la *Tourism Authority* parce que j'ai appris que certains canvasseurs n'ont pas leur permis. Ils viennent travailler là-bas et cela crée beaucoup de problèmes. Donc, si on peut envoyer une équipe de la *Tourism Authority* pour faire le nécessaire. Merci.

The Deputy Speaker: Hon. Seeruttun!

The Minister of Agro-Industry and Food Security (Mr M. Seeruttun): M. le président, je vais passer le message à mon collègue dès qu'il sera de retour au pays.

At 7.49 p.m., the Assembly was, on its rising, adjourned to Tuesday 11 July 2017 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

MOTORCYCLES – CUSTOMS DUTY

(No. B/457) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the motorcycles of up to 200 cc, he will state if consideration will be given for a review of the policy of allowing duty exemption therefor with a view to reducing the number thereof on the roads thus potentially curbing the number of fatal road accidents involving same.

Reply: The Ministry of Finance and Economic Development informed that there is no customs or excise duty on a motorcycle of up 300 cubic centimetres (cc), but a motorcycle is subject to 15 % VAT. Furthermore, that Ministry is not envisaging the re-introduction of duty on motor cycles of up to 200 cc for the time being.

Motorcyclists are indeed one of the most vulnerable groups in the road traffic system. Every year, about 40 % of the total number of persons who lose their lives in road accidents are motorcyclists. In line with the National Road Safety Strategy 2016-2025, this Ministry has taken a series of measures focused on maximizing safety of motorcyclists. These include

-

- the privatisation of technical control for vehicles including motorcycles through the three Examination Centres;
- the conduct of road safety audits and inspections as regards blackspot areas;
- the implementation of the Roadside Hazard Management programme;
- the introduction of the 'continuum d'éducation' project;
- the launching of mass media sensitisation campaigns on motorcycle safety (tyre safety, 'see and be seen') in 2016 and 2017;

- amendments to the Road Traffic (Driving Instructors) Regulations, the Road Traffic (Driving Schools) Regulations and the Road Traffic (Driving Licences) Regulation;
- training of 24 instructors and 15 police examiners in line with Budget measures 2016-2017, and
- the setting up of six '*moto écoles*' in a few months' time in line with the new Driving School Regulations.

It is considered that with the coming into operation of the '*moto écoles*' and the imparting of appropriate knowledge and skills for the driving of motorcycles, along with the various measures in place, there would be less casualties for motorcyclists.

DETAINEES – FOREIGN NATIONALITY

(No. B/464) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to prisoners of foreign nationality, he will, for the benefit of the House, obtain from the Passport and Immigration Office, information as to the present number thereof, indicating the –

- (a) respective nationality thereof, and
- (b) number thereof who have been allowed to serve their respective term of imprisonment in their respective country of origin, indicating the countries which have signed any such agreement with Mauritius.

Reply (The Rt. hon. Minister Mentor, Minister of Defence and Minister for Rodrigues): I am informed by the Commissioner of Prisons that as to date, there are 98 detainees of 24 different nationalities in our prisons.

With regard to part (a) of the question, I am tabling the information requested for.

Concerning part (b) of the question, the transfer of prisoners to their native countries is governed by the Transfer of Prisoners Act 2001 and may be effected as follows –

- (a) between countries which are party to the Strasbourg Convention on the Transfer of Sentenced Persons, by virtue of the Transfer of Prisoners (Convention) Regulations 2005;
- (b) between Commonwealth Countries under the Transfer of Prisoners (Commonwealth Countries) Regulations 2002, or
- (c) by way of a bilateral agreement between Mauritius and another country.

So far, bilateral agreements have been signed with the Union Republic of Tanzania, the Republic of Guinea, the Republic of India, the Republic of Madagascar, the Republic of Uganda, the Republic of Somalia, the Putland State of Somalia, the Republic of Seychelles and the Union of Comoros.

I am informed that since 2001 to date, 68 foreign detainees have been transferred to their respective country of origin to serve their sentences.

STC & BETAMAX - AFFREIGHTMENT CONTRACT - TERMINATION

(No. B/465) Mr A. Ganoo (First Member for Savanne & Black River) asked Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the recent arbitral award delivered in relation to the termination of the Contract of Affreightment signed between the State Trading Corporation and Betamax Ltd., he will state if he is aware that the State of Mauritius risks being faced with an application from Betamax Ltd. for the enforcement thereof against the assets of the State of Mauritius, wherever same are found.

(Reply: Attorney General)

(Reply not available)

QUATRE BORNES – GAMBLING PERMITS

(No. B/467) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Gambling Regulatory Authority, he will, for the benefit of the House, obtain therefrom, information as to the number of permits issued to be operated in Quatre Bornes, since December 2014 to date, indicating the –

- (a) nature thereof issued, and
- (b) name of the beneficiaries thereof, indicating the place of operation thereof.

Reply: I am informed, that since December 2014 to date, two operators holding a licence as “Bookmaker conducting fixed odds betting on foreign football matches” have each been granted a licence to operate an outlet in Quatre Bornes.

SMS Pariaz Ltd was granted a licence to operate its outlet at Avenue Victoria, Quatre Bornes on 14 December 2015 while Bosco & Co. Ltd. was issued a licence to operate an outlet at St. Jean Road, Quatre Bornes, on 20 June 2016.

DISCIPLINED FORCES SERVICE COMMISSION REGULATIONS - DISCIPLINARY PROCEEDINGS

(No. B/478) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Rt. hon. Minister Mentor, Minister of Defence and Minister for Rodrigues whether, in regard to the disciplined forces, he will, for the benefit of the House, obtain information as to if consideration will be given for amendments to be brought to the Regulations in relation thereto with a view to dealing promptly with the hearing of the disciplinary proceedings initiated against members thereof.

Reply (The Prime Minister): I am replying to this Parliamentary Question No. B/478.

I am advised that the existing provisions of Disciplined Forces Service Commission Regulations are adequate to deal with cases of discipline involving members of the Disciplined Forces.

However, it has been observed that cases of interdiction take a long time to be resolved where these cases depend on the outcome of criminal proceedings against the officers concerned.

Nevertheless, Responsible Officers of Disciplined Forces have been advised by the Ministry of Civil Service and Administrative Reforms to recall interdicted officers to duty in certain cases, depending on the charges against them. Consequently, a total of 44 officers of the Disciplined Forces have been recalled from interdiction in 2016 and 2017 as follows -

Police Department	38
Prisons Department	4
Fire Services	2

In any case, the decision to amend the Disciplined Forces Service Commission Regulations rests solely with the Disciplined Forces Service Commission, which is an independent body established under the Constitution.

YVES CANTIN AREA HEALTH CENTRE - UPGRADING

(No. B/495) Mr E. Jhuboo (Third Member for Savanne & Black River) asked the Minister of Health and Quality of Life whether, in regard to the Yves Cantin Area Health Centre, he will state if consideration will be given for the upgrading thereof into a full-fledged mini hospital, having regard to the increased number of people living in the region which it services.

Reply: The catchment area of Yves Cantin Community Hospital which covers Grande Rivière Noire, Petite Rivière and La Preneuse has a small population of about 15,500. The yearly attendance for consultation by doctors is only 41,656. The average daily attendance is 114 persons.

There is a 24 hour/7-day service by medical and paramedical staff and the hospital is equipped with radiological and laboratory services. An ambulance is present on a 24/7 basis for referral of patients to Victoria hospital.

As announced in the Budget Speech 2017/2018, the Dr. Yves Cantin Community Hospital at Black River will be upgraded to cater for in-patient services. The estimated cost will be in the order of Rs15 m. in the current Budget. Complicated cases will still be referred to Victoria Regional Hospital.

MAURICE ILE DURABLE – PROJECTS

(No. B/496) Mr P. Armance (First Member for GRNW & Port Louis West) asked the Minister of Social Security, National Solidarity, and Environment and Sustainable Development whether, in regard to the *Maurice Ile Durable*, he will, for the benefit of the House, obtain information as to the amount of funds available therein as at to date, indicating the amount thereof -

- (a) contributed thereto from the price of diesel and petrol by the State Trading Corporation since January 2015 to date, and
- (b) disbursed therefrom over the same period, giving the list of the projects -
 - (i) undertaken, and
 - (ii) earmarked for implementation thereunder.

Reply: The *MID* Fund was set up in 2008 as a special Fund under the Finance and Audit Act and the introduction of the *MID* Levy was announced in the 2008-2009 Budget Speech.

The *MID* Levy became effective by way of Regulations as from 07 June 2008. It was applicable on petroleum products for home consumption as well as for re-export.

This Government removed the *MID* levy on re-export on 01 July 2015. Besides, the *MID* Fund is no longer operational since October 2015. A balance of about Rs12 m. standing in the Fund was transferred to the Consolidated Fund in October 2015.

With regard to part (a) of the question, I am informed that the contribution made by the State Trading Corporation from the *MID* Levy for the period June 2015 to May 2017 amounts to a total of Rs333.64 m. which has been made used for a number of projects.

With regard to part (b) of the question, I am informed that a total amount of Rs219 m. was used from the Consolidated Fund for *MID* related projects for the financial year 2015/16. For the financial year 2016/17, a total amount of Rs147 m. was earmarked to be spent.

As regards parts (b) (i) and (ii) of the question, the list of projects is being compiled and will be tabled in the National Assembly.

GRNW & PORT LOUIS WEST- CHILDREN PLAYGROUND & FOOTBALL PITCH – RENOVATION

(No. B/497) Mr P. Armance (First Member for GRNW & Port Louis West): asked the Minister of Local Government and Outer Islands, whether, in regard to the children playground and the football pitch vested in the Local Authority in Constituency No. 1, Grand River North West and Port Louis West, he will, for the benefit of the House, obtain information as to if any project for the renovation thereof is being envisaged and, if so, indicate if the maintenance and cleaning thereof are being carried out by the said authority.

Reply: I am informed by the Municipal City Council of Port Louis that the sports amenities found in Constituency No. 1, Grand River North West and Port Louis West and which are maintained by the Council are in good state. However, insofar as the Grand River North West football ground is concerned, Sotravic Ltd which is currently carrying out some waste water works, along the road near the football pitch did dump some debris and materials on the football ground.

I am, however, informed by the Council that all the debris and materials have now been removed by the Contractor Sotravic Ltd and the existing wall will be reinstated to its original state by the latter within a period of three weeks.

I am further informed that the football ground is practicable.

The House may wish to note that the Council generally monitors and maintains all Sport/leisure/football grounds and recreational spaces falling under its responsibility on a regular basis.

BEAU BASSIN & PETITE RIVIERE - DRUG TRAFFICKERS - ARREST

(No. B/498) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to Constituency Number 20, Beau Bassin and Petite Rivière, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of drug traffickers arrested thereat since January 2015 to date, indicating the -

- (a) quantity and value of the drugs seized in connection therewith, and
- (b) additional measures taken to curb the proliferation of drugs thereat, especially, amongst the youth.

Reply: I am informed by the Commissioner of Police that since January 2015 to date, 60 persons have been arrested in Constituency No. 20 in connection with drug dealing cases. The drugs seized, consisting of cannabis, heroin, synthetic drugs, cannabis plants and psychotropic substances, were of a street value of Rs16,286,908.26.

I wish to draw the attention of the House that section 41 of the Dangerous Drugs Act 2000 stipulates that a person shall be deemed to be a drug trafficker where the street value of the drugs, the subject matter of the offence, exceeds Rs1 m. or such other value as may be prescribed.

Under this particular section, no person in Constituency No. 20 has been arrested.

With regard to part (b) of the question, the Police has taken several measures to curb the proliferation of drugs in the constituency comprising, among others, the following -

- (i) engaging youngsters in social and cultural activities with a view to keeping them afar from illegal activities. The Mauritius Police Band is offering free courses in music to 15 youngsters from the age of 8 to 14 every week at Cité Richelieu Community Centre;
- (ii) conducting targeted operations against illicit cannabis cultivation with the support of the Police Helicopter Squadron. Five such operations have been carried out from 2015 to date in Constituency No. 20;
- (iii) sensitising the general public, including the youth, on drug prevention and substance abuse through awareness campaigns, seminars, workshops and meetings. 98 such sessions have been carried out from 2015 to date covering 5,824 people in Constituency No. 20;
- (iv) meetings with members of the public through Community Policing Forums to address their grievances, including those related to drug issues;

- (v) radio and TV programmes by ADSU to sensitise the general public on drug related issues;
- (vi) suppressing the supply of illicit drugs by identifying and dismantling drug networks through the arrests of drug peddlers and seizure of drugs;
- (vii) infiltration of Field Intelligence Officers and officers of the *Brigade pour La Protection des Mineurs* among the youth to gather information on drug abuse and related criminal activities with a view to understanding their mode of operations and preventing drug abuse, and
- (viii) using modern surveillance equipment such as drones and infrared binoculars in drug prone areas.

In addition to the above measures, the Government is in the process of developing a National Drug Control Master Plan with a view to effectively addressing the problem of drugs in the country. In this respect, the United Nations on Drug and Crime is providing technical support for the elaboration of the Master Plan.

BARKLY YOUTH CENTRE - ACTIVITIES

(No. B/499) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the Barkly Youth Centre, he will state the -

- (a) opening and closing hours thereof;
- (b) names of the Officer-in-Charge thereof and of the employees posted thereat, indicating the duties assigned thereto in each case;
- (c) equipment and materials available thereat, and
- (d) activities organised for the youth.

Reply: With regard to part (a) of the question, the opening and closing hours of the Barkly Youth Centre are as follows -

- (i) on Mondays, Wednesdays, Thursdays and Saturdays, it is open from 7.00 a.m. to 6.00 p.m.;
- (ii) on Tuesdays and Fridays, the centre operates from 7.00 a.m. to 4.00 p.m., and
- (iii) the centre is also open on Sundays from 7.00 a.m. to noon.

Regarding part (b) of the question, the Officer-in-Charge is Senior Youth Officer, Mrs Patricia Achille-Feddoul, who is assisted by a Youth Officer, namely Mr Goinsamy Permal.

The other employees are Mrs Sundaravalli Chinapiah and Mr Ajmeer Moytaub, General Workers.

As Senior Youth Officer, Mrs Achille-Feddoul is responsible for -

- (i) the day-to-day management of the Youth Centre;
- (ii) coordination of the work of officers under her supervision;
- (iii) developing, organising and coordinating activities at local level and liaising with youth and other organisations working with and for the benefit of young people, and
- (iv) to conduct training of Youth Officers under her supervision.

Further, the Youth Officer, Mr Permal, is responsible for -

- (i) advising and helping youth organisations in the planning and organisation of youth activities;
- (ii) planning and implementing programmes and projects in favour of unorganised youth, and
- (iii) assisting the Senior Youth Officer in the discharge of her duties.

As for the two General Workers, namely Mrs Chinapiah and Mr Moytaub, they are responsible for the cleaning and maintenance as well as for the opening and closing of the Youth Centre.

Regarding part (c) of the question, the equipment and materials available at Barkly Youth Centre are as follows –

- (i) one table tennis with accessories;
- (ii) four computers with internet access at the Learning Corner;
- (iii) six physical fitness exercisers;
- (iv) about 100 references and reading books;
- (v) two carom boards and four sets of dominoes;
- (vi) three sets of scrabble;
- (vii) 11 “*Ravannes*”;
- (viii) two footballs;
- (ix) two volley-balls;
- (x) two basketballs;
- (xi) two pairs of badminton, and
- (xii) one set of 6 “*pétanque*” balls.

With regard to part (d) of the question, the Barkly Youth Centre has organised the following activities for the youth for the period January 2017 to date, namely -

- (i) free sensitisation campaign and screening for breast cancer in collaboration with ‘*Forces Vives*’ and NGO Breast Cancer on 29 January. More than 75 women have benefitted from the service;
- (ii) an interactive sensitisation campaign on sexual reproductive health was organised for young people aged 14 and above on 31 January at St Mary’s College;
- (iii) a “*Caravane de L’Espoir*” to campaign against substance abuse was organised on 04 February, starting from Chebel and ending at “*Place Raymond Chasle*”, Rose Hill. About 150 young people participated directly in the *caravane* and came from the following regions, namely Chebel, Barkly, Camp Le Vieux, Mont Roches, Trèfles, Stanley and also from neighbouring localities;
- (iv) from February to March, two groups of 90 students of MITD Ébène have followed a course on Leadership and Management, comprising seven sessions;
- (v) on 19 February, a first batch of 12 young people subscribed to “*École de Ravanne*” and started a training that will last for a period of six months;
- (vi) in this context of the National Youth Day celebration, 75 young people from Lower Plaines Wilhems have participated in a “*défilé*” on 10 March at Port Louis;
- (vii) on 11 March, 115 young people of Lower Plaines Wilhems aged 18 and above were sensitised on “*Entreprenariat Jeunesse*”;
- (viii) on 23 March, a Job Fair was organised at MGI Moka, which provided the opportunity to youth in finding jobs. About 600 young people from Lower Plaine Wilhems visited the fair;
- (ix) a Life Skills Course was launched on 27 March at Beau Bassin SSS (Girls). The course consisted of equipping young people with skills to adopt a healthy life style through a 12-session training programme over a period of three months;
- (x) a clean-up campaign was organised on 08 April along the Royal Road from Barkly market fair to the Youth Centre;
- (xi) the “*Spéciales Vacances*” programme for Easter School Holidays was organised in April and comprised –
 - a guided visit at ‘*Vallée des 23 Couleurs*’, and
 - ‘*Vacances Pour Tous*’ for three days at St. Mary’s College.

- (xii) the Regional Youth Council of Lower Plaine Wilhems, in collaboration with the Barkly Youth Centre, the Road Safety Unit and the Fellowship First Aiders, launched a road safety campaign on 21 April at Plaza, Rose Hill. Eighty young people participated in the event;
- (xiii) a Street Foot Competition was organised on 30 April at Barkly with the participation of eight teams of eight players each. About 150 supporters were present;
- (xiv) on 25 May 2017, the Electoral Commissioner's Officer, in collaboration with the Barkly Youth Centre, organised explanation sessions on the importance for young people to subscribe to the Electoral Register for voting. These sessions were held at the Centre of Learning of Barkly and at the Youth Centre;
- (xv) a regional literary competition comprising elocution contests in English and French and a quiz was organised on Tuesday 30 and Wednesday 31 May for colleges of Beau Bassin and Rose Hill;
- (xvi) I had a meeting with members of the "*Forces Vives*" of Barkly and with those of youth organisations of the region on Tuesday 06 June at the Barkly Youth Centre. Some 150 persons were present;
- (xvii) on Wednesday 07 June, a meeting was held with leaders of various groups of Barkly, Mont Roches and Chebel, whereby I offered some additional equipment and materials for the smooth running of activities in the region;
- (xviii) in order to encourage more young people of the region of Barkly to participate in nautical activities, about 15 youth of Barkly had the opportunity to practise some sailing activities at the Grand Bay Sailing Centre of my Ministry on 17 June;
- (xix) within the context of the Music Day Celebration, a rehearsal and a selection exercise were conducted at the Barkly Youth Centre on Sunday 18 June from 16h00 to 18h00. The final musical performance was held at "Place Raymond Chasle", Rose Hill on Saturday 24 June;
- (xx) IT (Information Technology) and reading sessions are regular activities at the Learning corner of the Barkly Youth Centre;
- (xxi) there are open discussions and debates around current youth issues twice weekly at the Barkly Youth Centre;

- (xxii) every Saturday, an '*Accompagnement Scolaire*' programme is conducted with the assistance of five tutors, on a voluntary basis, for the benefit of 30 students, and
- (xxiii) a Scout programme is run twice weekly at the Barkly Youth Centre.

POLYTECHNICS MAURITIUS LTD - OPERATIONAL

(No. B/500) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)

asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the proposed setting up of the polytechnics, she will state when same will become operational, indicating the -

- (a) names of the foreign institutions which will be collaborating therewith;
- (b) minimum qualifications required to join same, and
- (c) total capacity of students' intake thereat.

Reply: As the House is aware, the Polytechnics Mauritius Ltd has been set up in March 2017 and has under its aegis three Polytechnics found at Montagne Blanche, Pamplemousses and Reduit respectively. One of its main objectives is to ensure that students develop the right skills for increased employability especially with regard to new, emerging economic.

My Ministry has been actively engaged in discussions with partners both international and local (including industry), for the joint development and delivery of programmes. These partners will also initially act as warding bodies.

I am pleased to inform the House that -

- A Memorandum of Understanding has been signed with Waikato Institute of Technology (WINTeC), New Zealand on 09 March 2017, for courses in the field of Tourism and Hospitality. These will be run at the Montagne Blanche Campus.
- A second MoU has been signed on 18 May 2017 with "Le College Communautaire du Nouveau Brunswick, Canada" for courses in ICT at Reduit Campus.
- A collaborative venture has been agreed upon by both the Ministry of Health and Quality of Life and my Ministry for the running of a Diploma course in Basic Nursing at the Pamplemousses Campus.

These courses will be advertised shortly.

In reply to part (b) of the question, the minimum qualification required to join the institutions will be the School Certificate or the Higher School Certificate, depending on the course applied for. The institutions will be dispensing Diploma and Higher National Diploma Courses.

Students having followed a TVET course leading to National Certificate Level 5 will also be eligible for the Diploma courses.

As regards part (c) of the question, the Polytechnics Mauritius Ltd is aiming at enrolling some 1,200 students on a yearly basis at the three Polytechnic Campuses.

QUEEN VICTORIA HOSPITAL - CLOSED CIRCUIT TELEVISION SURVEILLANCE SYSTEM

(No. B/501) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Minister of Health and Quality of Life whether, in regard to the Victoria Hospital, he will state the number of cameras of the Closed Circuit Television Surveillance System installed thereat, indicating the name of the company operating/maintaining same.

Reply: There is a total of 210 CCTV cameras at the Queen Victoria Hospital.

The surveillance system is operated at the level of the different units by officers of the hospital and minor repairs are being carried out by the Electrical Services Division as and when required.

PRISONS – INMATES – BRUTALITY AGAINST PRISON OFFICERS

(No. B/502) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the Prison Services, he will, for the benefit of the House, obtain from the Commissioner of Prisons, information as to the number of complaints of brutality made by inmates against Prison Officers in 2014, 2015 and 2016 and since January 2017 to date, indicating the actions taken in relation thereto as at to date.

Reply: I am informed by the Commissioner of Prisons that since 2014 to date, nine complaints of brutality have been made by inmates to the National Preventive Mechanism Division of the National Human Rights Commission against Prison Officers.

In 2014, one complaint of brutality was registered and the enquiry is still ongoing.

In 2015, no complaint was registered.

There were five complaints of brutality made in 2016 and they were all dismissed after investigation as they were unfounded.

This year, three cases have been filed so far, out of which, one has been referred to the Police Department for enquiry and two have been dismissed in the absence of evidence.

PROVISIONAL CHARGES - MR D. G. & MR O. L. - INQUIRY

(No. B/503) Mrs D. Selvon (Second Member for GRNW & Port Louis West) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the provisional charges of drug dealing with aggravating circumstances to wit possession of cannabis for the purpose of distribution against Mr D. G. and Mr O. L. which were struck out, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry carried out thereinto, indicating the measures which are being envisaged to empower the Forensic Science Laboratory to analyse suspected cannabis samples in the least possible delay with a view to minimising abusive and unjustified detention of suspects.

Reply: I am informed by the Commissioner of Police that upon the advice of the Director of Public Prosecutions, the provisional charges against Mr D. G. and Mr O. L. for drug dealing with aggravating circumstances, to wit possession of cannabis for the purpose of distribution, were struck out on 18 November 2016 and 24 November 2016, respectively. The exhibits secured were forwarded to the Forensic Science Laboratory and the latter has submitted its report on 07 March 2017. Police inquiry is still ongoing. Upon completion, the case file will be forwarded to the Director of Public Prosecutions.

I am informed that the measures taken to empower the Forensic Science Laboratory to analyse suspected cannabis samples within the least possible delay are as follows -

- a) implementation of sampling methods as per Guidelines of the UNODC on Representative Drug Sampling and Guidelines on sampling of Illicit Drugs for Quantitative Analysis developed by the European Network for Forensic Science Institutes - Drugs Working Group, and
- b) introduction of auto samplers that enable the analysis of large number of samples in a single run with minimal oversight from staff.

Moreover, the following measures will be taken in due course -

- (i) recruitment of seven additional Forensic Scientists, the new Scheme of Service of the post has been prescribed and funds have been allocated in this year's Budget;

- (ii) relocation of the Forensic Science Laboratory into a more suitable building. To this effect, tenders for the appointment of a Consultant for the design of the new facility have been floated and closing date for submission of bids is on 05 July 2017, and
- (iii) additional equipment will be procured to enhance the testing capacity of the FSL. Funds have been earmarked in the 2017-2018 Budget.

CANNABIS POSSESSION – ARREST – 06 MAY 2016

(No. B/504) Mrs D. Selvon (Second Member for GRNW & Port Louis West) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the men, women and children of the Rastafarian religion and culture who were, on 06 May 2016, brought to Police Stations, in Port Louis, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof who were subsequently arrested on the same day, indicating the –

- (a) number and nature of the charges lodged against each individual, indicating if any was related to marijuana which was scientifically identified as such, and
- (b) number of provisional charges, if any, pending to date against those persons.

Reply: I am informed by the Commissioner of Police that on 06 May 2016, Police arrested eleven persons as follows -

- (i) three men for possession of a cannabis plant at the Jardin de la Compagnie. One of them was also found in possession of a small quantity of cannabis leaves. The report of the Forensic Science Laboratory has confirmed that the exhibits secured from the suspects were cannabis, and
- (ii) six men together with two women for “Obstructing road in a manner prejudicial to public order and public safety” along Lord Kitchner Street, Port Louis.

The man found in possession of cannabis leaves has been sentenced to pay a fine of Rs2,500 plus Rs100 as cost on 07 February 2017. The two others have been administered a warning as advised by the Director of Public Prosecutions on 02 December 2016.

As regards the eight persons arrested for obstruction, the enquiries into their cases have been completed and referred to the Director of Public Prosecutions on 09 March 2017 and Police have suggested prosecutions against them. The Director of Public Prosecutions’ advice is awaited.

I am also informed by the Commissioner of Police that -

- (a) no child was brought to the Police Station in connection with these incidents, and
- (b) it is not the practice for the Police to ask witnesses or suspects to state their religion.

MAURITIAN & FOREIGN NATIONALS – PROVISIONAL CHARGES

(No. B/505) Mrs D. Selvon (Second Member for GRNW & Port Louis West)) asked the Attorney-General whether, in regard to provisional charges, he will state the number thereof lodged against Mauritian and foreign nationals respectively since December 2014 to date, indicating in each case the –

- (a) reasons therefor;
- (b) outcome thereof, and
- (c) number thereof in which Ministers were complainants, indicating the outcome thereof in each case.

Reply: My office has requested inputs from the Commissioner of Police in relation to this Parliamentary Question and on 29 June 2017, the Commissioner of Police submitted the material to my office.

In view of the detailed nature of the material, I am tabling the reply of the Commissioner of Police.

PRISONS – FEMALE DETAINEES

(No. B/506) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the female prisoners, he will, for the benefit of the House, obtain from the Commissioner of Prisons, information as to the present number thereof, indicating the –

- (a) respective age thereof, and
- (b) number thereof with a child living in prison premises, indicating the provisions made therefor.

Reply: I am informed by the Commissioner of Prisons that, presently, there are 106 female detainees in our prisons, as follows -

Age Group	Number
18-21	2
22-25	7
26-30	16
31-35	25
36-49	40
50 and above	16

As regards part (b) of the question, I am informed that there are actually three female detainees who have their children living under their care. The children are aged 9 months, 10 months and 4 years, respectively.

The following provisions have been made for the care of the children -

- (a) the mothers and their children are placed at the Mother and Child Care Unit of the Women Prison, Beau Bassin, which has been set up to cater for children especially and is away from other detainees;
- (b) a balanced diet, which includes milk and cereals and which is completely different from the usual Prison diet for detainees, is provided to the children depending on their age;
- (c) toiletries such as nappies, perfumes, powder, oil, soap and toys are provided by the Prison Department;
- (d) the children avail themselves of medical facilities and are regularly visited by a Paediatrician. They follow medical check-ups at the Mont Roches Health Care Centre and are referred to public hospital as and when required;
- (e) babies, as from the age of three months, attend the Kids-R-Kids Day Care Centre set up outside the Women Prison. The Centre is manned by civilian workers of the Terre de Paix, an NGO, and is opened from 09:00 hours to 16:00 hours on week days and from 09:00 hours to 12:00 hours on Saturdays;

- (f) children aged between 3 to 5 years old are allowed to attend the Municipal Pre-Primary School of Mont Roches and are provided all facilities, such as uniforms, shoes, school bags, school materials, juice and a lunch pack. They are accompanied daily to the school and back by a female Prison Officer in civilian clothes. They are also allowed to go on outing organised by the school;
- (g) the mothers are allowed to use their private cash and earnings to purchase goods and other items, as per the canteen list available at the Prison's Department, for their children, and
- (h) special activities are organised for the children during festivals, e.g, Mother's Day, Music Day, Christmas, New Year and on their birthdays.

SUBSISTENCE ALLOWANCE – APPLICATIONS

(No. B/507) Mr A. Ganoo (First Member for Savanne & Black River) asked the Minister of Social Integration and Economic Empowerment whether, in regard to the Subsistence Allowance, he will state the -

- (a) number of households whose applications to benefit thereunder have been unsuccessful and who have appealed against the decision of the Ministry, and
- (b) total amount of funds disbursed thereunder.

Reply: The Subsistence Allowance is paid to households found eligible under the Social Register of Mauritius and who have signed a social contract with the Ministry.

Since the launch of the Subsistence Allowance Scheme in August last year, some 24,409 households have applied for registration under the Social Register of Mauritius, of which 9,103 households have been found eligible to benefit from the monthly payment of the Subsistence Allowance whereas the remaining 15,306 households have been found not eligible.

Out of the 1,221 complaints received so far, 1,104 complaints have already been attended to and the remaining 117 complaints are being examined.

With regard to the appeals, all the 83 appeals received since May 2017 have been attended to.

With regard to part (b) of the question, for the period covering December 2016 to June 2017, funds to the tune of Rs106,508,689 have already been disbursed.

**MINISTER OF LOCAL GOVERNMENT AND OUTER ISLANDS – VISIT TO
AGALEGA – DELEGATION**

(No. B/508) Mr T. Henry (Fourth Member for Mahebourg & Plaine Magnien)
asked the Minister of Local Government and Outer Islands whether, in regard to his visit to Agalega on 10 May 2017, he will state the –

- (a) duration thereof;
- (b) composition of the delegation thereof,
- (c) total cost thereof, and
- (d) purpose thereof.

(Withdrawn)