



REPUBLIC OF MAURITIUS

**SIXTH NATIONAL ASSEMBLY****PARLIAMENTARY****DEBATES****(HANSARD)****FIRST SESSION****TUESDAY 28 JUNE 2016**

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## THE CABINET

**(Formed by the Rt. Hon. Sir Anerood Jugnauth, GCSK, KCMG, QC)**

Hon. Sir Anerood Jugnauth, GCSK, KCMG, QC	Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit
Hon. Charles Gaëtan Xavier-Luc Duval, GCSK	Deputy Prime Minister, Minister of Tourism and External Communications
Hon. Showkutally Soodhun, GCSK	Vice-Prime Minister, Minister of Housing and Lands
Hon. Ivan Leslie Collendavelloo, GCSK, SC	Vice-Prime Minister, Minister of Energy and Public Utilities
Hon. Pravind Kumar Jugnauth	Minister of Finance and Economic Development
Hon. Seetanah Lutchmeenaraidoo, GCSK	Minister of Foreign Affairs, Regional Integration and International Trade
Hon. Yogida Sawmynaden	Minister of Youth and Sports
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 Health and Quality of Life
Dr. the Hon. Mohammad Anwar Husnoo	Minister of Local Government
Hon. Prithvirajsing Roopun	Minister of Social Integration and Economic Empowerment
Hon. Marie Joseph Noël Etienne Ghislain Sinatambou	Minister of Technology, Communication and Innovation
Hon. Ravi Yerrigadoo	Attorney General
Hon. Mahen Kumar Seeruttun	Minister of Agro-Industry and Food Security
Hon. Santaram Baboo	Minister of Arts and Culture
Hon. Ashit Kumar Gungah	Minister of Industry, Commerce and Consumer Protection
Hon. Mrs Marie-Aurore Marie-Joyce Perraud	Minister of Gender Equality, Child Development and Family Welfare
Hon. Sudarshan Bhadain, GCSK	Minister of Financial Services, Good Governance and Institutional Reforms

Hon. Soomilduth Bholah	Minister of Business, Enterprise and Cooperatives
Hon. Mrs Fazila Jeewa-Daureeawoo	Minister of Social Security, National Solidarity and Reform Institutions
Hon. Premdut Koonjoo	Minister of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands
Hon. Marie Roland Alain Wong Yen Cheong, MSK	Minister of Civil Service and Administrative Reforms, Minister of Environment, Sustainable Development and Disaster and Beach Management
Hon. Soodesh Satkam Callichurn	Minister of Labour, Industrial Relations, Employment and Training

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**MAURITIUS**

**Sixth National Assembly**

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**FIRST SESSION**

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**Debate No. 14 of 2016**

**Sitting of 28 June 2016**

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

**The National Anthem was played**

*(Madam Speaker in the Chair)*

**PAPERS LAID**

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

A. **Prime Minister's Office** –

Certificate of Urgency in respect of the Independent Police Complaints Commission Bill (No. XIV of 2016). (In Original)

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

- (a) The Annual Reports 2013 and 2014 of the Tertiary Education Commission.
- (b) The Annual Report 2014 of the University of Mauritius.
- (c) The Annual Report 2011 of the Rajiv Gandhi Science Centre.
- (d) The Annual Reports 2013 and 2014 of the Mauritius Institute of Education.

C. **Ministry of Local Government** –

The City Council of Port Louis (Admission Charge) Regulations 2016.  
(Government Notice No. 133 of 2016)

D. **Ministry of Arts and Culture** –

- (a) The Annual Reports 2011, 2012, 2013 and 2014 of the Urdu Speaking Union.
- (b) The Annual Report and Financial Statements of the English-Speaking Union for the year ending 31 December 2015.

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

The Convention on the Civil Aspects of International Child Abduction (Amendment of Schedule) Regulations 2016. (Government Notice No. 134 of 2016)

## ORAL ANSWERS TO QUESTIONS

### BREXIT - MAURITIAN ECONOMY - ASSESSMENT

**The Leader of the Opposition (Mr P. Bérenger)** (*by Private Notice*) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Brexit and the risk of a deterioration in our relations with the United Kingdom and United States of America, he will state -

- (a) what measures are now being taken to deal with the impact on Mauritius of Brexit, and
- (b) how we intend to handle our relationship with the United Kingdom, with which we will now have to deal with *in lieu* of the European Union and with the United States of America on the eve of elections thereat.

**The Prime Minister:** Madam Speaker, in reply to the Private Notice Question on 14 June 2016, I stated that an exit of Britain from the EU will surely have consequences, not only for Mauritius, but for the whole world, especially those countries which have direct cooperation arrangements with the EU including the UK.

I also stated that informal consultations have been held with the Private Sector on the possible fall-out of Brexit. These discussions are still ongoing and this issue is on the agenda of the next Joint Public-Private Sector Committee which I chair.

Madam Speaker, at the meeting of Cabinet held on Friday last, it was decided to set up a Ministerial Committee chaired by the hon. Minister of Finance and Economic Development to look into the whole Brexit issue.

Immediately after the referendum results were announced, the hon. Minister of Finance and Economic Development called a meeting with representatives of the Public and the Private Sectors to assess the likely impact of the exit.

During the meeting, the possible consequences of Brexit on various sectors of the Mauritian economy were discussed at which the Technical Committee made an initial assessment of the sector-wise implications of Brexit. The Committee is expected to come up with proposals to deal with any negative impact of Brexit on the Mauritian economy.

The Technical Committee is also examining the five principal options of Economic Partnership which UK may choose as a model for negotiation during the two-year transition period.

These five options are as follows -

- First, the Norway Model which would imply that the UK will join the European Economic Area;
- Second, the Swiss Model where the UK would be expected to negotiate a bilateral agreement with the EU States;
- Third, the Turkey Model under which the UK may negotiate a bilateral Customs Union with the EU;
- Fourth, the World Trade Organisation Model under which the UK would rely on the WTO rules for access, and
- The fifth option would be for the UK to negotiate a special deal that would retain free trade with the EU.

Madam Speaker, however, I wish to highlight that the effective date of UK's exit from the EU does not start until -

- (a) the UK notifies the EU of its intention to withdraw, and
- (b) a two-year period from such notification lapses.

So far, the UK has not notified the EU of such intention and that the UK's Prime Minister is reported to have stated that UK is in no rush to trigger the withdrawal process.

Madam Speaker, so far no policymaker in the UK or the EU has given any indication as to which option is the preferred one among the five options I have referred to.

Moreover, the outgoing UK Prime Minister has stated that no negotiations proper will start until his successor has been appointed.

The Technical Committee will continue to monitor and assess the impact of Brexit on various sectors of our economy and the macroeconomic fundamentals.

Madam Speaker, notwithstanding the scenario that will govern the EU/UK trade relations, Mauritius will need to have a bilateral trade agreement with the UK to safeguard its trade interests. In the event UK decides to maintain the EU commitments towards the Member States which have signed the Interim Economic Partnership Agreement, namely Madagascar, Mauritius, Seychelles, Zimbabwe, there may not be any need for a fresh trade agreement.

In the eventuality that the UK would wish a change from the current Interim Economic Partnership Agreement model, Mauritius would have to enter into consultations with the UK over a new agreement safeguarding our trade interests.

Madam Speaker, in the meantime, we will continue with the diversification of our export and export markets. Our aim is to move further from being a Euro-centric exporter to a more diversified export and tourism-based economy.

This diversification strategy was initiated by the present Minister of Finance and Economic Development in 2010 in the wake of the Euro crisis while he was occupying the same portfolio. At that point in time, it had become necessary to come up with bold and farsighted decisions.

Madam Speaker, as I stated in the reply to the PNQ on 14 June last, my Government is putting a lot of emphasis on the development of an air corridor between Africa and Asia using Mauritius and Singapore as hub. This strategy will broaden our market base and provide new exciting opportunities for trade and business.

Madam Speaker, in regard to part (b) of the question, relations between countries are of a permanent nature regardless of elections. Our relations with the UK and the United States of America remain strong despite the communiqué issued by both sides on the Chagos Archipelago.

Let me reiterate that we have always had friendly relations with both the UK and the US. When I met Mr Patrick F. Kennedy, Under Secretary for Management at the US Department of State, and Mr Neil Wigan, Africa Director at the UK Foreign and Commonwealth Office, on 23 June 2016, I again underscored that Mauritius enjoys excellent relations with both the UK and the US. I stressed that the Chagos Archipelago should not be used as a trade-off for cooperation between Mauritius and the UK and the US for assistance from the UK and the US to Mauritius.

I also mentioned that the intention of Mauritius to seek an Advisory Opinion from the International Court of Justice should not be viewed as an unfriendly act since Mauritius is fighting for a legitimate cause.

I further made it clear to Mr Kennedy and Mr Wigan that Mauritius considered the threat from the UK and the US that the request for an Advisory Opinion from the International Court of Justice would cause lasting damage to the bilateral relations of

Mauritius with both the UK and the US to be hostile and totally unacceptable and in breach of their obligations under international law.

Since Independence, the conduct of our foreign relations with the United Kingdom has always been on a country-to-country basis, namely at bilateral level and not simply through the European Union.

Our relations with the UK will not, therefore, be in lieu of our relations with the EU. In fact, we intend to consolidate our relations both with the UK and the EU. Our trade relations with the EU will still be governed by the Interim Economic Partnership Agreement with the Eastern and Southern African countries (ESA). However, since the UK will no longer be part of the EU, but may have a different relationship, we will need to have a separate trade agreement with the UK as I have already indicated.

Similarly, Madam Speaker, we have always shared very good relations with the United States which is this year celebrating its 240<sup>th</sup> Independence Day. I intend to be present at the US Embassy Celebrations this week. I have also written to the President Obama to congratulate him on this occasion.

Our trade with the United States is principally governed by the Africa Growth and Opportunity Act (AGOA).

I wish to inform the House that I have asked for a meeting with both the Prime Minister of the United Kingdom and the President of the USA as I firmly believe that it is only through a frank and constructive dialogue that we may find meaningful solutions. In the meantime, our High Commission in the United Kingdom, our Embassy in Washington and the Ministry of Foreign Affairs, Regional Integration and International Trade will continue to work towards the consolidation of our relationship with these two countries, whether at economic, cultural or political levels.

Thank you, Madam Speaker.

**Mr Bérenger:** I thank the Rt. hon. Prime Minister for the answer. If I can start with Brexit, Madam. From what I've heard, we now, therefore, will have three different institutions, different bodies where the whole Brexit issue will be discussed. One in the Joint Public-Private Sector Steering Committee chaired by the Rt. hon. Prime Minister; secondly, a Ministerial Committee chaired by the Finance Minister and we had, last Friday, this meeting, which the Rt. hon. Prime Minister referred to with the private sector, chaired again by the Minister of Finance and Economic Development. Can I know from the Rt. hon. Prime

Minister when the next joint meeting that he chairs is meeting and whether the Minutes will be made available to the House?

**The Prime Minister:** Well, the meeting has not yet been fixed, but it will be very soon. Insofar as the Minutes are concerned, well, I have no difficulty in having it deposited in the House.

**Mr Bérenger:** Thank you. As far as the Ministerial Committeee chaired by the Minister of Finance and Economic Development is concerned, I read that the terms of reference are to look into and make recommendations on the repercussion of the exit of the United Kingdom from the European Union. Can we know the composition of that Ministerial Committee, the members thereof, and whether those recommendations also will be made public?

**The Prime Minister:** We appointed it, but I can't remember all the names. Well, we will circulate the list. But, insofar as the recommendations are concerned, it all depends, there may be matters which we can't make public at this juncture and, therefore, I can't give the assurance that this will be communicated.

**Mr Bérenger:** Madam Speaker, I listened to the hon. Minister of Finance and Economic Development presently, his very cool attitude as if we had plenty of time and even the Rt. hon. Prime Minister, today, gave the impression: 'Okay, the UK Prime Minister said this and this is the rule!' Apparently, no! Is the Rt. hon. Prime Minister aware that only yesterday the President of France, the Head of Germany, the Chancellor and the Prime Minister of Italy put the pressure and all the Leaders of the European Union have been putting the pressure that there is no question of informal discussions before notification under Section 50, is formally given, and that all of them have requested that, that issue, that is, the pulling out - there are two different things, pulling out and then negotiating a new deal with the European Union, but the pulling out, they have all said that nothing will start until formally they are informed by the UK. Therefore, will the Rt. hon. Prime Minister agree with me that we must not continue with this attitude. There is urgency because, right now, if UK refuses to go that way, things can become very difficult between the European Union and the UK. So, there is urgency. Will the Rt. hon. Prime Minister agree with me?

**The Prime Minister:** Well, I can't totally agree with the hon. Leader of the Opposition. On the side of the European Union, they may bring pressure, but the Prime

Minister of UK has made it very clear that they are not in a rush and any discussions will only start after notification that they are withdrawing. So, I don't see this urgency.

*(Interruptions)*

Well, the Leader of the Opposition is trying to let us believe that he is the only one to care...

*(Interruptions)*

for Mauritius...

*(Interruptions)*

**Madam Speaker:** Order! Order!

*(Interruptions)*

Order, please!

*(Interruptions)*

Order!

**The Prime Minister:** We are a serious Government and...

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan, please!

**The Prime Minister:** We will take our responsibilities.

**Mr Bérenger:** You should do some penmanship as well!

Okay! You finished!

**The Prime Minister:** Yes.

**Mr Bérenger:** Take your time! I am sure Madam Speaker will give us time! As the Rt. hon. Prime Minister has just said, we will now have to deal with both the UK, which is going out of the European Union, and the European Union without the UK, plus a new UK Prime Minister *derrière la porte* and most probably general elections in the UK, plus, as far as France and Germany are concerned, elections fixed for next year. Can I ask the Rt. hon. Prime Minister whether our missions, not only in London and Paris, but also in Germany, will be put to full use - because we are in a complicated situation - not only to deal with the political parties in Government, but also with the Opposition parties preparing for the future, including Germany? In the case of Germany, two allies will be fighting each other in the

election next year, that is, the SPD and Mrs Merkel's party. Therefore, will the Prime Minister agree with me that our three missions, including Germany, which we stand to underestimate and which is now going to take all its importance, will have to be put to full use?

**The Prime Minister:** Well, we will do everything that is necessary. They will closely follow up with all parties which we consider will be necessary.

**Mr Bérenger:** If I can have one last question on the Brexit issue. In the past, Mauritius used to play a role of avant-garde in the ACP group in Brussels. Can I know whether Government has discussed what initiatives, we, Mauritius, should take in Brussels, being given the situation we are in, motivating the ACP group and playing that role of avant-garde which we played in the past?

**The Prime Minister:** Well, we will certainly do that. But, of course, everything will be done step by step when the time is opportune. I do not think we should rush. It is true there has been a referendum in UK, but UK is not yet out of the European Union.

**Mr Bérenger:** If I can move on the Chagos issue and our relations with the UK and US. I listened correctly, of course, to what the Rt. hon. Prime Minister had to say, but on 17 May, replying to my PNQ, he insisted that his intention is to bring a Resolution before the General Assembly this year – he insisted. That is in a few weeks' time, in September. Therefore, being given that we are two days away from the deadline which the Rt. hon. Prime Minister has himself set for the US and the UK to give us certain guarantees, can I know whether the *procédures* have been *enclenchées* at the United Nations, and whether we are in contact with the new General Assembly President from Fidji who will be chairing as from September? Can I also know whether we have started the lobbying of all our friendly countries, if we are going to have a Resolution in a few weeks' time, or is Government prepared to consider going back to the 2001 initiative that we developed when the Rt. hon. Prime Minister was Prime Minister and I was Deputy Prime Minister and which he and I, as Prime Minister, discussed right up to the level of the White House with President Bush?

**The Prime Minister:** Well, I would like to know what was the outcome of the discussion. We were nowhere insofar as Chagos is concerned. From my discussions with the representatives of the British Government lately, it is very clear that the Britishers have no intention of giving back Chagos. Therefore, we have to take all measures. We have to struggle and fight hard insofar as Chagos is concerned because we are fighting for a

legitimate cause, and this should not affect our relationship with the US and the UK. That is my opinion. We are not going to bow down before these people who pretend to support justice, human rights, rule of law, but are behaving in the most dictatorial way, giving me the impression that their philosophy is: "might is right." Therefore, I am not going to capitulate myself. We are going forward. Our representative in the United States is doing the needful, and we are not going to bow down.

**Mr Bérenger:** We are - I am sure the Rt. hon. Prime Minister is already aware - already *dans l'ère* post Cameron and post Obama. Mr Cameron is on his way out in a few weeks' time; for Mr Obama, there will be new elections next year. When the Rt. hon. Prime Minister replied to my PNQ of 17 May, he said that he had written to Mr Obama on 14 April 2015. Can I know whether this letter has been replied to and whether, in this case also, he will agree with me that our missions in Washington and in London will have to be put to full use on this issue of Chagos?

**The Prime Minister:** There has been no reply. Certainly, we are going to make full use by all our representatives, with all efforts that will be possible.

**Mr Bérenger:** It is very disturbing to hear that. The Rt. hon. Prime Minister rightly said in his communiqué of last Friday afternoon that the comments by UK and US are hostile and totally unacceptable. We, on the MMM side, have agreed with that totally. Being given the tone adopted in that communiqué by the US and the UK, can I know, in the case of the US, whether there has been any hint of a threat that US might use the African Growth and Opportunity Act (AGOA) to get what they want at this stage?

**The Prime Minister:** No, they have not given any details. The threat has been made public, and it is just this threat and nothing more.

**Mr Bérenger:** My last question before the final, final one on the Chagos. I am sure the Rt. hon. Prime Minister must be aware that tomorrow the new Supreme Court of the UK - because there is no longer the House of Lords, Law Lords - will be ruling on the 2008 ruling that was three to two - the Rt. hon. Prime Minister will remember - and which was in favour of Government; three against two. Can I know whether our mission has kept watching brief and reported to headquarters here, and have we prepared ourselves to react, whatever the ruling?

**The Prime Minister:** Well, naturally, our representative has been following. I have been told that it is very likely that Chagossians are going to lose this case. But, then, we have to wait for the verdict, and it is only then that we can think of what stand we must take.

**Madam Speaker:** Hon. Rutnahn!

**Mr Rutnahn:** Thank you, Madam Speaker. Is the Rt. hon. Prime Minister agreeable with me that, further to the referendum in relation to Brexit, the House of Commons will, firstly, have to either repeal or amend the European Economic Communities Act 1972 and, thereafter, activate Article 50 of the Lisbon Treaty 2009, in order to start exit, and according to many Constitutional and European Union Law experts, like Professor Micheal Dougan, it might take at least 10 years to realise that ...

**Madam Speaker:** Hon. Rutnahn, can you be very brief, please!

*(Interruptions)*

**Mr Rutnahn:** ...and that we will have enough and ample time to negotiate, renegotiate and negotiate further our position with the EU, with the British and with all other countries that are affected with this issue?

**The Prime Minister:** Well, I have not looked upon the laws and all that is being said, but if the hon. Member is correct, then, of course, there will be plenty of time and I hope that it is so. But I must say, from what I am reading, in UK, very enlightened lawyers with great experience have stated that in their law there is no Referendum and that whatever decision had been taken under the Referendum, it's not binding and that it will have to be approved or rejected by the House of Commons in UK and it is only then that the decision will be binding; we know also that several million of English people have made a petition for a new Referendum and, apparently, from the laws in force in UK, being given what proportion has made this application of a new Referendum, then the Government is bound to have a new Referendum.

**Mr Mohamed:** I am happy to note that the Rt. hon. Prime Minister is getting his information on Facebook regularly. With regard to the European Parliament and the Brexit issue, European Parliament is meeting on next Tuesday in an emergency session to debate the fallout from Brexit and there will be a special Motion urging immediate activation of Article 50, and what we have heard, Prime Minister Cameron will also be briefing the European leaders with regard to the after-Referendum next Tuesday.

*(Interruptions)*

Tuesday, today! So, in the light of this and that the hon. Prime Minister of Great Britain has decided to leave it to the next Prime Minister to activate Article 50 and Article 50, therefore, could be activated anytime as from the month of October of this year, doesn't the Rt. hon. Prime Minister consider that it is necessary, therefore, to call for a special meeting of the ACP countries not simply to meet in Windhoek, as the hon. Minister of Agro-Industry and Food Security most probably would have met, as said two weeks ago by the Rt. hon. Prime Minister or by any other Minister, but the Heads of State of ACP countries...

**Madam Speaker:** Be brief, please!

**Mr Mohamed:** ....to meet in order to discuss the urgency facing the new agreements that have to be negotiated, possibly as from the month of October and maybe, if the scenario is very favourable to Mauritius in 10 years' time, but the possibility is that the emergency situation is as from October?

**Madam Speaker:** Please, be brief, hon. Shakeel Mohamed! Others also want to ask questions.

**The Prime Minister:** Well, we will certainly consider that and if we have to meet, we will be meeting.

**Madam Speaker:** The last question is for the hon. Leader of the Opposition.

**Mr Bérenger:** Thank you, Madam Speaker. I am not playing politics, but I will ask the Rt. hon. Prime Minister, at a time when the country is facing two huge challenges, the fallouts from Brexit and, secondly, the risk - I use the word 'risk' - of a deterioration in our relations with the UK and US at such a crucial moment, does not the Rt. hon. Prime Minister agree with me that the Foreign Minister of Mauritius must be very much more present, heard than lately?

**The Prime Minister:** Well, the Foreign Minister will certainly do what is necessary.

*(Interruptions)*

**Madam Speaker:** Order! Hon. Baloomoody! We can't hear what the Rt. hon. Prime Minister is saying.

**The Prime Minister:** I think he knows what are his responsibilities.

**Madam Speaker:** Time is over! Hon. Uteem!

**PREVENTION OF CORRUPTION ACT – CONFLICT OF INTEREST -  
OFFENCES**

**(No. B/606) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the offence of conflict of interests under section 13(2) of the Prevention of Corruption Act, he will, for the benefit of the House, obtain from the Independent Commission against Corruption, information as to the number of –

- (a) cases relating thereto which are currently being investigated by the Commission;
- (b) cases that have been lodged before the courts, and
- (c) convictions secured to date.

**The Prime Minister:** Madam Speaker, I am informed by the Independent Commission against Corruption that there are ...

*(Interruptions)*

**Madam Speaker:** Order, please!

**The Prime Minister:** ...20 cases relating to conflict of interest under section 13(2) of the Prevention of Corruption Act which are currently being investigated by the Commission.

In regard to part (b) of the question, I am informed that, from 2007 to date, 20 cases relating to conflict of interest have been lodged before the Courts.

Regarding part (c) of the question, I am informed that eight convictions have been secured to date for offences related to conflict of interest.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. Following the Supreme Court decision in the Appeal by hon. Jugnauth against the ICAC, is the Rt. hon. Prime Minister aware whether any investigation by ICAC has been discontinued in the light of the ruling given in that decision?

**The Prime Minister:** Well, I suppose the people in charge there at ICAC know what they are doing. I don't dictate them.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you. In the light of the interpretation given by the Supreme Court to section 13 (3) of the Prevention of Corruption Act, it would be very difficult under definition of personal interest. Is the Government intending to come forth with amendments to make it easier to convict someone for conflict of interest, for example, replacing 'personal interest' by 'direct' or 'indirect' interest?

**The Prime Minister:** There is an Appeal to the Privy Council. We will have to wait for the decision and then, if necessary, we will certainly amend the legislation.

**Madam Speaker:** Next question! Hon. Bhagwan!

#### **HORSE RACING – MESSRS PAUL SCOTNEY & BEN GUNN REPORT**

**(No. B/607) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Report of Messrs Peter Scotney and Ben Gunn on Horse Racing in Mauritius, he will state when same was handed over to his good self, indicating –

- (a) if copy thereof will be tabled;
- (b) the amount of fees paid to Messrs Peter Scotney and Ben Gunn therefore, and
- (c) the main recommendations thereof regarding the setting up of a Mauritius Horseracing Turf Authority, indicating if a draft of the Mauritius Horseracing Turf Authority Bill was included therein and, if so, indicate when it will be introduced in the House.

**The Prime Minister:** Madam Speaker, with your permission, I shall reply to Parliamentary Question Nos. B/607 and B/611 together.

Madam Speaker, I do not know and have not heard about any Mr Peter Scotney.

Who is that Peter Scotney?

As the House is aware, the services of Messrs Paul Scotney and Benn Gunn were enlisted as Consultants by my Office to assist in the implementation of the recommendations of the 'Report of the Commission of Inquiry on Horse Racing in Mauritius', known as the Parry Report.

The two Consultants started their assignment on 25 January 2016 and on Friday 03 June 2016, at around 10.30 a.m., Mr Benn Gunn submitted the co-signed Report to the Chairperson of the Strategic Management Group, as myself and the Secretary to Cabinet and Head of the Civil Service were both taken up in the Cabinet Meeting of the day.

The Report was accompanied by a covering letter (in a separate sealed envelope) addressed to me. Both the letter and the Report were handed over to me, on the same day, at the first available opportunity which was around 14.00 hours.

In regard to part (a) of the question, I wish to inform the House that the Report submitted by the Consultants is a working document, executed at the request of my Office, to facilitate and assist in the implementation of the recommendations of the ‘Report of the Commission of Inquiry on Horse Racing in Mauritius’. As it contains a number of sensitive information with regard to structuring intelligence gathering and strategic directions on fighting illegal betting, I do not deem it fit to render it public.

As regards part (b) of the question, I am advised that the Consultants have, each, charged a fee of £ 750 per day, as consultancy fee for five days a week. As at today, a sum of around Rs32 m. (£ 62,175) has been paid to Mr Paul Scotney and a sum of around Rs32 m. (£ 61,387.50) to Mr Benn Gunn. A sum of £ 24,150 remains to be paid to Mr Paul Scotney and a sum of £ 25,012.50 to Mr Benn Gunn.

With regard to part (c) of Parliamentary Question B/607, the Consultants advocate the creation of an independent Mauritius Horse Racing Authority, outside the ambit and purview of the Gambling Regulatory Authority, accountable to a separate independent Governing Board, which should consist of, *inter alia*, a non-executive Independent Chairman, from abroad, a Chief Executive Officer enlisted from abroad and two other nominees, from abroad. They have, further, recommended that the employees of the Mauritius Turf Club be transferred directly to the proposed Mauritius Horse Racing Authority. In addition, they are also of the view that some 8 to 10 foreign resource persons be recruited by the proposed Mauritius Horse Racing Authority. No draft Bill has been included in the Report.

As I have stated before, the Report is a working document to facilitate and assist in the implementation of the recommendations of the ‘Report of the Commission of Inquiry on Horse Racing in Mauritius’. “The recommendations,” *per se*, are only functional guidance as to the ways and means through which the Parry Report can be best implemented.

I wish to inform the House that a Committee composing of officers of my Office, the Gambling Regulatory Authority and the State Law Office has been set up to look into the Report and map out the practical and feasible course of action in the best interest of the horse racing industry.

Madam Speaker, I can assure the House that, upon assessment of the Report, everything will be done to ensure the integrity of horseracing in Mauritius in the best possible way.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Since it is public knowledge that things are getting worse with regard to illegal betting and cheating at the level of the Mauritius Turf Club and the horseracing business, will the Rt. hon. Prime Minister at least make sure that this Committee which has been set up works rapidly and at least legislation be brought as rapidly as possible for the setting up of this Horse Racing Authority in the interest of all the population, *turfistes* at large?

**The Prime Minister:** Madam Speaker, I must correct, I made a mistake when I said Rs32 m.; it is Rs3.2 m. I am sorry.

Now, insofar as the question of the hon. Member is concerned, first of all, I don't agree with many things that have been recommended by the Consultants. I do not agree that we have all strangers here; I believe that there are competent Mauritians who can do the job. Therefore, we will have to work and come to a conclusion as to what we want in order that there is no repetition of what the hon. Member has just said. We want to make sure that horseracing in Mauritius is something that is serious, there will be no cheating, no illegal betting, we must get rid of all that, and there must, therefore, be an independent body to look after all this.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** So, pending the implementation of the decisions mentioned by the Rt. hon. Prime Minister, we are witnessing the state of affairs with regard to illegal betting, cheating and so on, can the Rt. hon. Prime Minister at least inform the House whether he will give directives to the GRA - as it is, the GRA is a bulldog *sans dent*, it is known by everybody - and even the Commissioner of Police that the *Police des Jeux* and the GRA be more effective as far as sanctions are concerned?

**The Prime Minister:** Well, the Commissioner of Police is doing his job. I don't think that I will have to give him instructions as to what he should do there.

Insofar as the second part of the question is concerned, the GRA has been acting and monitoring the situation closely and, obviously, as things are, we won't be able to achieve what we want. That is why we are working to have a special independent body that can really be effective and take actions that are necessary.

**Madam Speaker:** Hon. Osman Mahomed!

**Mr Mahomed:** Thank you, Madam Speaker. No doubt we have local competencies that will be up to the level of the job required, but does not the Rt. hon. Prime Minister agree to the proposition that has been made in the Report to the effect that at the Head of the proposed authority should be foreigners for the sake of independence so that we can curb the present *malaise* that is hovering over the domain at the moment?

**The Prime Minister:** Madam Speaker, these foreign consultants and foreign people cost a lot to this country and I have come to the conclusion that most of the time they have been useless, and I don't see why we can't have independent persons in Mauritius...

(*Interruptions*)

**Madam Speaker:** Please, don't interrupt!

(*Interruptions*)

Order, please! Don't interrupt! We won't be able to hear what the Rt. hon. Prime Minister is saying.

**The Prime Minister:** In our Courts of law, we have independent...

(*Interruptions*)

**Madam Speaker:** You should not start interrupting!

(*Interruptions*)

No comments! Hon. Rutnay, no comments, please! No comments!

(*Interruptions*)

**The Prime Minister:** As I was saying, in our Courts of law, we have independent people; in other bodies, we have independent people who are Mauritians, why can't we have Mauritians?

(*Interruptions*)

**Madam Speaker:** The hon. Member has got a last question.

**Mr Bhagwan:** I totally agree with the Rt. hon. Prime Minister that we have honest Mauritians.

(*Interruptions*)

But we have also dishonest Mauritians.

(*Interruptions*)

Can I know from the Rt. hon. Prime Minister - and I will ask him to enquire, last time I raised the issue here - that there is connivance between high civil service officials, people at the MTC, the *Police des Jeux* and the GRA with regard to illegal betting and the sort of mafia, because people are owners of horses. I can send to the Rt. hon. Prime Minister the names of senior civil servants where their families are owners of horses and they deal themselves with the permits.

**Madam Speaker:** Hon. Bhagwan, well, you take entire responsibility for what you have said.

(*Interruptions*)

Okay.

**The Prime Minister:** But we will have to set right all this.

(*Interruptions*)

**Madam Speaker:** Yes, the hon. Member has asked his question, allow the Rt. hon. Prime Minister to reply.

**The Prime Minister:** Okay, I will ask them to inquire and report to me.

**Madam Speaker:** Next question, hon. Bhagwan!

#### **GAMBLING REGULATORY AUTHORITY - JOCKEY T. – ALLEGED CHEATING**

**(No. B/608) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Jockey T., he will –

- (a) for the benefit of the House, obtain from the Gambling Regulatory Authority or the *Police des Jeux*, information as to if the Mauritius Turf Club has

reported thereto that he has allegedly committed cheating during the race meeting of 16 April 2016 and, if so, indicate the actions taken in relation thereto and, if not, will the GRA or the *Police des Jeux* inquire from the MTC why it has not reported the said case, and

- (b) state if he will consider ordering an inquiry to find out whether there has been any act of connivance in relation thereto.

**The Prime Minister:** Madam Speaker, as regards part (a) of the question, I am advised, both by the Gambling Regulatory Authority and the Police, that the Mauritius Turf Club did not inform and has not informed, until date, any of these two institutions of any alleged case of cheating committed by Jockey T. during the race meeting on 16 April 2016.

It is only on receipt of the Racing Stewards' Report, on 21 April 2016, for the race meeting of 16 April 2016, that the Gambling Regulatory Authority became aware that Jockey T. was sanctioned for his ride, in the 7<sup>th</sup> race, in the race meeting on 16 April 2016, as a result of which a 6-week suspension was imposed on him. Thus, he would not be allowed to ride in race meetings from 04 June 2016 to 09 July 2016, both days inclusive.

Consequently, the Gambling Regulatory Authority sought an explanation from the Mauritius Turf Club, as to whether there was any suspicion of cheating, to which the General Manager of the MTC averred that there was not enough material or ground to prompt a Police enquiry and eventually sustain a legal case before a Court of Law.

In view of the averments of the Mauritius Turf Club, an inquiry into the matter would lead to nowhere. However, I wish to inform the House that the Gambling Regulatory Authority is in the process of setting up an Integrity Unit which would be provided with the necessary expert resources and logistics to be able to probe further into such matters and eventually initiate Police enquiry and subsequent legal action.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Madam Speaker, since it is not the first time that this Jockey has been involved in illegal matters. We have 2008, 2013 and even in 2015, and also the rule makes it clear that –

“No jockey who has been suspended for more than 12 weeks either consecutively or cumulatively during the same season shall be authorised to ride for the remaining part of the season and next season.”

Can I make a request to the Rt. hon. Prime Minister, at least, to direct the GRA to see to it that there is no pressure from the MTC or any other body that rules be changed pending Police enquiry if need be?

**The Prime Minister:** I will certainly do that.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. I heard with a lot of concern that the Rt. hon. Prime Minister said that the Police went to the MTC and, acting on what the MTC told the Police, they came to the conclusion that no enquiry needs to be made. I think cheating is an offence and, the very least, the Police should have interviewed each Commissioner or the Stewards, all those involved and not just relied on the MTC. So, may I ask the Rt. hon. Prime Minister to ask the Commissioner of Police to look into the matter to see whether all the procedures have been taken and if he is satisfied with the way the Police have conducted their enquiry thereto?

**The Prime Minister:** Well, I will ask the Commissioner of Police to look into it again.

**Madam Speaker:** Next question, Hon. Bhagwan!

#### **MAURITIUS TURF CLUB - JOCKEY C – BREACH OF RULE**

**(No. B/609) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Jockey C., he will –

- (a) for the benefit of the House, obtain from the Gambling Regulatory Authority (GRA), information as to if the Mauritius Turf Club (MTC) has reported thereto that the Steward found him guilty of breach of MTC Rule 160(A) in Race 8 of the 9th Meeting of Saturday 21 May 2016 and, if so, indicate if -
  - (i) he was suspended and, if so, give details thereof;
  - (ii) the case was referred to the *Police des Jeux* and thereto for further inquiries, and
  - (iii) the MTC had informed the GRA of the departure thereof on Friday 27 May 2016, and
- (b) state if he will consider ordering an inquiry to find out whether there has been any act of connivance to allow the jockey leave the country.

**The Prime Minister:** Madam Speaker, as regards part (a) of the question, I am advised by the Gambling Regulatory Authority, that the Mauritius Turf Club did not notify, forthwith, as per the Directive issued on 16 October 2015, the Authority that the Racing Stewards found Jockey C. guilty of breach of MTC Rule 160(A) in Race 8 of the 9<sup>th</sup> Meeting of Saturday 21 May 2016.

The information was obtained by the Gambling Regulatory Authority through the Racing Stewards' Report which reached the Authority on 25 May 2016.

In respect of part (a) (i) of the question, I am informed that Jockey C. was suspended for 12 weeks (3 months) and fined Rs100,000, on 24 May 2016, for having breached Section 160 A (a) of the Rules of Racing of the Mauritius Turf Club.

With regard to part (a) (ii) of the question, the Commissioner of Police has informed that no declaration or complaint has been made against Jockey C., to date, by the Mauritius Turf Club.

Concerning part (a) (iii) of the question, I am advised that the Mauritius Turf Club did not inform the Gambling Regulatory Authority of the departure of Jockey C. on Friday, 27 May 2016.

With regard to part (b) of the question, I am informed that the Gambling Regulatory Authority took the initiative to carry out an inquiry into the matter.

On 07 June 2016, the Mauritius Turf Club was convened at the Gambling Regulatory Authority to show cause, to the Board, as to why it did not comply with Directive 4, issued on 16 October 2016, by the Gambling Regulatory Authority, under Section 100 of the Gambling Regulatory Authority Act 2007. Directive No 4 reads, I quote -

“Where the Mauritius Turf Club has decided to apply sanctions against a jockey, it shall, forthwith, notify the Gambling Regulatory Authority, the Mauritius Revenue Authority and the Passport and Immigration Office.”

According to the Mauritius Turf Club, the Stewards' Report, dispatched to the Gambling Regulatory Authority, on 25 May 2016, was self-explanatory and they did not deem it necessary or compulsory to address a formal letter to the Authority.

Following the hearing, the Board of the Gambling Regulatory Authority took the decision that henceforth, the Mauritius Turf Club should notify the Authority by way of an official and duly signed letter immediately after it takes the decision to apply a sanction to

any Jockey. A letter was accordingly issued thereon, on 10 June 2016, to the Mauritius Turf Club, through special despatch.

Madam Speaker, my Office has inquired on whether there has been any connivance to allow Jockey C. to leave the country. I am informed that the Mauritius Turf Club, upon query by the *Police des Jeux*, provided its no objection to the Jockey leaving the country. On that basis, the *Police des Jeux* provided their no objection as well to the Passport and Immigration Office. The Mauritius Revenue Authority also issued a no objection letter after the Jockey paid his tax dues.

Therefore, it has been ascertained that all the clearances had been obtained by the Jockey to leave the country. No connivance could be established.

However, the Gambling Regulatory Authority has initiated action to plug the loopholes at the level of its Directives and other regulations to ensure stricter compliance and closer collaboration among institutions to prevent recurrence of such happenings.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** It is clear that there has been – if I can use the word – conspiracy; *les mains invisibles qui ont aidé* Jockey C. à quitter l'île Maurice. Can the Rt. hon. Prime Minister, at least, ask the relevant authorities, the Police and Central CID to enquire whether there has been a transfer of Rs15 m. on the name of that Jockey C. on the same day to Singapore, when he left Mauritius?

**The Prime Minister:** Whether he has transferred Rs15 m. to Singapore, well the Police can enquire about that. But where does the Rs15 m. come from? I wonder whether there will be any evidence forthcoming. We will try to do it.

**Madam Speaker:** Yes, hon. Bhagwan!

**Mr Bhagwan:** One last question, Madam Speaker. The GRA itself has found out that there are loopholes. Can I ask again the Rt. hon. Prime Minister whether he will discuss with the Commissioner of Police that the *Police des Jeux* be beefed up? From what we know, they don't have sufficient qualified staff; even the consultant has recommended same. Pending the report, the GRA and *Police des Jeux* should be beefed up so as there is no repetition of such things which have happened concerning Jockey C?

**The Prime Minister:** Certainly the GRA is looking after that.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Madam Speaker, from the answer of the Rt. hon. Prime Minister, it would appear that according to the GRA, at least, there is potentially an offence that has been committed in Mauritius - the only circumstances. May I ask the Rt. hon. Prime Minister to see with the hon. Attorney General whether he can trigger assistance under the Mutual Assistance in Criminal Matters to track where Mr C is and get the cooperation of the foreign authorities to bring him to justice?

**The Prime Minister:** Okay, I'll ask the Attorney General to do the needful.

**Mr Jhugroo:** Madam Speaker, with regard to the numerous reported cases of cheating during horseracing for the past years, would the Rt. hon. Prime Minister consider toughening the law and sentencing to jail all jockeys who are involved in cheating in this country?

**The Prime Minister:** Well...

*(Interruptions)*

**Madam Speaker:** Yes, hon. Prime Minister!

**The Prime Minister:** We will have to legislate, but we will see whether it is reasonable to legislate.

**Madam Speaker:** Next question, hon. Rughoobur!

### **MBC – TELEVISION LICENCE FEES**

**(No. B/610) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Mauritius Broadcasting Corporation, he will, for the benefit of the House, obtain therefrom, information as to the –

- (a) net revenue collected in terms of television licence fees since November 2015 to date, and
- (b) expected net deficit thereof for the financial year ending 2016.

**The Prime Minister:** Madam Speaker, in regard to part (a) of the question, I am informed by the Director-General of the Mauritius Broadcasting Corporation that the net revenue collected from television licence fees, from 01 November 2015 to date, amounts to Rs362.5 m.

Concerning part (b) of the question, the House would recall that, in my reply to Parliamentary Questions B/85 and B/86 on 05 April 2016, I had indicated that the Report of the Public Sector Efficiency Bureau had shed light on the mismanagement of the MBC by the former Director-General who had the blessing of the then Prime Minister and the previous MBC Board which condoned all his wrongdoings.

As a matter of fact, the annual expenditure of the MBC has always exceeded its annual revenue over the last ten years. The annual deficit registered by the Corporation in June 2006 which stood at Rs18.9 m. had increased to Rs309.1 m. at the end of December 2013.

In my reply to Parliamentary Question B/139 on 12 April 2016, I had also pointed out that I had personally given instructions to restructure the MBC for better efficiency to turn around the prevailing situation.

Madam Speaker, I am informed by the Director-General that, with the implementation of a series of in-house measures to optimise the use of resources, the Corporation will after more than ten years, register an expected operating profit of around Rs80.4 m. for financial year ending 30 June 2016. However, the financial situation of the Corporation remains highly precarious with an accumulated operating deficit of Rs1.15 billion over the last 10 years and debts amounting to Rs709 m.

Madam Speaker, with the appointment of the new MBC Board and a new Director-General, the implementation of the recommendations made by the Public Sector Efficiency Bureau for improving the financial situation of the Corporation will be accelerated. In addition, new strategies will be devised to maximise revenue and decrease expenditure whilst at the same time modernising the Corporation to better meet the needs and aspirations of the public.

As already indicated in the Government Programme 2015-2019, the Corporation will have the full support of Government for the timely completion of its restructuration plan to make it more efficient, service oriented and less dependent on Government funding.

**Mr Rughoobur:** Madam Speaker, the hon. Prime Minister rightly pointed out the urgent need for restructuring of the MBC. The Auditor's Report of August 2015 mentioned the fact that there was non-submission of the Annual Report of the MBC in 2014. In this whole process of restructuring, the hon. Prime Minister would agree that there is an urgent

need and the very first document that would be needed would be the Annual Report. May I know from the hon. Prime Minister if that report is ready now?

**The Prime Minister:** I will pass on the request to the MBC Board.

**Mr Jhugroo:** Madam Speaker, after having listened to the answer given by the hon. Prime Minister with regard to the mismanagement by the previous Director for the past 10 years and a deficit of above Rs700 m., would the hon. Prime Minister consider seeing if any legal action could be taken against that Director who had been involved in this mismanagement?

*(Interruptions)*

**The Prime Minister:** Well, I wonder whether it won't be a waste of time.

**Mr Rughoobur:** Madam Speaker, a CEO as well as a Chairman have just been appointed. The Statutory Bodies (Accounts and Audit) (Amendment) Act puts the full responsibility on the CEOs to submit the Annual Reports of those Statutory Bodies within a time period. Let me quote the law as it is and you can read this bit in the last Audit Report that I just mentioned –

“Where, in the opinion of the Board, the Chief Executive Officer or any other officer of a statutory body has not properly performed his duties with the result that the above requirements of the Act cannot be complied with within the prescribed time, the Board may, after giving an opportunity for the officer to be heard, take appropriate disciplinary action against the officer.”

May I request the hon. Prime Minister, since there is a new CEO now at the Statutory Body of the MBC, to ensure that the Annual Report is laid on time so that we can have an idea of the performance of the Statutory Body year after year?

**The Prime Minister:** Well, I will convey that to the relevant authority.

**Madam Speaker:** Hon. Ganoo, I'll give you the next question, but please don't be lengthy in your questions!

#### **HORSE RACING - MESSRS PETER SCOTNEY & BEN GUNN REPORT - RECOMMENDATIONS**

**(No. B/611) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for

Rodrigues and National Development Unit whether, in regard to the Report of Messrs Peter Scotney and Ben Gunn on Horse Racing in Mauritius, he will state the main recommendations thereof.

*(Vide reply to PQ No. B/607)*

**HAGUE CONVENTION ON THE PROTECTION OF CHILDREN AND CO-OPERATION IN RESPECT OF INTERCOUNTRY ADOPTION – RATIFICATION**

**(No. B/612) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Hague Convention on the Protection of Children and Co-operation in Respect of Intercountry Adoption, he will state if Government is considering the ratification thereof.

**The Prime Minister:** Madam Speaker, Mauritius has acceded to the Hague Convention on the Protection of Children and Co-operation in respect of Intercountry Adoption on 28 September 1998, with the aim to improve the adoption framework in the country and to ensure that intercountry adoptions are done in the best interests of children, in accordance with international norms and standards. There is, therefore, no need for further ratification.

Madam Speaker, I would like to inform the House that, in September 2005, the National Adoption Council which operates under the purview of my Office was designated as the Central Authority for Mauritius, in accordance with Article 6, Chapter III of the Convention. It acts as the Focal Point with regard to intercountry adoptions.

Since then, wide consultations have been held between the various stakeholders to develop the best adoption procedures and various proposals have been made for the domestication of the provisions of the Convention in our national legislation.

Madam Speaker, I would also like to point out that my Government is very sensitive to the issue of intercountry adoption. It is in this perspective that we had announced in our Government Programme of 2015-2019, the introduction of the necessary legislation to domesticate the provisions of the Hague Convention and we are moving quickly in this direction.

In this regard, on 05 February 2016, Cabinet has approved the proposals for the setting up of the appropriate legal and administrative structure and the introduction of new policies on adoption matters in line with the provisions of the Convention.

Furthermore, the Permanent Bureau of the Hague Conference on Private International Law has deputed an Expert, who arrived in Mauritius last week, to assist Government in the drafting of a new Adoption Bill to incorporate the provisions of the Convention. She is expected to submit her recommendations and the broad lines of the new legislation within one month.

**Madam Speaker:** Hon. Ganoo, any question! No! Time is over! The Table has been advised that PQ B/625 in regard to the construction of a waterfront at Grand' Baie Public Beach will now be replied by the hon. Minister of Civil Service and Administrative Reforms, Minister of Environment, Sustainable Development, and Disaster and Beach Management. PQ B/650 in regard to the cleaning and maintenance of the beaches of Pointe aux Sables and of Tombeau Bay will now be replied by the hon. Minister of Local Government. PQ B/654 in regard to the real estate agencies will now be replied by the hon. Minister of Finance and Economic Development. PQ B/639 has been withdrawn. Hon. Sesungkur!

#### **EMPLOYEE REAL ESTATE INVESTMENT TRUST - UNIT HOLDERS**

**(No. B/618) Mr D. Sesungkur (First Member for Montagne Blanche & GRSE)** asked the Minister of Finance and Economic Development whether, in regard to the Employee Real Estate Investment Trust, he will, for the benefit of the House, obtain therefrom, information as to –

- (a) the number of Unit Holders thereof to date, indicating the number thereof having been redeemed since the setting up thereof to date;
- (b) the name of the Manager thereof;
- (c) the evolution of the net value of the assets thereof since the setting up thereof to date, and
- (d) if any dividend has been paid and, if not, why not.

**Mr Jugnauth:** Madam Speaker, I wish to refer the hon. Member to the reply made to PQ B/281 of 26 April 2016 wherein the House was informed that the Employees' Real Estate Investment Trust does not belong to Government and therefore it would not be appropriate to provide the information then requested.

However, given that the information requested is of a general nature, I am providing exceptionally the information sought for.

With regard to part (a) of the question, I am informed that as at 23 June 2016, the Employees' Real Estate Investment Trust had 206,786 Unit Holders. In fact, when the Employees' Real Estate Investment Trust was set up in March 2005, there were 352,340 unit holders. As per the Trust Deed, the Unit Holders are entitled to redeem their units as from 31 March 2010. During the period 31 March 2010 till date, therefore, 145,554 units have been redeemed.

Concerning part (b) of the question, EREIT Management Ltd., a fully owned subsidiary of the State Investment Corporation Ltd (SIC), was appointed as Manager of the Trust in March 2005 while the State Insurance Company Ltd. is the Trustee for the Unit Holders of the Trust.

Regarding part (c) of the question, the Net Value of Assets of the Trust as at 30 June 2006 was Rs383.8 m. and as at 31 March 2016, the Net Value of Assets has increased to Rs1.1 billion.

As regards part (d) of the question, there is no provision for the payment of dividend in the Trust Deed. However, in the amended Trust Deed of January 2011, provision has been made for any financial benefits accruing to the Unit Holders to be payable only at the time of redemption of the units.

**Madam Speaker:** Next question, hon. Uteem!

#### **AGUSTAWESTLAND VVIP CHOPPER DEAL SCAM - INQUIRY**

**(No. B/619) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Financial Services, Good Governance and Institutional Reforms whether, in regard to the AugustaWestland VVIP chopper deal scam, he will, for the benefit of the House, obtain from the Financial Services Commission and from the Financial Intelligence Unit respectively, information as to if they have initiated inquiries in relation thereto and, if so, indicate the outcome thereof in each case.

**Mr Bhadain:** Madam Speaker, I am informed that the FIU is working on the AgustaWestland case - in fact, it is 'Agusta' and not 'Augusta' - and has been collaborating with the Indian authorities since July 2015. By virtue of section 30(2) of the Financial Intelligence and Anti-Money Laundering Act 2002, the FIU is unable to divulge information publicly at this stage.

With regard to the FSC, Madam Speaker, I am informed that following several press articles in the Indian press in February 2013 with respect to alleged bribery involving Indian nationals for the purchase of helicopters by the Indian Government, the FSC started a preliminary enquiry into the matter in April 2013, which was subsequently terminated in June 2013 by the then Director of Surveillance as there was no substantive evidence to support the allegations of bribes having been channelled through Mauritius global business companies.

Madam Speaker, I am informed that AgustaWestland VVIP chopper deal alleged scam is in relation to a contract entered into in 2010 for the purchase of 12 VVIP helicopters by the Indian Government from AgustaWestland, whose parent company is an Italian arms firm, Finmeccanica. I am further informed that on 09 April 2016, a Milan Court, convicted the former CEO of Finmeccanica, Mr Giuseppe Orsi and the Head of its Helicopter Division Mr Bruno Spagnolini for bribery and false accounting.

Madam Speaker, on 24 May 2016, one Indian News Channel, Indian Today, broadcasted a televised documentary following a sting operation in relation to the AgustaWestland VVIP Chopper alleged scam. In the sting operation interview, two Indian authorities, one Mr Shakil Fakiermahamod, a Director of ML Administrators Ltd., a management company licenced by the FSC, made serious allegations that one Mr Gautam ...

**Madam Speaker:** Hon. Minister, if you could mention initials rather than names!

**Mr Bhadain:** That one Mr G. K. allegedly the mastermind behind the infamous AgustaWestland VVIP Chopper deal scam, was adviser of the FSC and formed part of the Joint Working Group negotiating the India-Mauritius Double Tax Avoidance Convention. The one Mr S. F. also made allegations how proceeds of bribery may be channelled through the Mauritius global business companies.

Madam Speaker, on 26 May 2016, the current management team of the FSC acted promptly and issued an interim direction under section 46 of the Financial Services Act 2007 for ML Administrators Ltd. to remove with immediate effect Mr S.F. as director and MLRO of ML Administrators Ltd. based on *prima facie* evidence against Mr S. F. who may have been indulged in financial crime and money laundering and the averments of Mr S. F. that one Mr G. K. was the adviser/consultant of the FSC which was completely false, misleading and ill- motivated.

I am informed that the FSC had also provided both ML Administrators Ltd. and Mr S. F. seven days to provide written representations as to why a final direction should not be issued by the FSC against them.

Madam Speaker, on the same day, 26 May 2016, the FSC started a new investigation on the matter which is currently ongoing. On 08 June 2016, the FSC issued a direction under section 46 of the Financial Services Act, confirming its interim direction issued on 26 May 2016 given that submissions made by Mr S. F. were considered to be unsatisfactory.

As of today, I am informed by the FSC that the preliminary findings of the investigations are that Interstellar Technologies Ltd and InfoTech Design Systems Ltd, two companies allegedly involved in channelling bribe money to India, held a JBL2 and JBL1 licence respectively. I am further informed that Interstellar Technologies Ltd. was removed from the Registrar of Companies as far back as 28 March 2013 while Info Tech Design Systems Ltd surrendered its license on 17 October 2013 and was subsequently removed by the Registrar of Companies.

It has also come to the attention of the FSC during its investigation that, from the period 01 August 2007 to 09 November 2012, some EUR 18 million was transferred from IDS Tunisia in the bank accounts of InfoTech Design Systems Ltd, held at ex-Bramer Banking Corporation Limited.

*(Interruptions)*

**Madam Speaker:** No comment, please!

**Mr Bhadain:** Out of these, payments of EUR 18 million made by InfoTech Design Systems Ltd to various recipients for consultancy services, engineering services and loans, all of which is considered to be suspicious by the FSC. It has also come to the attention of the FSC that the MLRO of ML Administrators Ltd, Mr S. F., had never raised any suspicious transaction report to the FIU and never notified the FSC despite adverse press reports of alleged bribery being channelled through Mauritius in this particular case.

Madam Speaker, I wish to reassure the House that the FSC is taking all appropriate enforcement actions on the basis of evidence gathered during the course of this investigation.

**Mr Uteem:** Madam Speaker, the hon. Minister mentioned that, as far back as 2013, the Financial Services Commission was aware of this scandal and investigated and found nothing. Has the FSC now carried out an inquiry to find out why, in 2013, the enquiry was

not properly done and this management company and the director who has been suspended was allowed to continue operation?

**Mr Bhadain:** I do agree with the hon. Member that it is very strange as to why, when these transfers of 18 m. euros had gone through Bramer Bank, in 2013 the FSC did not act on it, and terminated their investigation. I am told that this was done under the instructions of Mr Max Fulton, the then Director of Surveillance. But, now, the FSC is basically doing what should have been done back then and investigating the matter properly.

**Mr Uteem:** The hon. Minister mentioned the article that appeared in the newspaper and news channel *India Today*, which used very hard words against Mauritius. For example –

“(...) the Mauritian kickbacks factory blossoms with hundreds of consultants suddenly available to work the scam. A brilliant, well-oiled nexus between local money hustlers and overseas law dodgers.”

So, in the light of this very strong, defamatory statement levelled against Mauritius as a financial sector, may I know from the hon. Minister what action has been taken by his Ministry or the FSC or the FSPA against *India Today* to rectify this perception that Mauritius is being used as a platform for money laundering?

**Mr Bhadain:** The FSPA has certainly been in touch with the relevant people to ensure that the proper communication of the right facts is given. But, after the FSC finishes its investigation, of course, there is going to be further action from the authorities in Mauritius to make sure that these articles are rectified. I must also say, Madam Speaker, that since this Government has come in, what we have been doing on the financial services side is ensuring that there is a clean, transparent platform of substance for investment to be channelled through Mauritius, and whatever has happened in 2013-2014, these cases are coming to light and we are dealing with them. We are not responsible for these cases.

**Madam Speaker:** Hon. Mohamed!

**Mr Mohamed:** Thank you very much, Madam Speaker. The hon. Minister has - before being asked by you, Madam Speaker, to just refer to initials - referred to the name of Mr Khaitan, and if I am not mistaken, during one of the alleged reports by Mr S. F., there was reference made to that Mr Khaitan as being an advisor or consultant of the Financial Services Commission, which was promptly denied by the FSC. However, would the hon. Minister confirm whether this gentleman, in fact, was never at the FSC but at the Board of Investment,

acting as a consultant or adviser, and had indeed been present during negotiations with India concerning the DTA?

**Mr Bhadain:** Well, I can certainly assure the House that, at the level of the FSC, they have done all the rigorous verifications to ensure that this Mr K. was never involved in any way, shape or form with the activities of the FSC, be it in relation to the DTA or with India or otherwise. Now, if the hon. Member has information as to that person having been involved somehow with another organisation, then, as Minister of Good Governance, I'll certainly look into that.

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

**Dr. Sorefan:** Thank you, Madam Speaker. Will the hon. Minister confirm to this House that there was judicial request from the agency looking after the bribery things, a letter rogatory - what they call from court to court - in the past, and that recently, on 03 June of this year, there was a fresh request? Now that the FSC is doing the work, can the hon. Minister state whether any correspondence has been addressed to those who have called for this fresh judicial court to court information?

**Mr Bhadain:** I am informed by the FSC that all the relevant legal procedures are being followed and all requests are being dealt with. As I have said, we want to show that Mauritius is collaborating and we don't have anything to hide, and if ever there are certain global business companies which have been involved, they are going to be taken to task. This is how we are marketing ourselves on the international front these days.

**Mr Bhagwan:** Last year, I asked a Parliamentary Question concerning dirty money coming from Indian firms channelling through Mauritius. One particular firm in Ebene was mentioned - the hon. Minister might know - and the hon. Minister told the House that it is confidential; the FIU did not give the names. Can the hon. Minister inform the House whether any action has been taken, whether any result has been obtained following these official allegations which were made in the Lok Sabha by the Leader of the Opposition at the end of last year?

**Mr Bhadain:** Madam Speaker, the hon. Member can come with a substantive question and I will gladly answer. Now, with regard to the FIU, they disseminate report to the investigatory bodies, namely ICAC and the Police, and then the investigation is done by those bodies. I would not know at what level investigation has progressed at ICAC or the Police. But, as far as the FIU is concerned, if a substantive question is put, I will certainly answer.

**Madam Speaker:** Next question, hon. Uteem!

**MAURITIUS POST LTD – AGGREGATE ASSETS & LIABILITIES**

**(No. B/620) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Technology, Communication and Innovation whether, in regard to the Mauritius Post Ltd., he will, for the benefit of the House, obtain therefrom, information as to the current financial situation thereof, indicating in respect of each of the financial years 2014 and 2015, the –

- (a) aggregate assets thereof;
- (b) aggregate liabilities thereof, and
- (c) profit thereof.

**The Minister of Business, Enterprise and Cooperatives (Mr S. Bholah):** Madam Speaker, I will reply to this question, with your permission. As regards the current financial situation at the Mauritius Post Limited, according to its unaudited accounts for period 01 January 2014 to 30 June 2015, that is, 18 months period, the company has incurred a loss of Rs646.6 m., out of which an operating loss standing at Rs136.4 m. Given the fact that the company had 44.22% of the share capital of the Ex-Mauritius Post and Cooperative Bank, the remaining loss is due to the impairment of investment to the tune of Rs510.2 m. as a result of financial difficulties of the latter and the writing off of the non-performing loans.

Madam Speaker, as regards the financial information sought for the years 2014 and 2015 respectively, the House may wish to note that Government budgeting period that has been changed as from 2015 from the calendar year basis to period July to June, consequently, the financial year of the Mauritius Post Limited, which was previously from 01 January to 31 December, has changed from 01 July to 30 June, as from year 2015. Hence, the last audited financial statements for the Mauritius Post Limited are for the year ending 31 December 2013.

I am informed that the financial statements for the 18 months period, 01 January 2014 to 30 June 2015, are currently being audited. In consequence, financial information sought for the year 2014 is not available. I, therefore, propose to provide information for parts (a), (b), (c) of the question, for financial years ending 31 December 2013 and 30 June 2015 respectively.

As regards part (a) of the question, the aggregate assets as at 31 December 2013 and 30 June 2015 were Rs926,692,214 and Rs640,815,925 respectively.

As regards part (b) of the question, the aggregate liabilities as at 31 December 2013 and 30 June 2015 were Rs775,222,532 and Rs1,052,830,706 respectively.

As regards part (c) of the question, the Mauritius Post Ltd. realised a profit of Rs3,330,064 for the year ending 31 December 2013 and made a loss of Rs646,657,843 for the 18 months ended 30 June 2015 before other comprehensive income.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. I understand the hon. Minister is not the substantive Minister, but may I know from the hon. Minister, with respect to the operational loss, for years now Mauritius Post Ltd. has been making loss of over Rs100 m., so, may I know from the hon. Minister, as at today, whether this loss is still ongoing or there has been any measure to redress the operational situation?

**Mr Bholah:** Well, I am not aware. I don't have any information if the loss is persisting, but anyway, I do have some information as to what measures are being taken and this I can tell you, *inter alia*, the following are being implemented -

- (i) introduction of non-postal products and services in its diversification strategy which generate some 25% of its total revenue;
- (ii) modernisation of the parcel and courier business in the wake of growing e-commerce;
- (iii) distribution on advertising mails on a door-to-door basis;
- (iv) additional business from the National Transport Authority for the issue of motor vehicle licences for all categories of vehicles;
- (v) new business from other Government departments and parasatal bodies such as the Beach Authority and Small Planters Welfare Fund;
- (vi) increase in the number of payments for social aid;
- (vii) introduction of financial services in collaboration with insurance companies like SICOM and New Island Insurance for collection of premiums and sale of new insurance.

With regard to cost curtailment as well, as the salaries of employees represent some 75% of the total operational cost, the following measures have also been implemented by Mauritius Post Ltd. -

- (i) filling of vacancies are being made strictly on needs basis;
- (ii) secondly, recourse to lower grade employees wherever possible, including enlistment of training under the Youth Employment Programme, and
- (iii) thirdly, introduction of flexitime to curtail payment of overtime.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** The hon. Minister mentioned that the investment of Mauritius Post in Mauritius Post and Cooperative Bank, 44%, has now been diluted totally in MauBank. So, may I know in the circumstances, being given that the asset has been considerably eroded, whether the Mauritius Post Office had made any formal request from the Government for financial assistance?

**Mr Bholah:** From information that I do have, there has been a request from the Mauritius Post Ltd. for injection of an amount of Rs510 m., that is, Rs255 m. as equity capital and another Rs255 m. as contribution towards past service liability for ex-Government employees who joined the Mauritius Post Ltd. I don't have it had been acceded to, but requests have been made.

**Madam Speaker:** Yes, hon. Jhugroo!

**Mr Jhugroo:** Can the Acting Minister confirm to the House whether services provided by Mauritius Post, like the public can pay their water bills, CEB bills, NTA bills etc., is it free of charge or do they pay these institutions to the Mauritius Post Ltd.?

**Mr Bholah:** Well, as far as I know, there is a fee which is being paid. This is why there are more requests from the Mauritius Post Ltd. to secure more, I mean for other authorities to come to the Mauritius Post counters for servicing of such payments.

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

*At 1.06 p.m. the sitting was suspended.*

*On resuming at 2.36 p.m. with the Deputy Speaker in the Chair.*

**The Deputy Speaker:** Hon. Uteem!

## **RESIDENTIAL CARE INSTITUTIONS/SHELTERS FOR CHILDREN - FUNDS**

**(No. B/621) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the Residential Care Institutions/Shelters for Children, she will state the -

- (a) number thereof, indicating the number of -
  - (i) children residing thereat, and
  - (ii) employees thereof, and
- (b) total amount of funds provided thereto by Government in respect of the years 2014 and 2015 respectively.

**Mrs Perraud:** Mr Deputy Speaker, Sir, in regard to Residential Care Institutions/Shelters for Children, I am informed that 19 Residential Care Institutions/Shelters are in operation. As at 24 June 2016, 544 children are residing thereat and 339 employees are employed therein.

In regard to part (b) of the question, the amount of funds provided thereto in respect of the years 2014 and 2015 are Rs62,570,945.56 and Rs70,425,946.51 respectively.

**Mr Uteem:** Thank you, Mr Deputy Speaker, Sir. In November 2015, there was a report of the Fact-Finding Committee on Residential Care Institutions/Shelters for Children chaired by Mr Vellien and the very first recommendation at paragraph 1.1 related to shelters being overcrowded. So, may I know from the hon. Minister in the seven months that has followed this report what action has been taken specifically with regard to overcrowded shelters?

**Mrs Perraud:** Indeed, Mr Deputy Speaker, Sir, the Fact-Finding Committee was set up on 17 April 2015 and the report was published on 05 November 2015. Concerning this recommendation, we made a call for tender for the management of shelters, but it was not successful. We are now reviewing our requirements and fresh tenders will be called soon. We have also opened *l'Oasis* for children who are sexually abused and we have already transferred about – I don't have the exact figure – 26 children to *l'Oasis*.

**The Deputy Speaker:** Hon. Uteem!

**Mr Uteem:** With regard to the answer which the hon. Minister has just given to us, is the tender for new shelters or is it for the provision of management services' contract to existing shelters?

**Mrs Perraud:** It is for both.

**The Deputy Speaker:** Hon. Ganoo!

**Mr Ganoo:** In addition to the many criticisms which the Fact-Finding Committee made against the management of the shelters, Mr Deputy Speaker, Sir, can I ask the hon. Minister - there was another very serious feature which this report underlined, it was the fact that many of the employees employed by the shelters were persons who had a criminal record, including record of assaulting and even possession of dangerous drugs – whether it is not time once for all to legislate as it obtains in other countries that people who intend to be recruited in places where there are children, that is, schools, crèches or shelters that their criminal records should be cleared first before they are employed in such places of employment?

**Mrs Perraud:** Mr Deputy Speaker, Sir, indeed I do agree with the hon. Member and we are working in this direction. Also, we have already trained 92 caregivers who are working in our shelters.

**The Deputy Speaker:** Hon. Leader of the Opposition!

**Mr Bérenger:** If I can add to what hon. Ganoo has just said, in the report, names were named of people who should not be there and clearly it calls for their removal. Can I know whether any of the people's names in that report, have been replaced, have been removed?

**Mrs Perraud:** Indeed, there is one person who was named in this report who no longer works in the shelter.

**Mr Bérenger:** I heard – and I thank the hon. Minister for that reply - that the tender that came out - and I understand was non-responsive, the institution is being removed - calls for both, if I got it right, managing existing shelters and new shelters. Can I know how many new shelters are planned by the Ministry and whether that has moved on with the forthcoming budget to finance?

**Mrs Perraud:** Actually, at the level of the Ministry, we are working more towards the re-integration of children who are in our shelters and also placing the children in foster care, and also working on mentoring rather than building or opening many other shelters.

**The Deputy Speaker:** Hon. Jhuboo!

**Mr Jhuboo:** *Merci, M. le président.* Many of these institutions have benefitted in the past from the CSR guidelines. May we know from the hon. Minister, in the light of the forthcoming budget, will she make any recommendations towards the better use of CSR guidelines?

**Mrs Perraud:** In a general manner, I can say that for the forthcoming budget, the Ministry is seeking more resources to give a better service to the children in shelters.

**The Deputy Speaker:** Hon. Uteem, last supplementary!

**Mr Uteem:** Thank you, Mr Deputy Speaker, Sir. Bouncing on what the hon. Minister just mentioned, one of the main recommendations in the report was that there was a need for substantial increase in resources for the Child Development Unit (CDU). So, may I know from the hon. Minister, in light of the forthcoming budget, whether a study has been carried out in her Ministry to find out what are the needs and to quantify the needs in terms of monetary terms?

**Mrs Perraud:** We have already recruited officers for the CDU last year and then we are looking forward to re-organise, to re-structure the CDU.

**The Deputy Speaker:** Hon. Bhagwan!

#### **MINISTER OF HEALTH AND QUALITY OF LIFE – OVERSEAS MISSIONS**

**(No. B/622) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Health and Quality of Life whether, in regard to the overseas missions he has undertaken since his appointment as Minister of Health and Quality of Life to date, he will state the number thereof, indicating –

- (a) in each case, the –
  - (i) countries visited, purpose and duration thereof, and
  - (ii) total cost thereof in terms of travel expenses, *per diem* and other allowances drawn, indicating the travel agency which supplied the air ticket, and

- (b) the number of times he was accompanied by Mrs V. S., Executive Director of the Trust Fund for Specialised Medical Care, indicating in respect thereof and in each case, the -
  - (i) reasons therefor, and
  - (ii) total cost thereof in terms of travel expenses, *per diem* and other allowances drawn, indicating which authority funded same.

**Mr Gayan:** Mr Deputy Speaker, Sir, with your permission, I am tabling the information with regard to part (a) of the question.

The House may wish to note that travel fares were as per rates applicable and all allowances payable were in accordance with established rates.

As regards part (b) of the question, the answer is nil. The other parts of the question, therefore, do not arise.

**The Deputy Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Can the hon. Minister give the total sum spent with regard to the total number of missions?

**Mr Gayan:** I have replied to the question; I have nothing more to add.

**Mr Bhagwan:** The hon. Minister said that he is circulating. Can he inform the House whether he is tabling the reply?

**Mr Gayan:** It has been tabled.

**The Deputy Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Mr Deputy Speaker, Sir. May I know from the hon. Minister the name of the travel agency which organises his trips being given that in the past there has been an inquiry in relation to past travelling?

**Mr Gayan:** The information is on the Table, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Hon. Dr. Joomaye!

**Dr. Joomaye:** Thank you, Mr Deputy Speaker, Sir. I would like to ask the hon. Minister if he has been sponsored by any pharmaceutical company or international organisation to attend any conference or forum abroad.

**Mr Gayan:** Not by any pharmaceutical company, but the WHO does sponsor at times.

**The Deputy Speaker:** Hon. Rughoobur, next question!

*(Interruptions)*

### **CENTRAL PROCUREMENT BOARD – BOARD MEMBERS**

**(No. B/623) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or)** asked the Minister of Finance and Economic Development whether, in regard to the Board Members of the Central Procurement Board (CPB), he will, for the benefit of the House, obtain from the CPB, information as to –

- (a) in each case, the -
  - (i) qualifications held, and
  - (ii) terms and conditions of contract thereof, including the salaries and other benefits drawn, number of working hours required and duration of contract, and
- (b) if the contract of any one thereof has been renewed despite his having held the maximum two terms of three years office as Board Member, as provided for under the Public Procurement Act.

**Mr Jugnauth:** Mr Deputy Speaker, Sir, in accordance with Section 8...

*(Interruptions)*

**The Deputy Speaker:** No interruptions, please!

**Mr Jugnauth:** ...of the Public Procurement Act, the Central Procurement Board is composed of a Chairperson, two Vice-Chairpersons and three other members.

Presently, the constitution of the Central Procurement Board is as follows -

- **Chairperson:**  
Mr Madhukarlal Baguant, C.S.K.
- **Vice-Chairpersons:**  
Mr Hirentranath Rambhojun, and  
Mr Krishna Menon Mauremootoo
- **Members:**  
Mrs Sharda Devi Dindoyal;  
Mr Dawood Ally Mamode Zmanay, and

Mr Kirsley Errol Bagwan

With regard to part (a) of the question, the information requested is being tabled. The House may wish to note that the members of the Central Procurement Board are employed on a full-time basis.

Concerning part (b) of the question, I am informed that no member has been in office for more than two consequent terms of three years.

**The Deputy Speaker:** Hon. Rughoobur!

**Mr Rughoobur:** Thank you, Mr Deputy Speaker, Sir. As Section 8 (2) of the Public Procurement Act clearly stipulates, and I quote –

“Every member shall hold office for a period not exceeding 3 years and shall be eligible for re-appointment for one additional term.”

According to information that I have and I would kindly request the hon. Minister of Finance and Economic Development to please check, Mr D. Z. presently serving as Board Member for a third term, he was firstly appointed prior to 2007, but he served from 2007 until 2010 on first term; 2010 until 2013 on a second term and he resigned. Now, he is presently serving a third term. I would kindly request the hon. Minister to please check this and try to look into the matter.

**Mr Jugnauth:** No, the information is incorrect because Mr Zmanay has not served from 2011 to 2013; he served only from 2008 to 2010 and, in fact, all the members continued to serve for two more months and then he resigned. He resigned on 31 January 2011. That is one term and now he was re-appointed in 2015 and, therefore, that is the second term. But he did not serve in between those two terms.

**Mr Rughoobur:** I would kindly request the hon. Minister to please check on this because my information is that he served. Anyway I have got a second supplementary. The hon. Minister spoke about the conditions of employment of Board Members. They are on a full-time basis. May I request if the weekly hours of work for the full time members can be tabled for the consideration of the House.

**Mr Jugnauth:** Well, I won't have the details of weekly attendance, but, as I have replied, they are employed on a full-time basis. Of course, I do expect them to be at their office during the working hours' time. But, again, with reference to the first part of the question, I can reassure the hon. Member that, in fact, before answering this question, I have

doubly checked and this is the information that I have. The member has not been serving for more than two terms, according to law. So, we are within the parameters of the law.

**The Deputy Speaker:** Next question, hon. Rughoobur!

### **GRAND GAUBE, PEREYBERE & GRAND' BAIE – WATER SUPPLY**

**(No. B/624) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to Grand Gaube, Pereybère and Grand'Baie, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the measures that are being taken to improve domestic water supply thereat.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** Mr Deputy Speaker, on 14 June 2016, I tabled a directory of all water supply improvement projects, which includes projects to be undertaken by the CWA in the regions referred to by the hon. Member. I invite the hon. Member to consult this directory which contains all information which he requires.

In addition, since April 2016, the CWA has put into use two new boreholes to improve water supply in the region of Grand Gaube with the injection of an additional volume of 2,000 m<sup>3</sup> per day.

**Mr Rughoobur:** In the regions that I have mentioned in my question, during the recent months, there have been acute shortage cuts in water supply and we have been trying to find the reasons, but, unfortunately, officers have not been in a position to give valid reasons for which these regular cuts in water supply have been effective for a couple of months. May I know from the hon. Vice-Prime Minister what are the measures that have been envisaged for the coming months and if he has a report from his officers of the problem that is being faced by these people in Grand'Baie, Grand Gaube and the other regions I have mentioned in my question.

**Mr Collendavelloo:** The question relates to measures that are being taken. This is on the directory which I have produced.

Now, with regard to the regions: Roche Terre, Grand Gaube and Calodyne receive water from old Goodlands reservoirs. They used to be supplied from 4.00 a.m. to 8.00 a.m. and from 4.00 p.m. to 8.00 p.m. Now, the CWA has commissioned two new boreholes:

Mapou borehole and Bahadur borehole and an additional volume of 2,000 metre cube water is being injected in the cistern as from April 2016, as I have said.

Péreybère is supplied with water from Mon Loisir Rouillard reservoir. Hours of supply are from 4.00 a.m. to 8.00 a.m.; from 4.00 p.m. to 8.00 p.m. Grand'Baie water from Rouge Terre or Terre Rouge - I don't know – reservoir and being supplied on an average of 21 hours depending on the topography. All these matters, of course, lead to new projects being implemented and the new projects will be implemented. If there are any punctual problems, the hon. Member can always contact me and I will forward to the CWA.

**Mr Rughoobur:** I would reiterate my concern to the hon. Vice-Prime Minister on the urgency of the situation. Only this morning, I have got calls from Grand'Baie that water supply is now only once per day instead of two or three times per day that it used to be. The hon. Vice-Prime Minister would agree that, during the last decade, there has been an increase in population to more than 50,000 heads, but there has hardly been investment. There is a serious mismatch and I know that she has been here only for one and a half years. I, once again, request the hon. Vice-Prime Minister to please look into the matter and try to see if, in the coming Budget, funds can be made available for a reservoir of, at least, 25 metre cube, because these two boreholes that the hon. Vice-Prime Minister has been talking about add only 2,000 metre cube of water per day.

**Mr Collendavelloo:** Well, there has been a speech, I just take note.

**Mr Mahomed:** Is the hon. Vice-Prime Minister satisfied that other than the 2,000 metre cube of water that is being pumped, storage and water treatment capacities are adequate, because I am trying to reconcile from what the hon. Member has just said, notwithstanding the 2,000 metre cube additional, water is rare in the region.

**Mr Collendavelloo:** So, that is why I took the trouble of tabling a complete directory of all projects which are ongoing for the whole of Mauritius. Anyone who is interested just goes up to the Library, opens the page for his Constituency and he gets it. I can't do more than that.

**Mr Mahomed:** So, the hon. Vice-Prime Minister is satisfied that everything there is okay in terms of storage and...

**Mr Collendavelloo:** I never said so. I never said that I was satisfied or that I was happy. Of course, I am not! This is why all this time what I have been doing is to prepare the new structure which I will announce in the Budget. Of course, I am not satisfied!

**The Deputy Speaker:** Next question, hon. Rughoobur!

### **GRAND'BAIE PUBLIC BEACH - WATERFRONT**

**(No. B/625) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or)** asked the Minister of Finance and Economic Development whether, in regard to the Grand'Baie Public Beach, he will state if consideration will be given for the construction of a waterfront thereat under the Build Operate Transfer Scheme.

**The Minister of Civil Service and Administrative Reforms, Minister of Environment, Sustainable Development and Disaster and Beach Management (Mr A. Wong Yen Cheong):** Mr Deputy Speaker, Sir, with your permission, I will reply to the Parliamentary Question.

The implementation of a project for the construction of a waterfront at Grand Baie Public Beach under the Build Operate Transfer Projects Act 2016, is not within the scope of the Beach Authority.

I would also wish to inform the House that -

- the Grand Baie Public Beach is very small with an area of only 1.22 Ha and is highly frequented, and
- the beach faces acute erosion problem. In fact, coastal protection and rehabilitation works have already been undertaken on various occasions, the last one being in 2011, comprising the construction of rock revetment over 250 metres over the existing gabions, reconstructions of drains and construction of a slipway.

Furthermore, being given that the set back from the high watermark is less than 30 metres, even the implementation of basic infrastructural projects to provide for amenities is not recommended.

**Mr Rughoobur:** I would make a request to the hon. Minister if he could look at the deplorable state of the beach at Grand'Baie and the importance of the site to see to it that consideration may be given for the upgrading of the site. There was a proposal like this to the former Minister, so if he could look into this issue of upgrading the beach. And, if I could add...

**The Deputy Speaker:** One question at a time, hon. Rughoobur!

**Mr Rughoobur:** Okay!

**Mr Wong Yen Cheong:** Mr Deputy Speaker, Sir, regarding the upgrading of the beach at Grand' Baie, the funds are already earmarked and we are looking into it and it is a continuous even for the other beaches around Mauritius. We are looking to the reprofiling, remanagement of all public beaches around Mauritius.

**Mr Rughoobur:** I had the opportunity to raise this issue of subletting of permits to hawkers and alcoholic drinks being commercialised on beach till very late in the nights for La Cuvette, now the same problem is for Grand' Baie public beach. I would request the hon. Minister to please look into this very serious issue.

**Mr Wong Yen Cheong:** I replied to this question not long ago that there have been various crackdown operations and no case of subletting has been detected. However, there was one complaint that was received, the Police have been conducting an enquiry and we are waiting for it.

**The Deputy Speaker:** Hon. Ameer Meea!

#### **HERITAGE CITY CO. LTD - BOARD MEMBERS**

**(No. B/626) 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 Heritage City Project, he will, for the benefit of the House, obtain from the Heritage City Project Company Limited, information as to the –

- (a) terms and conditions of appointment of the Board Members thereof, including the salaries and other benefits drawn, and
- (b) number of staff posted thereat, indicating the respective post occupied and salaries and other benefits drawn.

**Mr Bhadain:** Mr Deputy Speaker, Sir, there is no company known as Heritage City Project Company Limited. However, if the hon. Member is referring to Heritage City Co. Ltd., which is a state-owned company and was incorporated on 04 January 2016 for the implementation of the Heritage City Project.

With regard to part (a) of the question, I am informed by Heritage City Co. Ltd. that Board members are paid a monthly fee of Rs17,000 and the Chairperson a fee of Rs20,000. They are not paid any other salary or benefits.

With regard to part (b), there is no staff posted or recruited at this stage.

**Mr Ameer Meea:** May I ask the hon. Minister how many sittings of the Board there have been since the creation of this company?

**Mr Bhadain:** There have been many sittings. I do not have the exact number, Mr Deputy Speaker, Sir. I know that the Board is meeting regularly and the project is advancing. Apart from the concept Master Plan, the detailed designs have already been received and it looks very beautiful, I must say, Mr Deputy Speaker, Sir. International tenders are going to be issued shortly, in a matter of days, to Indian companies as per our agreement with the Government of India.

**Mr Ameer Meea:** The hon. Minister mentioned that tenders would be issued to Indian companies. But in relation to the project, firstly, it was announced that Dubai will finance the project, then it was Saudi Arabia through redeemable preference shares, and suddenly we do not hear anything coming from Saudi Arabia. So, what is the option of Saudi Arabia? Has it already been redeemed?

**Mr Bhadain:** No, there has been no such redemption, Mr Deputy Speaker, Sir. Everything is going according to plan. We have received a specific sum from the Government of India for three distinct things -

- (i) the new Parliamentary building;
- (ii) the Prime Minister's Office, and
- (iii) the International Convention Centre.

which comes to, if I am not mistaken, USD156 m. So, everything else is on course as stated before and as we have stated before this House, the project will be starting in August this year.

**Mr Mahomed:** We are talking about the development of a City Complex, large scale. May I know from the hon. Minister what is the process that has been followed in appointing these members on the Board? Is it simply by name or on competencies because we are talking about something that requires competencies here?

**Mr Bhadain:** Certainly on competencies, Mr Deputy Speaker, Sir.

**Mr Bérenger:** I think I heard the hon. Minister said that tenders will be out in a matter of days for the construction of three dedicated buildings. Can I know where matters stand as far as infrastructure is concerned, that is, roads, water and electricity that will have to be there for those buildings to be of any use?

**Mr Bhadain:** The engagement letters have already been received in terms of the detailed requirements for the infrastructure site. But as I have stated to the House before, the High Powered Committee which looks at the Heritage City Project had already approved two phases which went to Cabinet and Cabinet gave its approval. The detailed designing has already been done. Now, the next phase is on the infrastructure part. Again, this will follow the normal legal procedure before any services are retained on that and I very much believe that according to what the State Law Office has stated so far, it can follow the same procedure which has been followed so far according to section 3 of the Procurement Act, if I am not mistaken.

**Mr Uteem:** May I know from the hon. Minister to date how many subscription agreements have been signed by this company, with which country it has signed any subscription agreement, how much money has been injected in that company and whether it is by Government or foreign countries?

**Mr Bhadain:** Of course, to start the company needs a minimum capital requirement and if I am not mistaken, it is a sum Rs50 m. which has been put so far for the basic structure and administrative works to be done. And then, of course, we are going to receive the finance from the Government of India. We have also negotiated with banks in terms of a syndicated loan, as I have stated to the House before, from three main banks which I believe comes to USD80 m. This is all on track, Mr Deputy Speaker, Sir.

**Mr Mahomed:** Recently, there were press articles to the effect and a letter was tabled about the electricity requirement being 80 megawatts, but in fact, it was corrected and revised downwards. So, my question is: would the hon. Minister be prepared to table the name of the Board members with their qualifications so that we have an idea of what kind of competencies they have?

**Mr Bhadain:** Well, I certainly don't have any issue with that. I mean we operate in full transparency. In relation to the megawatts, I can say that there has been a meeting between CEB and Heritage City Co. Ltd. in terms of the energy requirements. There are proposals which have been made by CEB as to whether a substation needs to be placed within Heritage City and there are also options of renewable energy which are being looked at. Similarly, there have been meetings with CWA, Wastewater and TMRSU and we should also bear in mind that there is a project consultant, Luxconsult (Mtius) Ltd, who is basically working on that and conducting all those together with the Board of Heritage City.

**The Deputy Speaker:** Hon. Ameer Meea, a last supplementary question!

**Mr Ameer Meea:** Mr Deputy Speaker, Sir, the idea of Saudi Arabia financing the project was largely canvassed by the hon. Minister himself and his colleague hon. ‘Sheik’ Soodhun. Now that we are given to understand that there is a new player, India financing the project, may we know what is happening with the financing? Because from day one, we have asked for the financials regarding the project to be laid on the Table of the National Assembly with regard to the cash flow forecast and as to who is financing the project. Can the hon. Minister enlighten the House?

**Mr Bhadain:** Mr Deputy Speaker, Sir, we very much believe in a participative approach. One does not preclude the other. If the Government of India has decided to assist the Government of Mauritius with this project, it does not mean that what we have discussed with the Government of Saudi Arabia is no longer on. The ‘Sheik’ is meeting the Prince, as we speak, and we will know more.

#### **FINANCIAL SERVICES PROMOTION AGENCY – STAFF - OVERSEAS MISSIONS**

**(No. B/627) 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 Financial Services Promotion Agency, he will, for the benefit of the House, obtain therefrom, a list of the staff attached thereto, indicating in each case the –

- (a) post occupied;
- (b) terms and conditions of appointment, including the salary and other benefits drawn, and
- (c) number of overseas missions undertaken, indicating in each case the -
  - (i) countries visited, purpose and duration thereof;
  - (ii) composition of the accompanying delegation, and
  - (iii) total cost thereof in terms of air tickets, *per diem* and other allowances drawn, if any.

**Mr Bhadain:** Mr Deputy Speaker, Sir, I am informed by the Financial Services Promotion Agency that the information is being compiled subject to certain elements for

which legal advice has been sought and will be placed in the Library of the National Assembly in due course.

**Mr Ameer Meea:** Last week, answering to a question put by me on the FSC, the hon. Minister was not present in the House and his friend, the ‘Sheik’ was representing him and answering the question.

**The Deputy Speaker:** Hon. Ameer Meea, please, do not carry on with the ‘Sheik’.

**Mr Ameer Meea:** Okay, I remove the ‘Sheik’. Answering to a question on the FSC, he again stated: ‘I am advised by the Legal Division of the Commission and we will decide as to whether the information sought would be released.’ Mr Deputy Speaker, Sir, the hon. Minister, every time he got the occasion, flattered himself about transparency, good governance and accountability.

**The Deputy Speaker:** Hon. Ameer Meea, don’t give your opinion! Ask the question.

**Mr Ameer Meea:** My question is: we are talking public funds, we are talking about information which is paid out of taxpayers’ money, why the hon. Minister cannot give the information to the House?

**Mr Bhadain:** With regard to public funds, Mr Deputy Speaker, Sir, if we just have a look at the question, it is asking for: post occupied, terms, conditions of appointment, salary, other benefits, number of overseas missions undertaken indicating in each case the countries visited, purpose, duration, composition of accompanying delegation, total cost, air tickets, *per diem*, other allowances. I mean this information needs time. The FSPA has informed me that they are compiling the information. They are compiling the information plus there are certain issues in relation to which there are legal predicaments. They’ve asked for advice, once they get it, all the information will be placed in the Library of the National Assembly, in all transparency. There is nothing to hide, but it is rhetoric to say that public funds are being used all the time. At the end of the day, public funds are being utilised properly for the betterment of Mauritius.

**The Deputy Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you. I heard the hon. Minister saying that he is going to compile all the information sought, but is he in a position today to, at least, indicate out of all the missions carried out by the FSPA whether there has been any mission carried out on the African Continent to date?

**Mr Bhadain:** Yes. I believe there have been missions conducted especially in South Africa with regard to the family office concept which the FSC is going to issue a license for and there are high-net-worth families in Durban who have already been approached. There is a list of 10 which have already expressed their intention of setting up their overseas family corporations in Mauritius.

I must also say, Mr Deputy Speaker, Sir, that the approach being taken by the FSPA is a result oriented approach. I have told them that I don't believe in road shows, I don't believe in going into missions overseas just for the sake of going and making speeches. Basically, everything has to be dealt with in terms of results. So, we've got a targeted approach, FSPA is operating with a new methodology unlike BOI because the Chief Executive of FSPA was working, I think, as the number 2 of BOI before. But we've asked him to change the methodology, to change the approach, to make sure that when we are targeting certain specific areas, whether it is high net worth individuals, overseas family corporation, law firms or fund managers, asset managers, that we need to have concrete results in terms of the figures, in terms of how many companies have come and invested in Mauritius, set up in Mauritius, created jobs in Mauritius. This is the new approach.

**Mr Ameer Meea:** One of the main objectives of the FSPA is to attract investors in the field of financial services. So, can I ask the hon. Minister since the setting up of such an agency, what concrete have we achieved up to now? The more so that we know that the FDI is *en chute libre*.

**Mr Bhadain:** Well, Mr Deputy Speaker, Sir, I must say the FSPA has been reactivated last year and they have been doing a tremendous job in terms of number of new innovative ideas and offerings that they have come up with and the missions have been targeted in relation to bringing people in those new fields, I must say. The results are going to show in a short space of time, but we also have to bear in mind, as the hon. Uteem had stated this morning, that the role of the FSPA is also to make sure that Mauritius is looked at as a clean, transparent jurisdiction which is in line with the vision of Government and they have been responding to a number of queries, like a question which was put this morning. Mauritius is being portrayed at international level as the place to do business for Africa. As I have stated before, for all the right reasons unlike what was happening with the previous regime.

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

## STATE LANDS - RETRIEVAL

**(No. B/628) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to State lands retrieved by his Ministry since December 2014 to date, he will give a list thereof, indicating where matters stand in relation to the cases which have not yet been resolved.

**The Minister of Youth and Sports (Mr Y. Sawmynaden):** Mr Deputy Speaker, Sir, I am informed that the requested information is being compiled and the list will be placed in the Library of the National Assembly.

The list will, however, exclude cases which are still under police/ICAC enquiry and other cases which are pending before Court.

**Mr Ameer Meea:** Thank you Mr Deputy Speaker, Sir. In a past Parliamentary Question by hon. Uteem - No. B/422 dated 17 May 2016, the substantive Minister stated to the House –

“Since 2015, Mr L.A. also known as R. A. Barrister at Law is employed on contract as legal advisor and has contributed in retrieving more than 400 hectares of undeveloped State Land from promoters and in forfeiting deposits and recouping arrears of more than Rs400 m.”

The substantive Minister stated this to the House in relation to that Parliamentary Question and further to that I asked a supplementary question about a list of these 400 hectares and their extent and owner etcetera. The hon. Minister stated to the House –

“I will ask the hon. Member to contact our website and he will get all the information. I have no objection for that”.

Well I have contacted the website and there are no information in relation to what the hon. Minister stated. So, may I...

*(Interruptions)*

**The Deputy Speaker:** Please ask your question hon. Ameer Meea!

**Mr Ameer Meea:** May I ask the hon. Minister if I can get any other means how to contact the website or any phone numbers.

*(Interruptions)*

**Mr Sawmynaden:** Let's hope he contacted the right website. Anyway it is 400 hectares, you said it is a lot of land. So, that is why the information is being compiled. It will soon be placed in the Library.

**The Deputy Speaker:** Hon. Mahomed!

*(Interruptions)*

**Mr Mahomed:** Thank you Mr Deputy Speaker, Sir. The hon. Minister, although not the substantive Minister, in his reply, mentioned about Court cases. May we have an idea from him whether the State is being sued in any of the cases for which State land has been retrieved and, if so, in how many cases and to give an idea for the amount for which the State is being sued?

**Mr Sawmynaden:** Unfortunately, I don't have this information with me. The hon. Member will have to wait for the substantive Minister.

**The Deputy Speaker:** Hon. Ameer Meea!

**Mr Ameer Meea:** In a statement by the substantive Minister dated 10 March 2015, relating to State land allocation, the hon. Minister stated to the House that, I quote –

“My Ministry has reported 12 cases to the Police for investigation and also 11 cases where reservation had been issued, 12 cases where lease agreements have been concluded and two cases of ....”

I don't know what all this means!

“... letters of intent had been issued or currently the subject of further action”.

May I ask the hon. Minister - even if he does not have the list with him - if we can have a list of all these 12 cases at the Police and the other cases currently being investigated and also two cases at the ICAC?

**Mr Sawmynaden:** I will take note and pass it on to the substantive Minister.

**The Deputy Speaker:** Hon. Ameer Meea, next question!

*(Interruptions)*

Hon. Ameer Meea, next question, please!

**ISLAMIC CULTURAL CENTRE - BOARD - COMPOSITION**

**(No. B/629) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Arts and Culture whether, in regard to the Islamic Cultural Centre, he will, for the benefit of the House, obtain therefrom, information as to –

- (a) the composition of the present Board thereof;
- (b) the reasons why the former Chairperson thereof resigned, and
- (c) where matters stand as to the preparation of the forthcoming Hajj Pilgrimage.

**Mr Baboo:** Mr Deputy Speaker, Sir, with regard to part (a) of the question, I am tabling the composition of the Board.

Regarding part (b) of the question, I am informed that the former Chairperson has resigned due to personal reasons.

Mr Deputy Speaker, Sir, concerning part (c) of the question, I am informed that preparations are under process. In fact, my colleague, the hon. Soodhun, Vice-Prime Minister, who has been entrusted with the responsibility for the organisation of Hadj, is monitoring all arrangements.

**Mr Ameer Meea:** Mr Deputy Speaker, Sir, just a clarification. I am asking the hon. Minister whether he is answering the question as substantive Minister or he is replacing the Minister because the ICC falls under the Ministry of Arts and Culture.

*(Interruptions)*

**The Deputy Speaker:** Hon. Ameer Meea, this is public information. It does not have to be asked through a question. Next question please!

*(Interruptions)*

**Mr Ameer Meea:** All cultural centres fall under the ambit of the Ministry of Arts and Culture. I am just asking him. In relation to the composition of the Board, according to the ICC Trust Act of 1989, the Board must constitute of a representative of Rabita al-Alam al-Islami, five representatives to be designated by Islamic Socio Cultural or Organisation after consultation with Rabita office in Mauritius. So, therefore may I ask the hon. Minister why is it that the current Board is not in order according to the law, according to ICC Trust Act?

**Mr Baboo:** Well, regarding Rabita, I would like to thank the hon. Member for drawing my attention to this matter. Let me assure the hon. Member that my Ministry is looking into the matter.

**The Deputy Speaker:** Hon. Uteem!

**Mr Uteem:** In relation to Rabita, is the hon. Minister aware that, last year, in March 2015, two representatives of Rabita, Dr. Farhan and Mr Sami Al Harbi, came to Mauritius, had meeting with the then Chairman of the ICC and the Vice-Prime Minister, where Rabita indicated their willingness to appoint members to the Board? So, did the hon. Minister meet up with these two representatives of Rabita and, if not, would the hon. Minister make a follow-up with Rabita for the appointment of the representatives in the Board?

**Mr Baboo:** It is true, I did not meet him, but I will look into it.

**Mr Bérenger:** I think I heard the hon. Minister say that he is going to circulate the membership, the members of the present Board. Can I know, at least, who is the present Chairperson?

**Mr Baboo:** The present Chairperson is Dr. Hussein Subratty.

**The Deputy Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you. Again, according to the ICC Trust Act, there are five representatives to be designated by Islamic socio-cultural organisations. So, may I know from the hon. Minister what are the Islamic socio-cultural organisations that designated the five members and which member represents which socio-cultural organisation?

**Mr Baboo:** I will circulate the list to you.

**The Deputy Speaker:** Hon. Ameer Meea, last supplementary!

**Mr Ameer Meea:** Mr Deputy Speaker, Sir, the hon. Minister stated to the House that he would look into the matters. Can I ask him if he can also look into the recent Board meeting that has been chaired by hon. Soodhun himself, where other members who are not Board members were also present? May he also look into this matter as well and inform us of the outcome?

**Mr Baboo:** Well, okay, I will look into it.

**The Deputy Speaker:** Hon. Dr. Joomaye, next question!

**MINISTRY OF HEALTH & QUALITY OF LIFE/ LUZERNER KANTONSSPITAL -  
MEMORANDUM OF UNDERSTANDING**

**(No. B/630) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Minister of Health and Quality of Life whether, in regard to the

Memorandum of Understanding signed between the Luzerner Kantonsspital of Luzern, Switzerland, and his Ministry, he will state the -

- (a) criteria used for the choice of the said hospital;
- (b) names of the officials from the said hospital who were involved in the negotiations in relation thereto, and
- (c) scope of involvement in the decisional process as far as strategy, choice of treatment and specific equipment for the management of cancer patients are concerned.

**Mr Gayan:** Mr Deputy Speaker, Sir, I wish to inform the House that, since January 2013, Dr. T. C., co-chief in the Department of Radio-Oncology in Luzern, Switzerland, had made a request to the then Minister of Health and Quality of Life for possible areas of cooperation between Mauritius and Switzerland regarding Oncological Health Science, inter comparable studies, transcontinental tumour board and exchange of specialists.

In April 2015, Dr. T. C., during a private visit, paid a courtesy call on me and the Director General Health Services, and reiterated his request of collaboration. It was considered that this was a matter worth pursuing as it was consistent with the policy of involving the Mauritian diaspora on national priorities.

Mr Deputy Speaker, Sir, in the margins of the World Health Assembly 2015, a delegation headed by myself and comprising the Senior Chief Executive and the Director General Health Services of my Ministry, visited the Centre for Radiation Oncology in Luzern on 20 and 21 May 2015.

Discussions were held with Doctor P. T., who was the Head of the Centre, Dr. T. C., Radio-Oncologist, H. V., Vice-Head and other Vice-Heads and Consultants of different departments of oncology on technical support and capacity building in relation to cancer issues.

At its 24<sup>th</sup> Meeting held on 05 June 2015, Cabinet was informed of the proposal of the Ministry to sign a Memorandum of Understanding with the Centre for Radiation Oncology in Luzern.

Mr Deputy Speaker, Sir, as at date, no MoU has been signed between the Ministry and the Luzerner Kantonsspital of Switzerland. Only a draft MoU for collaboration in the field of cancer has been prepared and vetted by the Office of the Attorney General.

With regard to part (b) of the question, the main objectives of this MoU would be to provide technical support for capacity building and hands-on training, sharing of protocols and guidelines in defining evidence-based treatment. In addition to providing for technical input for the setting up of a national state of the art cancer centre, specific training courses and exchange of medical and health professionals as well as for nurses would be organised.

I wish to inform the House that in addition to the above collaboration on issues relating to cancer, several other avenues are being explored, namely –

- during my recent visit to India, discussions were held with the Shanti Mukund Hospital Curie Cancer Centre of New Delhi for cooperation in the setting up of a new Cancer Centre in Mauritius, and
- a Memorandum of Understanding already exists with le “*Groupe Hospitalier Pitié-Salpêtrière-Charles-Foix*”, Paris, on cancer-related issues.

Mr Deputy Speaker, Sir, as regards part (c) of the question, I have to inform the House that the equipment required for the treatment of cancer, namely the Linear Accelerator, is a very specialised one, and there are very few manufacturers worldwide for this equipment. With a view to ensuring absolute transparency and accountability, my Ministry has initiated an international market sounding exercise in that respect. The closing date for the submission was 27 June 2016 - that was yesterday -, and the documents are available on the Public Procurement Office’s portal - and I am sure that this portal is working.

**The Deputy Speaker:** Hon. Dr. Joomaye!

**Dr. Joomaye:** Thank you. I would like to ask the hon. Minister what is the state of implementation of the National Cancer Plan, which was started by Professor Khayat of *Pitié Salpêtrière*, and if this draft Memorandum of Understanding from Luzerner Kantonsspital is in line with that National Cancer Plan which is supposed to be going on.

**Mr Gayan:** In fact, Mr Deputy Speaker, Sir, some of the recommendations of Professor Khayat are already in place. In fact, I read the report yesterday again, and I must say that we are on the right track with regard to the recommendations made by Professor Khayat.

**The Deputy Speaker:** Hon. Leader of the Opposition!

**Mr Bérenger:** I heard the hon. Minister say that that Memorandum of Understanding has not yet been signed. I will stick to cancer. The Cabinet Memo says that the intention was

to sign a Memorandum of Understanding with that institution, which is a very reputed, a very good one. But, to support, to provide technical support for the establishment of the National Cancer Centre, including the design and construction of bunkers - as I said, this is a very respectable institution, and we welcome overseas help in matters like that - this is not an institution in any way specialised in cancer; not at all. So, can I know why we are going to these people whereas we know who are the best cancer establishments in London, in Paris, in India and so on. Why go to an institution, which is supposed to advise us on the construction of bunkers, which is not at all specialised in cancer treatment or research?

**Mr Gayan:** Mr Deputy Speaker, Sir, I certainly do not share the views of the hon. Leader of the Opposition on that. I have been to that hospital and I have seen what they can do, and I spoke to the Head and to other people. They were even prepared to come and to advise us on how to set up the new bunkers.

I must say, Mr Deputy Speaker, Sir, that we are dealing with equipment which will cost about Rs250 m.

*(Interruptions)*

And the bunker has to be specially designed because of the escape of radioactive materials. So, we are making sure that we get all possible advice from all quarters. I mentioned that I have also been to India, and we are also working with experts from the UK. So, we are trying to get all possible technical advice, so that when we set it up, we will do it in the light of the best advice available. It is not something that we are taking lightly. This is why I said in my reply, with regard to the purchase of equipment and also for the turnkey project, a market sounding exercise has been started both for the turnkey project and for the purchase of the equipment. We want to make sure because we do not have the expertise in Mauritius. In fact, when I was in India, I asked whether India could help us with an Architect and an Engineer who can design the bunker and to supervise the work for the bunker. They are prepared to help because we do not have that kind of expertise in Mauritius. Cancer is such a sensitive and life destroying issue that we want to be absolutely certain that we are taking the right decision.

**Mr Bérenger:** Mr Deputy Speaker, Sir, of course, we don't have the know-how here in Mauritius, but when we choose overseas we must choose the best. I repeat, this is a respectable, first class medical institute - the clinic or hospital that we are talking about - but it is not specialised in cancer. I am glad that a Memorandum – because we are talking about

Memorandum according to the Cabinet communiqué - between Mauritius and one institution will help us set up the whole cancer centre here. So, looking right left in India and so on for advice is great, but before we sign a Memorandum with one institution for setting up the cancer centre, will the hon. Minister give me the guarantee that we are going to choose really the best, and the best are in London, Paris and also India, Washington is a long way away, but in London and Paris?

**Mr Gayan:** Mr Deputy Speaker, Sir, the House can rest assured that we have not yet signed the MoU. The MoU is being studied by both, on our side and on the side of Switzerland, but we are not tied to anybody. We have not made up our mind on anything. We are open and this is why we are getting the best possible advice from anywhere, and this is how we are going to proceed. No decision has been taken and the market sounding exercise is precisely to give to the world knowledge and awareness about this particular project in Mauritius and anybody can bid and anybody can express an interest. There is an Expression of Interest, anybody can do that. Not only Switzerland, anybody!

**The Deputy Speaker:** Hon. Dr. Joomaye, a last supplementary!

**Dr. Joomaye:** Thank you, Mr Deputy Speaker, Sir. I would like to ask the hon. Minister if he can confirm that our new cancer centre will be equipped as far as linear accelerator is concerned, with the latest equipment, that is, the intensity modulated radiotherapy linear accelerator.

**Mr Gayan:** Well, I can confirm to the House, Mr Deputy Speaker, Sir, that we are going for the best, the state-of-the-art technology for that purpose.

**The Deputy Speaker:** Hon. Dr. Joomaye, Next question!

## **CANCER - RISK FACTORS**

**(No. B/631) Dr Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Minister of Health and Quality of Life whether, in regard to the risk factors of cancer, he will state the strategies developed by his Ministry to create awareness thereof and, incidentally, the prevention thereof.

**Mr Gayan:** Mr Deputy Speaker, Sir, with your permission, I shall reply to P.Q. Nos. B/631 and B/632 together as they relate to the same subject matter.

Mr Deputy Speaker, Sir, factors known to increase the risk of cancer are varied and include –

- (a) age - cancer can take decades to develop;
- (b) the intake of tobacco and alcohol, unhealthy lifestyle, physical inactivity and exposure to cancer-causing substances;
- (c) the environment, and
- (d) unpredictable factors.

In view of these multiple risk factors, my Ministry has adopted a wide ranging approach to create awareness and to prevent cancer. This includes the adapting of legislation to address new concerns about cancer, formulation of strategies like strengthening of vaccination programmes and more aggressive screening and media campaigns. We are also working very assiduously to provide better accommodation and treatment facilities for those who suffer from cancer. We are moving ahead with the implementation of a National Cancer Centre at Vacoas.

A plan focusing on primary prevention such as early diagnosis, especially amongst adolescent girls and young women for cervical and breast cancer, treatment palliative care, cancer surveillance and research, training of specialised personnel, a programme for end-of-life care is under preparation.

As far as the incidence and mortality rate of cancer are concerned, I am informed that according to the National Cancer Registry (2014), the incidence per 100,000 population was 136.6 for males and 151.1 for females.

The mortality rate per 100,000 population was 100.4 for males and 95.9 for females.

**The Deputy Speaker:** Hon. Dr. Joomaye!

**Dr. Joomaye:** Thank you, Mr Deputy Speaker, Sir. I would like to know whether the hon. Minister is contemplating to implement the systematic screening for prostatic cancer in males and breast cancer in females, that is, doing systematic prostate specific antigen and radiological mammography for females systematically in the public hospitals?

**Mr Gayan:** Mr Deputy Speaker, with regard to breast cancer there is a lot of awareness campaigns and screening being done by the NCD department of the Ministry. A lot of work is already being done at the Oncology Centre at VH, but of course, more needs to be done. But regarding systematic prostate cancer screening, I cannot say that this is being done as systematically as it ought to be.

**The Deputy Speaker:** Hon. Mahomed!

**Mr Mahomed:** Thank you, Mr Deputy Speaker, Sir. As regards the risk factors, is the use of agrochemicals or the excessive use of it considered as one of them and, if so, what are the strategies being adopted by the Ministry to address the issue?

**Mr Gayan:** Mr Deputy Speaker, Sir, I think last week there was a question on this aspect which was addressed to my colleague, the hon. Minister of Agro-Industry and Food Security and the reply was given. But, of course, it is a concerted effort on the part of all stakeholders, including all the relevant Ministries to ensure that there is a reduction in the use of pesticides and to give more awareness to people who are using pesticides not to cause unnecessary risk to the population.

**The Deputy Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Can I know from the hon. Minister whether within the establishment of the Ministry there are enough specialists with regard to palliative care, especially at the Oncology Centre?

**Mr Gayan:** Well, this is an area, Mr Deputy Speaker, Sir, where we have a shortage of manpower. In fact, we are giving facilities for doctors to be trained in these areas. Of course, what we do not have is the end-of-life kind of palliative care. This is something which is lacking, but we need to work on it because there are more people suffering from cancer.

**The Deputy Speaker:** Hon. Mahomed!

**Mr Mahomed:** The use of agrochemical, is it a risk factor or not?

**Mr Gayan:** In a reply I gave earlier on, I spoke of unpredictable factors. I take it that this should be an unpredictable factor.

**The Deputy Speaker:** Hon. Leader of the Opposition!

**Mr Bérenger:** Just a point of clarification which is of special interest to me, but I am sure we all want to know. I heard the hon. Minister say that the number of cancer cases is increasing. Now, there are a number of cancer cases being detected. Can I request the hon. Minister to have the experts concerned to look into that, whether indeed the number of cancer cases is increasing? Before we used to say '*inn mort vieillesse*', now we know the '*inn mort vieillesse*' is past, here '*inn mort vieillesse, inn gagne cancer*'. So, can I request the hon.

Minister to see with the experts to look carefully at the figures, whether the number of cancer cases is indeed increasing and, if yes, give us the figures?

**Mr Gayan:** Well, I will certainly look into that. But from the trend we see, maybe we have better detection and better screening today and that is why more people are aware that they are suffering from cancer. The statistics are compiled and if necessary I can make a statement in the House.

**The Deputy Speaker:** Hon. Dr. Joomaye.

**Dr. Joomaye:** Thank you, Mr Deputy Speaker, Sir. As we all know, two major risk factors of cancer are tobacco smoking and alcohol consumption. I would like to know if the hon. Minister has ongoing awareness programmes, especially in collaboration with the Ministry of Education and Human Resources, Tertiary Education and Scientific Research to create awareness, to prevent consumption of tobacco and alcohol in the schools.

**Mr Gayan:** Well, we have ongoing campaigns. Only a couple of weeks ago, we had the “World No Tobacco Day” and that was an occasion to sensitise people about the harmful effects of tobacco and we are seriously considering having plain packaging for cigarette packs.

With regard to alcohol, of course, there is no advertising, nothing is being done for sponsorship, but I do not know how big is the problem in the schools. My colleague, the Minister of Education and Human Resources, Tertiary Education and Scientific Research, is not here; I'll certainly pass on this concern to her.

**Dr. Sorefan:** Mr Deputy Speaker, Sir, the hon. Minister has given general incidence and mortality rate of cancer. Will the hon. Minister consider compiling a list of different types of cancer, their incidence and mortality that has a bearing on the strategies that the Ministry of Health and Quality of life will take? I know he won't have the answer, but he can compile the list for other people to look into it and may make strategies to the Ministry of Health and Quality of Life for a typical cancer.

**Mr Gayan:** Mr Deputy Speaker, Sir, I have, in my file, a comparison of age standardised cancer mortality rates from a selected list of countries. They deal with males and females, prostate cancer, breast cancer, lung cancer and colorectal cancer. I think it may be good if I just table this particular information for the hon. Member.

**Mr Bérenger:** This is the last one. I heard both sides agreeing that insecticides and so on that are still being inquired into, but it's agreed by everybody that two major causes of cancer are cigarettes and alcohol. Now, can I ask the hon. Minister whether, in Mauritius or internationally, we can be advised by the experts that a difference is made between different alcohols consumed?

*(Interruptions)*

It is not a joking matter because there is a difference between, for example, wine and very strong whisky that some people, including myself, use too.

*(Interruptions)*

Straight. No, it's a very serious matter! Whether studies have been carried out here and overseas to make a difference - of course, we would like all alcohol consumption to stop – but whether any study has established a difference in terms of cancer impact between different types of alcohol?

**Mr Gayan:** Well, I am not aware whether there has been any study as mentioned by the hon. Leader of the Opposition, but I am sure he is talking from experience because I am just given to understand that it all depends on the amount that one consumes, the number of units that one takes, it is a bit like undergoing an alcotest, if you take just one glass, it is negative. But anyway! This is something that we have to look into. But I can also say to the House that with regard to cigarette sticks, the trend is going down. It was going down, but it has just gone up again. So, we have to monitor what is happening in the population with regard to cigarette smoking.

**The Deputy Speaker:** Hon. Dayal, last supplementary!

**Mr Dayal:** Mr Deputy Speaker, Sir, can I know from the hon. Minister whether any study has been carried out concerning carbon ash, a byproduct for the production of electricity and, if not, whether he is planning to have one?

**Mr Gayan:** Well, this one is a difficult one. I'll need a substantive question for that.

**The Deputy Speaker:** Hon. Mahomed, next question!

### CANCER – MORTALITY RATE

**(No. B/632) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Minister of Health and Quality of Life whether, in regard to cancer, he will state the latest statistics regarding the –

- (a) incidence thereof, and
- (b) mortality rate by the said disease in Mauritius.

*(Vide reply to PQ No. B/631)*

### PORT LOUIS SOUTH & PORT LOUIS CENTRAL – STATE LAND - SALE EXERCISE

**(No. B/633) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to Constituency No. 2, Port Louis South and Port Louis Central, he will state the total number of plots of State land earmarked for residential purposes, indicating the number thereof –

- (a) in respect of which neither a letter of intent nor a deed of lease was issued, indicating the respective location thereof, and
- (b) which can be purchased, indicating the –
  - (i) number of applications for the purchase thereof received as at to date;
  - (ii) number thereof that have reached the stage of final deed, and
  - (iii) time frame for the completion of the sale exercise.

**The Minister of Youth and Sports (Mr Y. Sawmynaden):** Mr Deputy Speaker, Sir, with regard to part (a) of the question, I am informed that building sites within State land for residential purposes are surveyed district wise, not constituency wise. As regards constituency No. 2, the two main localities concerning building sites of Vallée Pitot and Tranquebar/Ward IV where there are presently 38 and 10 occupiers respectively and where neither a Letter of Intent nor a deed of sale have been issued as their occupation cannot be regularised on the following grounds, *inter alia* –

- (i) occupiers have passed away and the Ministry of Housing and Lands is awaiting the necessary documents from the heirs;
- (ii) documents have not yet been submitted by occupiers;

- (iii) dispute between occupiers regarding ownership of houses;
- (iv) houses over State land above 20% slope where development is not permissible under the Planning Policy Guidance;
- (v) encroachment on private properties;
- (vi) abandoned houses, and
- (vii) occupation by private landowners who have erected their houses on State land instead of their private land next to the State land.

Mr Deputy Speaker, Sir, regarding part (b) subsection (i) of the question, applications for the purchase of building sites under section 5 subsection (5) of the State Lands Act are processed on a district wise basis. I am informed that as at 17 June 2016, out of 2,194 building site leases in the region of Port Louis, 1,540 applications have been received for the purchase of State land over which stands a housing unit.

Regarding part (b) subsection (ii) of the question, out of these 1,540 applications received, 1,009 applications have been examined and the remaining 531 applications are still under process.

Out of the 1,009 applications which have been examined, 977 have been found eligible for sale under section 5 subsection (5) of the State Lands Act. The deeds of sale have been finalised for 158 cases and the deeds for the remaining 819 cases have been drawn up and will be finalised in due course.

As regards part (b) subsection (iii) of the question, a building site lessee can apply at any point in time for the purchase of the State land subject to the conditions as stipulated in section 5 subsection (5) of the State Lands Act.

I am informed that the sale of State land is an ongoing process and the time taken to finalise the sale of building sites depends on various external factors, such as the drawing up of the lease agreements, collection of information on lessee, finalisation of the social report enquiry by the relevant Ministry.

**The Deputy Speaker:** Hon. Mahomed, next question!

**CEB – LEADER OF THE OPPOSITION – LAID DOCUMENT**

**(No. B/634) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in

regard to the letter dated 08 October 2015 tabled by the hon. Leader of the Opposition on 03 November 2015, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to if a Board of Inquiry was set up to inquire into the purported leakage thereof and, if so, indicate the –

- (a) process that was followed for the setting up thereof, and
- (b) composition thereof, indicating the fees drawn by each member thereof.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** Mr Deputy Speaker, Sir, with regard to part (a), I am informed by the CEB that an enquiry was conducted by a Board which was set up by the General Manager.

The Board was composed of Messrs K. S. Colunday, Barrister-at-law, as Chairperson, S. Vythilingum, Barrister-at-law and former Permanent Secretary and S. Narain, former Deputy General Manager of CEB.

Up to now, no invoice has been submitted to CEB and, therefore, no fees have been paid as at to-day.

**The Deputy Speaker:** Hon. Leader of the Opposition!

**Mr Bérenger:** Can I know from the hon. Vice-Prime Minister whether all that was read that somebody has been suspended, that No. 2 at the CEB has been suspended, is it on the basis of a report from that Committee by whatever name called and, if yes, suspended until when?

**Mr Collendavelloo:** Well, my understanding is that this suspension is under the disciplinary procedures of the CEB. I suppose the disciplinary proceedings, if any, must follow their course, but I am not aware of more than that.

Let me just check! No, I have no more information than that. I have no more information, but I assume that the disciplinary procedure is being followed.

**Mr Bhagwan:** The question is about inquiry. Can the hon. Vice-Prime Minister inform the House whether the CEB has set up an inquiry following the Stop Order issued by the Municipality of Port Louis with regard to St. Louis Power Station where normally there will be delays and additional expenses, whether an inquiry has been set up by the CEB to look into the reasons thereof and who was the culprit?

**Mr Collendavelloo:** I do not know.

**Mr Mahomed:** Bouncing from the question of the hon. Leader of the Opposition, what has been the ultimate outcome of this inquiry so far? What has it led to?

**Mr Collendavelloo:** First of all, I do not want to know and I do not know. Secondly, I do not think it would be in order to disclose any matter which is still being considered in the context of a disciplinary procedure. This is a matter for the management of CEB to decide. Afterwards, we shall see what happens.

**Mr Mahomed:** Is *maître* Kalunday presently working on any other Disciplinary Committees or things of the sort at the CEB at the moment?

**Mr Collendavelloo:** Well, perhaps yes, perhaps no. I am not aware of any Committee in which he is working. I have been asked a question on this Committee, I obtained the information, but if the hon. Member comes with a question, I will give the answer, of course.

**Mr Uteem:** In the light of the report of this Board of Inquiry, has there or will there be any Disciplinary Committee being set up or is it premature at this stage?

**Mr Collendavelloo:** Make no mistake! I am not the General Manager of the CEB. I do not interfere in this sort of business as I have said so many times. The General Manager with the Board, they will take the action and if I am informed, I will let you know.

**The Deputy Speaker:** Hon. Dr. Sorefan, last supplementary!

**Dr. Sorefan:** May we know from the hon. Vice-Prime Minister whether it is in order for the CEB to inquire on a purported leakage of document that was not signed, that was tabled in this House and whether it was in order for the CEB to carry on and suspend the number two of CEB?

**Mr Collendavelloo:** It is a question of opinion on which I am not in a position to pronounce myself.

**The Deputy Speaker:** Hon. Mohamed, last supplementary!

**Mr Mohamed:** Could the hon. Vice-Prime Minister confirm, following his intervention on questions that were put by the hon. Leader of the Opposition that referred to the possibility of information leaking or not, that he is the one, who, in fact, instigated this whole inquiry and now he is saying that he does not know anything when he is the one who instigated it?

**Mr Collendavelloo:** That is not true.

### **HADJ 2016 - HADJ ORGANIZERS - LICENCE**

**(No. B/635) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the Hajj 2016, he will, for the benefit of the House, obtain from the Islamic Cultural Centre, information as to the conditions that the hajj organizers need to fulfill in order to be eligible for the issue thereto with a licence for the organization thereof, indicating the –

- (a) number of applications therefor received, and
- (b) number of licences issued as at to date.

**The Minister of Youth and Sports (Mr Y. Sawmynaden):** Mr Deputy Speaker, Sir, the conditions that the Hadj Organisers need to fulfil are two-fold namely –

- (a) requirements of Saudi Authorities, and
- (b) criteria established by the Islamic Cultural Centre.

The requirements for the Saudi Authorities are that all Hadj Organisers should not be under any sanction or disqualification and should be over 22 years old, but below 60 years.

The criteria which the Islamic Cultural Centre considers for assessment of Hadj Organisers are –

- (a) past performance,
- (b) experience in Hadj organisation;
- (c) leadership skills;
- (d) pricing, structure for current and previous Hadj;
- (e) track record in relation to -
  - complaints received from Hadjis;
  - breaches committed;
  - sanctions received, and
  - attitudes towards Hadj mission in difficult times.

Mr Deputy Speaker, Sir, with regard to part (a) of the question, I am informed by the Islamic Cultural Centre that 21 applications were received by the Hadj Committee following a press communiqué inviting companies, jamaats, organisations, travel agencies interested in serving Hadjis to register themselves with the Islamic Cultural Centre.

After an assessment conducted by Islamic Cultural Centre, 16 out of the 21 applicants were shortlisted and granted a provisional licence.

With regard to part (b) of the question, I am informed that no licence has been issued for the Hadj 2016 so far.

It is to be noted that the selection process will be carried out by the Hadjis themselves with the overriding condition that only those Hadj Organisers who managed to get a maximum of 50 pilgrims will be licenced by the Islamic Cultural Centre. All those who fail to reach the threshold of 50, will automatically be disregarded.

**The Deputy Speaker:** Hon. Mahomed!

**Mr Mahomed:** I have additional questions, but given the hon. Minister is not the substantive Minister, I'll reserve the right to put them later in another question.

**The Deputy Speaker:** Hon. Dr. Sorefan, next question!

#### **SICOM LTD. – EMPLOYEES - PRODUCTIVE BONUS**

**(No. B/636) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Financial Services, Good Governance and Institutional Reforms whether, in regard to the State Insurance Company of Mauritius Ltd., he will, for the benefit of the House, obtain therefrom, information as to why the employees thereof have not been paid the productive bonus over the past two years.

**Mr Bhadain:** Mr Deputy Speaker, Sir, I am very much aware of the situation prevailing at the SICOM with regard to the non-payment of the productivity bonus to employees for the years 2013/2014 and 2014/2015.

In fact, some time back, I have met with the employees. I also met with the union representatives and I believe that the situation prevailing is very unfair.

Now, what I have been informed is that the philosophy of granting a profit related performance bonus is to motivate employees to deliver high performance whilst not necessarily loading the salary and related expenses year on year.

Payment of this bonus at SICOM is based on the underlying premise that there is an increase in profitability and on targets including new projects being met or exceeded. The basis of granting the bonus, performance and KPIs which impact directly on the group's profitability are the elements around which the productivity bonus is based. These are

monitored through action plans and balance forecasts. Employees are appraised through their performance and other several criteria which include contribution in meeting the targets.

Now, I believe what has happened during those two years is that they have missed out by a few per cent on the target which they should have achieved and because of that management has taken the decision not to pay any productivity bonus.

I had meetings with the employees and also with the trade union representatives. When you look at the salaries, benefits, allowances and other payments which are made to the management team, it is *mirabolant* and it is really unfair that these employees are not being paid these two years productivity bonus.

I have made representations to the Board. I have asked the Board to look into that and to ensure that even though a few persons have not been met in terms of the target which was set that, on a humanitarian basis, they do proceed and they do pay post productivity bonuses.

Now, I understand that management is not willing to do that even though the Board has decided that they should go ahead and do it. So, this is *une situation inédite* where management does not want to follow what the Board is saying for the benefit of the employees. So, we will see how this is going to unfold shortly with legal advice and everything which is going to be obtained.

**Dr. Sorefan:** Can the hon. Minister inform the House whether the CEO, who is the management, is paid a monthly salary of above Rs1 m. and has been paid productive bonus? Is she a Director of the MCB Ltd.?

**Mr Bhadain:** Yes, it is not a salary of Rs1 m. which is paid, Mr Deputy Speaker, Sir. In fact, it is a monthly package of Rs1 m. including free first class ticket to London every year and so on and so forth. It is not only the CEO, but the management team. When we look at the monthly package that they are being paid, we are talking about probably Rs400,000-Rs500,000 a month for a number of people who are working in top management. So, this is a State-owned enterprise and what is happening is that dividends are not being paid to Government, the reserves are going up. I think it is about Rs4.3 billion in reserves. Huge salaries are being paid to the management team and the employees are not being paid their productivity bonus. It is a completely unacceptable situation. At the end of the process, if things do not change then action will have to be taken. I can assure the House that action will be taken.

**Dr. Sorefan:** Is the hon. Minister aware that there is a report that the CEO has kept in her custody for the last three years not letting it out because it should be to the advantage of the employees and the CEO is just keeping it and not implementing what is in the report? Will the hon. Minister look into it and, if possible, table that report in the near future?

**Mr Bhadain:** Yes, I am aware, Mr Deputy Speaker, Sir, that, in fact, there is a report which was prepared. These employees should have been paid in accordance with some of the recommendations of the report and it is true that this has not been made available to either the employees or their representatives or for some obscure reasons management has decided to keep that report in a drawer somewhere. But these issues are being looked at and we will do everything to ensure that these employees are dealt with in fairness and in accordance with all the principles of natural justice.

**The Deputy Speaker:** Hon. Uteem!

**Mr Uteem:** Mr Deputy Speaker, Sir, may I know from the hon. Minister whether his Ministry has carried out a survey to find out about the management package, the CEO package compared with the private sector in the insurance or banking like the State Bank of Mauritius so that we have an idea about how overpaid that person is or not?

**Mr Bhadain:** Well, not only I very much believe it is much more than what is in the private sector, but here, we are talking about Government and we are talking about the work that SICOM is doing and the services which they are providing because in the pipeline they are getting work from Government entities. When they are getting work from Government entities, we don't need to go and market as much, we don't need to advertise as much, we don't need to open retail outlets because I think SICOM is operating only in Port Louis as compared to other insurance companies, NIC for instance, which has 14 retail outlets across Mauritius. So, when you look at how things are happening here, it is very much similar to what is happening in many parastatal bodies in Mauritius where people are using their position to, basically, earn a lot of money. When we look at the delivery, the expectations are not being met and this has to be rectified. I will also say, Mr Deputy Speaker, Sir, that the issue regarding MCB, I very much believe that there is a serious problem there because I was informed that the Chief Executive of SICOM is a Director on the Board of MCB and this would, of course, give rise to potential issues of conflict because MCB has got insurance companies under the structure. So, how can you be the Chief Executive of SICOM and you

sit on the Board of MCB, you are taking decisions there as a Director and then, you are taking decision here for SICOM. This is unacceptable.

**Mr Bérenger:** After all I have heard, can I know from the hon. Minister the composition of the SICOM Board, especially, its Chairperson and when that Chairperson and the present Board were appointed?

**Mr Bhadain:** I will certainly provide the information if the hon. Leader of the Opposition comes with a substantive question on that. I must say...

*(Interruptions)*

I'll answer! There are several Boards in SICOM. That is something which is amazing. You have a Board for SICOM Ltd, a Board for SICOM Financial Services Ltd, a Board for SICOM Secretarial Services Ltd and a Board for SICOM in terms of the property side. When you look at how much was paid to Board Directors in 2014, I can tell you...

*(Interruptions)*

Let me tell you!

*(Interruptions)*

The figure was Rs28 m. for people sitting on these Boards. Now, these were Executive Directors. If you were to add non-Executive Directors, it would be a further Rs8 m. making it a total of Rs36 m.

*(Interruptions)*

Well, I can assure you that the situation has been dealt with.

*(Interruptions)*

I will table the information. I don't have the information with me, I will certainly table it. But I can tell you that it is not the kind of abusive fees which were being paid to Board Directors under the previous regime, including senior members of the DPP's Office and other organisations who are actually sitting on the Board of SICOM and advising at the same time.

**Mr Bérenger:** Well, obviously, the hon. Minister does not know who is the Chairperson of the main Board and other Boards and for the members he says he will circulate. Can we have, therefore, the composition of all those different Boards which the hon. Minister has referred to and the date of appointment?

**Mr Bhadain:** We will certainly have that, Mr Deputy Speaker, Sir, in all transparency so that we can see how much abuse was going on before?

**The Deputy Speaker:** Hon. Mohamed!

**Mr Mohamed:** Thank you, Mr Deputy Speaker, Sir. We have heard the hon. Minister say that he has listened to the question of the hon. Member with regard to the situation of those employees and he believes in what he says in his answer, that the Chief Executive is wrong in her approach. If that is the case, he has said that he would look into it, that he is aware of it. What does he propose to do in reality and what are the actions he proposes to take to remedy the situation? Because looking into it, everyone can look into it; it does not sort out the matter. What does he propose to do? Has he considered the possibility of asking the Rt. hon. Prime Minister to take those members to task, whom he believes are so much on the wrong path?

**Mr Bhadain:** I have already answered that, Mr Deputy Speaker, Sir. I said that it was a *situation inédite* in the sense that the matter has been raised with the Board members and taken up at Board level. It has been minuted, it is on record and still the management of SICOM has refused to follow the instructions of the Board and goes ahead and acts in the best interest of the employees. Now, when you have a situation like that, I can't, as Minister, go there and put the house in order. Then, you would say I would be interfering with an organisation. The Board is doing its job, but management does not want to follow the advice and they have been running around for legal advice on issues which, basically, do not even require seeking legal advice. It's just to delay the process so that they don't implement the decision of the Board. This is the situation right now.

**Mr Bérenger:** A last one from my part. Now, we have been told that the General Manager is flouting the decisions of the Board. Then, can I know why does not the Board take action?

*(Interruptions)*

*Exactement!* But nothing is happening, except *bla-bla-bla* in Parliament, under Parliamentary immunity. If there are decisions of the Board that are being flouted, can we have the dates, the cases concerned and why the Boards or the Board is not acting?

**Mr Bhadain:** Of course, the hon. Leader of the Opposition can have the dates and all the details. I have no problems giving all the details because I am also on the same wavelength that the Board should take action and I am waiting for the Board to take action.

What more can I do? The Board has said that this needs to be done and management has said: 'I am not going to follow what you said.' What can I do? Let the Board decide whether they are going to seek legal advice and whether they are going to take even more drastic actions now.

**The Deputy Speaker:** Hon. Jhugroo!

**Mr Jhugroo:** Can the hon. Minister enlighten the House by informing us who decided about the package of the Chief Executive Officer of the Bank and the packages of the different Chairpersons of the different Boards and Directors of the previous Boards?

**Mr Bhadain:** Well, to be honest I don't know who has decided because it looks like the salaries which were there at that material time, when you look at the package which has been offered it goes back to a number of years.

*(Interruptions)*

**The Deputy Speaker:** Hon. Bhadain, answer the question!

**Mr Bhadain:** Well, it was certainly not the DPM who was then Minister of Finance because the Board ...

*(Interruptions)*

**The Deputy Speaker:** Hon. Mohamed!

**Mr Bhadain:** I can tell the hon. Member why. Because these decisions have been taken far back before he became Minister of Finance and I can tell you that these people have been there for donkey number of years.

**The Deputy Speaker:** Hon. Dr. Sorefan, a last supplementary!

**Dr. Sorefan:** Thank you, Mr Deputy Speaker, Sir. The hon. Minister said that he is going to table all the Directors of the different holdings of SICOM. Very good! We hope we get it! But with this, can we have all the lucrative salaries, allowances, fees and so on for each of the Board of the SICOM holdings?

**Mr Bhadain:** Yes, in line with all the best practices of good governance, I will table that too.

**The Deputy Speaker:** Next question, Dr. Sorefan!

## PUBLIC HEALTH – UROLOGISTS – RECRUITMENT

**(No. B/637) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Health and Quality of Life whether, in regard to the public health sector, he will state the number of urologists employed as specialist and consultant respectively, indicating –

- (a) the qualifications requirements therefor and the qualifications that are held by the incumbents, and
- (b) if his Ministry is proposing to have recourse to international advertisement for the recruitment thereof.

**Mr Gayan:** Mr Deputy Speaker, Sir, I am informed that presently there are two specialists in general surgery who have followed subspecialty training in urology from Germany. There is also a general surgeon with subspecialty training in renal transplantation. The training period was conducted at *Hôpitaux Universitaires de Genève* for a period of six months. Furthermore, all general surgeons have training in urology during their studies. They are in a position to treat patients with urological problems.

With regard to part (b) of the question, the answer is in the negative as all patients are being treated locally.

**The Deputy Speaker:** Hon. Dr. Sorefan!

**Dr. Sorefan:** Thank you, Mr Deputy Speaker, Sir. Will the hon. Minister inform the House that so far we don't have a well-qualified urosurgeon in the different hospitals and the general surgeons think they can do everything, but today we are being very compartmentalised and speciality orientated and this department is very, very sensitive in terms of life and death because there are so many problems arising from kidney down to the urethra and everything. Will the hon. Minister see to it that we get more urosurgeons, urologists also, to be in different hospitals?

**Mr Gayan:** Well, we will certainly try to pass on the message to all those who are specialising and, in fact, this is one of the scarcity areas and I know specialists are being trained in that field.

**The Deputy Speaker:** Hon. Dr. Joomaye!

**Dr. Joomaye:** Thank you, Mr Deputy Speaker, Sir. In line with what hon. Dr. Sorefan has been saying, are you contemplating to amend the Medical Council Act 1999 in order to

recognise well demarcated specialities now like urology, gastroenterology, paediatric surgery, paediatric anaesthesia, because we can no longer afford to have general practitioners, general physicians and general surgeons practising in these specialities?

**Mr Gayan:** Well, this is a matter that should be addressed as a substantive question because it covers lots of things.

**The Deputy Speaker:** Last supplementary, hon. Dr. Sorefan!

**Dr. Sorefan:** Thank you. I am sure the hon. Minister is aware that all the renal failures that we are having in Mauritius because of diabetes, etc., we are contemplating doing renal transplants in Mauritius. At one time it was done, because we did have urosurgeons and they attempted a few cases. Will the hon. Minister really see to it that we get people trained to be renal transplant specialist in Mauritius, if we are talking about Mauritius being a medical hub?

**Mr Gayan:** Mr Deputy Speaker, Sir, renal transplant is being performed in Mauritius right now. We are having a workshop on organ transplant generally some time next month, there will be doctors and specialists coming from other parts of the world and we will be guided by what they say with regard to further training on this.

**The Deputy Speaker:** Hon. Mohamed!

**Mr Mohamed:** I have not heard if any other hon. Member put that question - so, I apologise if someone else has. I just wanted to know whether - since we are talking about renal transplant - the hon. Minister could, not only since January 2015, but for the past five years, he could table a list of the success rate of those renal transplants that will enable us to fare how we are doing or whether we are improving or not, what are the success rates, what are the rejection rates, what are the failure rates?

**Mr Gayan:** Well, I have no difficulty. In fact, I have the information right now from 1993 until 2015. I can table it.

**The Deputy Speaker:** Hon. Dr. Joomaye!

**Dr. Joomaye:** I would like to know whether, in the Urology Department, if the lithotripsy equipment is functional and is functioning properly with the appropriate specialist?

**Mr Gayan:** Well, I need a substantive question for this.

**The Deputy Speaker:** Next question, hon. Dr. Sorefan!

## HOSPITALS - CT SCANNERS

**(No. B/638) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Health and Quality of Life whether, in regard to the CT Scanners found in the regional hospitals, he will state the number thereof which are operational, indicating -

- (a) in each case, the age and lifespan thereof, and
- (b) if consideration will be given for the outdated ones and the ones beyond repairs to be replaced in financial year 2016/2017 and, if so, if the 64 slices or more model CT Scanners could be procured.

**Mr Gayan:** Mr Deputy Speaker, Sir, I wish to inform the House that presently four CT Scanners are operational at regional hospitals, two at Victoria Hospital and one Dr. Jeetoo Hospital and one at Jawaharlall Nehru Hospital. Their ages range from 2 to 14 years and their approximate lifespan is 10 to 15 years.

With regard to part (b) of the question, I wish to refer the hon. Member to the reply I made to PQ B/351 at the sitting held on 03 May 2016. Action has already been initiated for the replacement of the CT Scanner at SSRN Hospital. Moreover, action will be taken for the procurement of a new CT Scanner to replace the existing one at Jawaharlal Nehru Hospital in the next financial year.

I am also informed that a CT Scanner with 64 detectors capable of acquiring 128 slices has been proposed for the SSRN Hospital.

**The Deputy Speaker:** Hon. Dr. Sorefan!

**Dr. Sorefan:** The hon. Minister has said that the lifespan of the CT Scanner is up to 15 years. Well, I totally disagree with this because reading from all the website of the...

**The Deputy Speaker:** Don't give your opinion, ask your question!

**Dr. Sorefan:** Well, that follows, that it is only eight years to get the maximum image quality, after that the quality goes down. So, 15 years, you are spending a lot of money. Will the hon. Minister really see to it that we must be proactive, if after eight years we start to think of renewing it, even if it looks good, but the images are not good for diagnosis?

**Mr Gayan:** Well, Mr Deputy Speaker, Sir, in fact, this is something that ought to have been done under the previous regime. What we are doing now is to ensure that whenever we acquire new equipment, we have not only a maintenance agreement that goes with the

equipment, but also to ensure that we have a provision for the replacement of the equipment at the end of its lifetime. Right now, we wait for the equipment to break down, then we start looking for money to purchase the new equipment. We are not going to do that, we are going to provide for the time when the equipment will have to be replaced.

**The Deputy Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Mr Deputy Speaker, Sir. The hon. Minister just mentioned that there are only four CT Scanners. So, may I know from the hon. Minister the amount of money paid to the private sector, to the private clinics whenever this facility is not available in hospitals and patients are required to go to private clinics to do the scan?

**Mr Gayan:** Well, it is my understanding, Mr Deputy Speaker, Sir, that all the CT Scanners required to be in the public hospitals are being done in the public hospitals. If a scan has broken down in one, the patients are taken to another public hospital.

**The Deputy Speaker:** Hon. Dr. Joomaye!

**Dr. Joomaye:** Thank you. I would like to ask the hon. Minister if he is aware that internationally renewal programmes for CT Scanners is not based on lifetime, it is based on the number of slices that an equipment has produced and it is based on the activity of the equipment. So, I would like to know if he will look into it to see whether this can be implemented in Mauritius in order to prevent breakdown and to have a better renewal programme for equipment?

**Mr Gayan:** Well, we will certainly look into that. In fact, that is one of the reasons that I normally get when I ask: why do they break down in the public hospitals and they don't break down in the private clinics? And then, the answer that I get is: of course, we have more CT scans in the public hospitals than they do in the private clinics. But, the point is well taken.

**The Deputy Speaker:** Hon. Dr. Sorefan, last supplementary!

**Dr. Sorefan:** Will the hon. Minister contemplate - in the near future, instead of having CT Scanners in different regional hospitals – to have a centralised department with one or two scanners or even three scanners in that Unit to cater for Mauritian patients?

**Mr Gayan:** I do not think that would be feasible. We have regional hospitals and each regional hospital must have its own facility.

**MINISTRY OF HEALTH & QUALITY OF LIFE - SPECIALISTS - RECRUITMENT  
FROM ASIAN COUNTRIES**

**(No. B/639) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Health and Quality of Life whether, in regard to the qualified specialists recruited from the Asian countries since 2010, he will state if any consultant/patient has filed any complaint against any one of them and, if so, give details thereof, indicating the actions taken in relation thereto and the outcome thereof.

*(Withdrawn)*

**The Deputy Speaker:** The Table has been advised that the following PQs have been withdrawn: PQ Nos. B/644, B/647, B/648, B/649, B/650, B/661 and B/658. Time is over.

**MOTION**

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

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

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo)** rose and seconded.

*Question put and agreed to.*

**STATEMENT BY MINISTER**

**ELEVENTH ALL AFRICA GAMES – MAURITIUS PERFORMANCE**

**The Minister of Youth and Sports (Mr Y. Sawmynaden):** Mr Deputy Speaker, Sir, following the conclusion of the enquiry into the Anti-Doping Violation by athletes during the Eleventh All Africa Games held in Brazzaville, Republic of Congo from 02 to 19 September 2015, the Nigerian Gold Medallist Weightlifter, Miss Elizabeth Onuah, has been tested positive.

Consequently, the International Weightlifting Federation has reviewed the allocation of medals in the women 53 kg category. Our athlete, Ms Roilya Ranaivosoa, who won two Silver and one Bronze medals, has now been attributed the two Gold medals and One Silver medal in this Category. Mauritius has, therefore, ...

*(Interruptions)*

...improved its position from 8<sup>th</sup> to 7<sup>th</sup> in the overall ranking among the 52 participating countries. Mauritius obtained seven Gold medals during the 11<sup>th</sup> Edition of the All-Africa Games.

I wish to inform the House that this is the best performance ever achieved by Mauritius in the All-Africa Games. Mauritius won only one Bronze medal at the 9<sup>th</sup> Edition of the Games held in Nigeria in 2007 and obtained four Gold medals at the 10<sup>th</sup> Edition of the Games held in Maputo.

On behalf of the House, I wish to extend my congratulations to Ms Roilya Ranaivosoa for her excellent performance.

## **PUBLIC BILLS**

### *First Reading*

*On motion made and seconded, the Independent Police Complaints Commission Bill (No. XIV of 2016) was read a first time.*

### *Third Reading*

*On motion made and seconded, the Supplementary Appropriation (2015) (No. 2) Bill (No. XIII of 2016) was read the third time and passed.*

**The Deputy Speaker:** I suspend the sitting for 30 minutes.

*At 4.20 p.m. the sitting was suspended.*

*On resuming at 4.59 p.m. with Madam Speaker in Chair.*

### *Second Reading*

## **THE UTILITY REGULATORY AUTHORITY (AMENDMENT) BILL**

### **(No. XII of 2016)**

*Order for Second Reading read.*

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** Madam Speaker, I beg to move that the Utility Regulatory Authority (Amendment) Bill (No. XII of 2016) be read a second time.

The Principal Act, which was enacted in November 2004, set up a Board to manage the Authority. The Board consists of a Chairperson and three Commissioners.

At that time, the mode of appointment of the Board was through an Appointments Committee modelled on that of the Independent Commission against Corruption.

In 2006, the Prevention of Corruption Act was amended to review this mode of appointment.

And, as a consequence, in 2008, the Utility Regulatory Authority Act was amended to follow what had been adopted for the ICAC. The amended Act prescribed that the President would appoint the Chairperson and Commissioners on the advice of the Prime Minister given after consultation with the Leader of Opposition.

In the course of the debates on the 2008 Bill, all participants agreed that the setting up of the Authority was a matter of urgency. The then Minister stated that the setting up of the Authority was one of the performance indicators of the Development partners, and I quote –

“It is expected that the Act will be proclaimed around September this year targeting that the Authority will become fully operational by June 2009.”

Unfortunately, despite all commitments taken since 2004, the Board could not be appointed, and the fault cannot be laid at the door step of anyone in particular, because as I stand informed, in 2009, an international advertisement was carried out to identify a Chairperson who satisfied the specific criteria set in the legislation and one person had been identified to be the Chairperson of the Board, but no decision was taken on his appointment.

Since my appointment in December 2014, I have been trying to identify persons who satisfy these criteria. These criteria are spelt out in section 10 of the Act, which is the object of the amendment proposed. The section reads as follows -

“The Chairperson and Commissioners shall be persons of high moral and professional integrity, having relevant qualifications, expertise and experience in either law, economics, business, finance, accountancy or engineering.”

Subsection (2) (a) of that section further provides that the Chairperson shall be a holder of a university degree, have not less than 5 years’ proven professional, academic or managerial experience with the provision of any utility service (Utility service meaning electricity services as per Part B of the First Schedule); and he should also have experience and expertise in a managerial capacity in relation to electricity or water or wastewater services.

Subsection (3) (a) provides that the Commissioner shall be a holder of a university degree and have sufficient experience and expertise in relation to electricity, water or wastewater.

In addition to these requirements, the Act provides that a person cannot be appointed as Chairperson or Commissioner if “he has been a director, an officer, a shareholder or an employee of, or has otherwise held an active role or had an interest in, an undertaking at any time during a period of 2 years immediately preceding the proposed appointment.”

The specific provisions in the Act are highly restrictive. Other regulatory bodies in Mauritius do not contain such specific criteria in their respective legislation. And we have looked into a number of utility regulatory bodies in other countries. We have not found such detailed degree of specification for the appointment of members. To be fair, when I imparted that difficulty to the House, the idea was shared with the Leader of the Opposition who suggested at Question Time that an amendment would be possible to remove this obstacle.

I am, therefore, proposing that section 10 of the Utility Regulatory Authority Act be amended by repealing subsections (2) (a) and (3) (a).

The provision that the Chairperson and Commissioners shall be “persons of high moral and professional integrity (...)” will remain in the Act.

This precise and clear requirement will act as a strong safeguard to ensure that only persons with the necessary professional experience and competence and independence, persons of high level of respectability and with a clean track record would be considered for appointment.

I believe that we can safely rely on the wisdom and discernment of the holders of such high offices as the President, the Prime Minister and the Leader of Opposition for the use of sufficient discernment in the appointment of the Board.

Upon the Bill coming into force, I intend to make my recommendations to the Rt. hon. Prime Minister for the appointment of the Board.

With these words, I commend this Bill to the House.

**Mr Sawmynaden rose and seconded.**

**Madam Speaker:** Hon. Leader of the Opposition!

(5.03 p.m.)

**The Leader of the Opposition (Mr P. Bérenger):** Madam Speaker, what we are looking at is 11 wasted years since 2005. I heard the hon. Vice-Prime Minister say that the setting up of such an Authority was a matter of urgency. Indeed, but we are talking 11 years later. There was nothing, in fact, stopping the Bill from coming into operation as from the end of 2005. In 2004, we had just voted the law; it took some time. But, as from 2005, I don't accept this point that, with the qualifications that were in the law, *les oiseaux rares ne purent être trouvés*. I don't buy that one, Madam Speaker.

Eleven wasted years under the previous Government, but one and a half wasted years under this Government! One and a half years it took to come with a ridiculous amendment. I find it ridiculous. Just doing away completely with qualifications! This is the result. If we had amended the required qualifications, if you tell me that what was in the law, that the chairperson to be appointed must be a university degree holder, is done away with! The other qualifications could have been amended, but it took this Government one and a half years to do away with qualifications completely. Because what the hon. Vice-Prime Minister quoted is that the Chairperson and Commissioners shall be persons of high moral and professional integrity. This is not qualification.

So, my point is that the paragraph that we are deleting, 2(a), the result is that there are no longer any qualifications required. There are only disqualifications. Somebody will be disqualified if this and that, but there are absolutely no qualifications left. We wasted 11 years. This Government has wasted one and a half years and this is a ridiculous amendment. We could have made it, I mean doing away with the requirement for the Chairperson to hold a University Degree, but I think *l'oiseau rare sera à l'envers là*. You won't find somebody who qualifies and who does not have a University Degree. You will find a problem finding that. So, I don't agree at all. We wasted 11 years; this Government has wasted one and a half years! I agree, we should have amended the qualifications, but not done away completely with all qualifications.

Having listened to the Rt. hon. Prime Minister, I'll say a few words on the past as he has gone quite at length on the 2008 amendment. It's worth going. I'll say a few words on that - hon. Alan Ganoo is present. The 2004 Bill was a superb piece of legislation. The MMM/MSM Government brought it forward. Hon. Ganoo was the Minister of Public Utilities. It was a superb piece of legislation and a complete one. That we should have wasted

- not waited - 11 years although the 2004 legislation was, I repeat, a superb and complete piece of legislation. Hon. Ganoo, then Minister of Public Utilities, presented the Bill. You know who spoke for Labour Party? Our good friend, Dr. Arvin Boolell! He made a great speech, all in favour, completely. That was in 2004 and I, as Prime Minister, gave all my support to hon. Ganoo who was then the Minister of Public Utilities. While the best parts of that piece of legislation was the Appointment Committee, which the hon. Vice-Prime Minister has referred to, it was great. Therefore, who would appoint the Chairperson and Directors? An Appointment's Committee composed of: the President of the Republic, the Prime Minister and the Leader of the Opposition. We had learned our lessons from the case of ICAC, the law setting up *l'ICAC*. There, we went really too far. We had the same Appointment's Committee, but all decisions had to be taken in unanimity. So, the then Leader of the Opposition said what he had to say. So, we kept the Appointment's Committee, but we said a majority will take a decision. If the President and the Leader of the Opposition are in agreement, the decision is on. It was real democracy at work. Why did we do that? Because we wanted to give its full role to the President of the Republic - we were in Government - and its full role to the Leader of the Opposition. That is why I said that, that piece of legislation of 2004 was complete, a superb piece of legislation. But it did not last long after the elections of 2005, unfortunately.

In 2008, came the amendments which the hon. Minister has mentioned. Already four years had been wasted. The law was passed; the Bill was passed at the end of 2004. As from 2005, four years wasted and then 2008, amendments brought by the Labour Government of those days. I must say that - my friend Nandcoomar Bodha is not here – my friends in the MSM opposed the amendments brought forward by the Labour Party in 2008. The orator for the MSM was hon. Nandcoomar Bodha. Nice speech, and opposed that change to the Appointment's Committee and to other parts of the Bill. Yet, today, the opportunity was there to reintroduce that. Instead of this ridiculous small amendment that just does away with all qualifications, nothing prevented the Government, the hon. Minister concerned going back to the situation that it was prior to 2008.

The opportunity to reintroduce that has been missed, but unfortunately, I have to say, it is not surprising after what we heard when '*la loi Bhadain*' was discussed at the end of last year and first days of this year, after we've heard the Rt. hon. Prime Minister now thinks of presidential powers, as compared to prime ministerial power; I am not surprised that there has been a missed opportunity when we are amending the law to bring back the Appointment's

Committee to give its due role to the President of the Republic and to the Leader of the Opposition. That opportunity has been missed and it's very sad. I take note that hon. Bodha is not present.

So, Madam Speaker, 2005-2016, 11 wasted years, including one and a half years wasted by this Government to come with this ridiculous piece of amendment. I find all this very, very sad. I have doubts whether this small amendment will bring with it the coming into operation of this very important piece of legislation that was voted in 2004 and it is not often that there is unanimity on a piece of legislation. There is unanimity in this case from what I hear, but I have my doubts whether this small amendment - I am in total disagreement with - will allow the Authority to start functioning, but I will give the benefit of the doubt.

At least, what is left in the Bill is that the Rt. hon. Prime Minister will have to consult the Leader of the Opposition before advising Government on whom to appoint, without, I repeat, any qualifications in the law as from that amendment today. But, as I said, I'll give the benefit of the doubt. An urgent matter has resulted into 11 wasted years since 2005. Better late than never, as we say, but it is very, very late.

I hope that when I am consulted for the Chairperson and Commissioners to be appointed, that due consideration will be given before the President is advised by the Rt. hon. Prime Minister, now that there are no longer any qualifications left.

Thank you, Madam Speaker.

**Madam Speaker:** Hon. Sesungkur!

(5.14 p.m.)

**Mr D. Sesungkur (First Member for Montagne Blanche & GRSE):** Thank you, Madam Speaker, for giving way. I intend to speak in support of the amendment which is proposed today.

I think the hon. Leader of the Opposition is right that it is a piece of legislation of utmost importance which was presented by the then MSM/MMM Government in their farsightedness and in the vision of the Prime Minister of that time.

This legislation is of utmost importance because it looks at utilities which deal with the day-to-day requirements of people. It is important that there is good management of those, so that we can provide a good service to the public.

The amendment today deals with a section which is of utmost importance because it touches the apex of the Utility Regulatory Authority. It is the body which is so important for the functioning of the whole set up that I think it requires some attention of this House. I think the hon. Vice-Prime Minister is right that he is bringing this to the House on a matter of urgency because we know that there has been a long delay in the appointment of the Chairperson and the Commissioners, and it is of urgent necessity that we address this issue.

The amendment is talking about qualification. It is important for the House to know what is the international trend today. The international trend today is about searching for talents. It is not about taking people on the basis of qualification only. Talent is much more than qualification. Talent is about something which we often call it aptitude, some will call it special skills, know-how, capabilities, expertise or even genius. So, qualification only is not sufficient for such important position. I think a Board which is central in the implementation of the strategy and Government policy, of the Minister's vision, we should have someone who goes beyond mere qualification that has been put in the Bill. I think what the hon. Vice-Prime Minister has been doing is to correct the provision of the Principal Act, which is basically tying his hands and he is unable to implement the policy he wants to implement. So, that is why, he has come before this House today.

We need to ensure that all our institutions, all the parastatal bodies have talented people, have competent people who can implement the policies of Government. This is what we should aim at. We should not restrict ourselves; put in the law restrictions, boundaries which will block the whole policy making decision and which will block the whole decision process. This is what I want to say.

The issue today is: 'we should put the right man in the right place.' We should give liberty to the Minister to do it because the Minister knows what will work best for the country and for the people. All round the world, the trend is about searching for talented people and gradually there is less and less importance given to qualification only. This is a trend in law firms; it is a trend in accounting firms. Everywhere! I will just mention three cases.

There is the case of Ernst & Young. Ernst & Young is an accounting firm which has removed all academic and education details whenever somebody wants to take an employment with that firm. They want to ensure that they are not biased by looking at the CV; by looking at the school that candidate has attended. They want to choose in their own

deliberate judgment and they want to choose freely by looking how the candidate reacts. This is what they are doing.

It is the same thing for PricewaterhouseCoopers, a firm where I made my career, they are not looking at qualification, they want to attract the best people in the organisation; people who can contribute in adding value to the clients' service, people who are committed, people who can take responsibility, and not only the piece of paper which they present.

There are many researches which have been done and which prove that the best academically qualified person does not give a guarantee that, that person will be a high performer in the future. So, I think the Minister is right. Same for a leading law firm, Clifford Chance. Clifford Chance goes far beyond. They have introduced an approach of CV blind, which means that they do not even know what kind of studies that person has done. It meant that the interviewers would not be given any information about which university the candidate has attended. So, it is about choosing the right person.

I think the Minister has a very good reason for proposing this amendment because we should get this regulatory body at work and we should not waste more time. There are issues which go beyond petty politics. I believe that the Opposition, by the way the hon. Leader of the Opposition has expressed, that there is unanimity on this Bill and it is very good for the country. I think on major issues there should be a convergence of views because I feel the Opposition is a shadow Government and whatever good decision the Government is going to take, will also benefit the other side of the House.

On this note, I thank you very much for your attention.

**Madam Speaker:** Hon. Mahomed!

(5.23 p.m.)

**Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central):** Madam Speaker, I thank you for giving me the opportunity to speak on this Amendment Bill today. The point of my intervention is to make a case as to why the law needs further review before the setting up of the Utility Regulatory Authority which I shall refer to in short as URA.

Madam Speaker, I had no idea when I pressed the hon. Vice-Prime Minister, Minister of Energy and Public Utilities on the subject of the appointment of the Board of URA during my PQ No. B/116 of 05 April 2016 that things will move that fast and I am glad about it.

Indeed, in his reply to me, the hon. Vice-Prime Minister did explain how if he is unable to find a proper composition, he would ask the Rt. hon. Prime Minister to consider altering the law to make it more flexible. So, I am glad to see that the Bill before us today, seeks to amend the URA Act in order to adjust the qualifications required for the appointment of the Chairperson and Commissioners of the Board of the URA.

Madam Speaker, we are here talking about the qualifications required for the appointment of a Chairperson and three Commissioners by the President of the Republic on the advice of the Rt. hon. Prime Minister after consultations with the Leader of the Opposition in accordance with Section 9 of the Act.

*Pour la petite histoire*, Madam Speaker, this came about following amendments brought to the URA Act in 2008 during the days of the Labour Party in order to have the three most important officers in the country to participate in the decision-making process related to the appointment of the Chairperson and Commissioners of the URA. This was purposely done so that with this mechanism in place the authority will have a distinct legal mandate free from ministerial control. The regulatory body will be insulated against improper influences and will be protected from arbitrary considerations. Thus, the incumbents of the positions of Chairpersons and Commissioners will be able to exercise their functions without any hindrance and possibly without any fear or favour.

Madam Speaker, at paragraph 6.323 of the *Maurice Ile Durable* Policy, Strategy and Action Plan of May 2013, provision has been made for the setting up of the Utility Regulatory Authority which it recognised as a core element of the institutional architecture. *Ceteris Paribus*, we had endeavoured to set up this key institution once the Singaporean team that was appointed to advise Government on the strategic reform options for the water sector including legal and regulatory framework would have completed its work.

Members will recall how the former Deputy Prime Minister and Minister of Energy and Public Utilities, hon. Dr. Beebejaun, in his reply to hon. Lesjongard during PQ No. B/143 of 16 April 2013, explained how, due to the fundamental reform required in the water sector...

**Madam Speaker:** Sorry, I am interrupting you hon. Osman Mahomed. Don't open the debate too much because you will see the object of the Bill is only to review the qualifications for the appointment of the Chairperson. So, I gave you some leeway, but please don't open the debate too much.

**Mr Mahomed:** Thank you, Madam Speaker, but I started by saying that I think with this amendment the operation of the URA will come into place soon, but I am making a case why the law needs further review. I continue the quotation when the former DPM was addressing the hon. Lesjongard –

“Mr Deputy Speaker, Sir, the Utility Regulatory Authority cannot be set up on a piecemeal basis. A responsible and effective regulatory body must oversee the high level planning and development of infrastructure and utility services in a holistic manner.”

As a consequence of this, new appointment was however made by the previous Government and thus the authority could not be made operational. As a matter of fact, while preparing my last *Maurice Ile Durable Progress Report* in October 2014, a copy I had laid before this august Assembly last year, I had consulted the Ministry of Energy and Public utilities and I was officially informed that the appointment of Chairman and Members is under way and the operationalisation of the URA will follow. No real explanation was given and this is captured as Policy Code A6 of the report. Then came the general election of 2014.

Madam Speaker, in debating on the amendment being brought to Section 10 of the Principal Act which provides that the Chairperson must have such qualifications that they have become *des oiseaux rares*, a first question that I would like to raise is whether the issues that were considered as serious to the former Deputy Prime Minister with respect to the water sector, with respect to the work of the Singaporean team would have been sorted out meanwhile.

Madam Speaker, the Principal URA act is a *loi-cadre* which makes provision of the general principle of a regulatory body. The objects of the Bill in 2004 were to –

- (i) ensure the sustainability and viability of the utility services;
- (ii) protect the interests of both existing and future customers;
- (iii) promote efficiency in both operations and capital investment in respect of utility services, and
- (iv) to promote competition so as to prevent any unfair and anticompetitive practices in the utility services industry.

Since 2004 up to now, the utility services landscape for electricity, water and wastewater has dramatically changed. We are increasingly being called to walk on a tight

rope insofar as our utilities are concerned - energy, water and water disposal sectors due mainly to our population growth and the increasing level of economic activities and the several new projects being envisaged example of which are the Heritage City project and the several smart cities being envisaged. So much so that I deem it appropriate to point out that the operationalisation of the URA has been considered as a key performance indicator by the development partners for many years, the hon. Minister said it himself.

Furthermore, through *Maurice Ile Durable*, renewable energy has found its way in Mauritius.

**Madam Speaker:** Hon. Osman Mahomed, we are not debating the Act. We are concentrating on the review of the qualifications of the appointment of the Chairperson, please look at the Explanatory Memorandum and come back to the main clauses of the Bill.

**Mr Mahomed:** Okay. Thank you. I was just making a point about pricing of energy prices, but I will quit that rather.

**Madam Speaker:** It is not appropriate!

**Mr Mahomed:** Sorry?

(*Interruptions*)

Okay. Like I said the mood point of my speech is to make a case why we need to further review the law.

**Madam Speaker:** Yes, but you have to refer to the main premises of the Bill. Relate it to the main premises of the Bill. You can't discuss the whole Utility Regulatory Authority Act as it was. You relate it to the amendment that is in front of the House today.

**Mr Mahomed:** Well, it is very freaky for me, but I will try to. Even the hon. Leader of the Opposition mentioned that the amendment being brought to us is - he used a very strong word, but I am not going to use it and it is a very important reform that you are talking about. But then I will abide.

**Madam Speaker:** I have to be consistent in my Ruling.

**Mr Mahomed:** Okay. I wanted to talk about pricing, I wanted to make a case about why should we not entrust the pricing of utility sectors be it wastewater, electricity and water to the URA.

**Madam Speaker:** You can still come with a specific matter on adjournment.

**Mr Mahomed:** Okay. So, I will table this, not the speech it's part of the *Maurice Ile Durable* Policy Strategic and Action Plan for the information of the hon. Minister about how we wanted to go about revamping the utility regulatory business further from what is stipulated in the law in 2004.

Madam Speaker, times have changed and we need to adapt, but I do urge the Government to ensure that one of the first tasks of the authority, once set up, is to develop a detailed plan for implementation of the regulatory framework with special reference to –

- (i) licensing and permitting;
- (ii) tariff and price control;
- (iii) technical and commercial codes of practice;
- (iv) customer protection as reflected in the URA Act, and
- (v) quality standards.

These are the five principal points I would wish the Government to consider to improve the Utility Regulatory Authority (Amendment) Bill.

Let me close, Madam Speaker, by urging the Government to ensure that the operationalisation of the URA, at long last, will strike the judicious balance in resolving the triple-headed policy trilemma. By that, I mean that the URA should pursue the three combined objectives of: firstly, securing the improved security of supply of the utility services combined with, secondly, greater affordability and last, but not least, lower environmental impact. Madam Speaker, the past heavy ecological footprint of our utility services is just not sustainable if we want to preserve a healthy environment for our people and for tourists who continue to seek an island paradise and increasingly expect to find the benefits of a smart system of utility management.

On this note, I thank you for your attention.

*(Interruptions)*

**Madam Speaker:** Hon. Rutnah!

(5.36 p.m.)

**Mr S. Rutnah (Third Member for Piton & Rivière du Rempart):** Thank you, Madam Speaker. Madam Speaker, this is yet another Bill, another piece of legislation that this Government is bringing in this House to demonstrate really that democracy is at work, that

there is a recognition of the principle of democracy, a recognition of competence, a recognition of value-based education. Those who are educated are not necessarily university graduates, but those educated people come from any background, provided that they can deliver results. And, what is section 10 all about? It is about qualifications. I have not read the whole legislation, the 2004 legislation, but it appears to me, only reading section 10, that this is a legislation that was brought in in a rush and as a result of the rush, it has become a bad legislation with bad drafting. I am sorry to say that, but this is what I would say very candidly. Why I say so is that if we look at section 10, it starts like this -

“The Chairperson and Commissioners shall be persons of high moral and professional integrity, having the relevant qualifications, expertise and experience in either law, economics, business, finance, accountancy or engineering.”

So, the very first part of this legislation stipulates that the person should be qualified. What level of qualification? It does not say. Then, if we look further, subsection 2 says -

“A person shall not be appointed as Chairperson -

- (a) unless he -
  - (i) is the holder of a university degree.”

What is this drafting? If you have already stipulated in subsection (1) that the person should hold certain competence, certain level of education, certain qualification, then what was the point of mentioning that the person needs a university degree? What was the point? Now, if we look further, there are two subsections -

- “(ii) has not less than 5 years’ proven professional, academic or managerial experience in connection with the provision of any utility service, and
- “(iii) has sufficient experience and expertise in a managerial capacity in relation to electricity or water or wastewater services.”

So, what these two other subsections do, in effect, is to restrict many people who can be effective, competent in the job, but they would not be considered because they don’t have that kind of managerial exposure and experience. Why, obviously, they would not have that? It’s because Mauritius is a small island. We are not like in the United Kingdom where there are many utility agencies. We have, in Mauritius, only the CEB, the CWA and the wastewater, three. So, by restricting it, it was, basically, disdaining many people’s chances. That is why because of legislations like these, for example, when we look for someone to go and head the

State Trading Corporation, we get difficulties. When we want someone to head the Mauritius Broadcasting Corporation, we are faced with difficulties. Eventually what happens, we tend to get only a bunch of people who as if monopolises intelligence and they, themselves, would be, at all material time, controlling main institutions of our country and this should stop. I congratulate the hon. Vice-Prime Minister who is bringing this amendment, because it is, in effect, democratising the chances of many competent Mauritian citizens...

*(Interruptions)*

...some competent Mauritian citizens will have the opportunity to be considered to run our utility sector.

Madam Speaker, coming to the comments made by the hon. Leader of the Opposition, he has said some good things, but I don't agree with him at all, that the qualification requirements now has been lifted, because he says: no qualification required. No, it is not the case. If we look at section 10, subsection 1, there is that mention of qualification, fields in law, in economics, etc. At that time in 2004, when the hon. Leader of the Opposition was the Prime Minister, he had a lot of good things to say about the Bill, but he, himself, did not pick up on section 10, subsection 2. If I may, this is what he had to say, partly, about the Bill, just a few quotations. This is what he has to say about my very able and learned friend, hon. Ganoo. He presented the Bill at that time, and he congratulated hon. Ganoo and went on to say like this: I am sure he is very happy that the Opposition is for this Bill. At the time, Labour Party in Opposition, a very good speech by the then hon. Dr. A. Boolell. But that very happiness did not last long because in 2008 - because of lack of foresight - we had to bring further amendments. Happiness reminds me of Thomas Hardy -

“Happiness was but the occasional episode in a general drama of pain.” and the pain continued up to now and now we are trying to resolve this conundrum in which people, competent people were put into, many people who have missed their chance of being considered for the position of Chairperson and Commissioners.

*(Interruptions)*

11 years wasted! Who wasted the 11 years? I like this when the Rt. hon. Prime Minister makes some remarks.

*(Interruptions)*

Why? Because, it is true! Who wasted the 11 years? Who? The same people with whom the hon. Leader of the Opposition was trying to negotiate an alliance and negotiated that impugned alliance to rule this country, but eventually we know what happened, we know the results, I am not going to go into all these, but let me give a few examples. My very able friend, hon. Sesungkur, gave a few examples about Clifford Chance, about accountancy firms and so on. But let us take one simple example: Richard Branson who heads Virgin Atlantic, he has no big qualifications, yet he is managing one of the best airlines, one of the best financial institutions, supermarkets and many other big macroeconomic businesses.

John Major, the former Prime Minister of Britain, when he took over from Margaret Thatcher – at least Margaret Thatcher was a chemist and a barrister-at-law – with barely few O levels, he ran the United Kingdom until he lost the elections.

*(Interruptions)*

Yes, he was the real Major! Now, that the Rt. hon. Prime Minister has triggered this, he was a real Major.

*(Interruptions)*

Why Alexander the Great is called Alexander the Great? Alexander the Great is called Alexander the Great because he was a real Major. He was the person who was able to go into various other jurisdictions and conquer easily and he was one of the most powerful man in Ancient Asia and Ancient Sub-Saharan part of the world. That is what made Alexander the Great great because he was a great Major. He was a great *guerrier* as we say.

Madam Speaker, I have said what I had to say about section 10 and really speaking I endorse everything that the hon. Vice-Prime Minister and Minister of Energy and Public Utilities has said. I also endorse everything that hon. Sesungkur has said. I also endorse all the good things that hon. Mahomed has said. On this note I again congratulate the hon. Vice-Prime Minister for bringing this piece of legislation to give a kick-start looking at competence, looking at people who can really, effectively manage our Utilities Sector.

Thank you, Madam Speaker.

**Madam Speaker:** Hon. Ganoo!

(5.47 p.m.)

**Mr A. Ganoo (First Member for Savanne & Black River):** Madam Speaker, I shall be very brief.

(*Interruptions*)

But, unfortunately,....

(*Interruptions*)

... my wish is being hampered by the fact that I introduced this Bill in 2004 when for the first time the URA Bill was introduced. Many orators before me had already made reference to that. Of course, I have listened to the advice or the directives that you have given before I took the floor that we should not engage ourselves into a debate about the Utility Sector today. The Bill is very restrictive indeed. It is only amending section 10 of the principal Act, Madam Speaker. This is true. I think your ruling is good, correct and wise, but nevertheless without going thoroughly into a debate about the Utility Sector, we just have to remind ourselves as it has been done before me that the Act which was passed in 2004 by the MSM/MMM or MMM/MSM Government, in whatever form we call the then Government, was in fact, very *avant-gardiste* when we decided to do that.

This Act provided for the establishment of this body for - in two words - the better regulation of the utility services in the interest of the customers and also of the providers of such services. This is why the Act made general provisions for the licensing of operators, the tariff setting, the standard of service delivery, protection of consumers and so on in the three sectors: electricity, water sector and wastewater sector.

So, the debates, in fact, took place on 09 November 2004. The Bill was adopted on that day with all the provisions which were amended later by the Labour Government in 2008. It was in the original Bill that we provided for the recruitment of the Chairman of the Board and the Commissioners along the lines which the hon. Leader of the Opposition has just explained. In fact, it was the second opportunity after the provisions in our Prevention of Corruption Act about the recruitment of the Chairman or of the Director of the ICAC. Then, the second case was that of the Chairman and the Commissioner of the Utility Regulatory Board, that is, it should have been by the President, the Prime Minister and the Leader of the Opposition. With the small change that we made in this Bill, that is, the majority would prevail in the case two of the three decided who should become the Chairman on the Board and so on. And all this was done away with in 2008 and today the hon. Vice-Prime Minister is asking the question: why today the Government shouldn't have taken this opportunity to come back on what we proposed in 2004?

But, be that as it may, Madam Speaker, this legislation in 2004 was a good piece of legislation. Not because I presented it, in fact it was done by Cabinet. I remember I had to go four or five times before Cabinet. I had to change the Bill on several occasions until we had the fine print that we had.

Hon. Bodha, when he was intervening in 2008 when the Labour Government was in power and came with the proposals to amend the legislation of 2004, in fact, this is what I can read from hon. Bodha's speech –

“Mr Speaker, Sir, when we go through the speech of my hon. colleague – he is referring to me when I presented the Bill – then we see what was the political will behind our legislation.”

This is hon. Bodha speaking –

“We really wanted to set up an institution in the best interest of the country of the sector or sectors and then as well as we have taken measures to insulate the institution.”

Look at the words which were chosen, Mr Speaker, Sir. The words were, and he was quoting me in my speech of 2004 –

“This is precisely why Government is committed to providing the Authority with a distinct legal mandate free from ministerial control. This measure will insulate the Authority from improper influences.”

And he went on to say –

“The couching of the words is brilliant. It was a very, very beautiful speech, Mr Speaker, Sir. We said also this is why the Bill makes provision for the Authority to be run along the concept of good governance covering principles such as transparency, participation, independence and accountability.”

So, Madam Speaker, this is why I totally disagree with hon. Rutnah when he said that this Bill *pèche* for its bad drafting. It was a Bill made in a *pressé* manner. It was not a *pressé* manner!

I am sorry, I don't want to pick up a quarrel with the hon. Member, but if he had gone through the speech or the speeches! In fact, we have consulted the IFC. We consulted all the international experts before this Bill came to the House. It took a long time because it was for the first time that we were introducing a Regulatory Authority for the Utility Sector. True be

it that today we do not agree with the provisions of section 10 to which I am coming, but to say that this Bill was a Bill made *en catimini* or it was rushed to the House, is completely not true as hon. Bodha himself has explained as regards the contents of the Bill. He was so praiseworthy of the contents of the Bill, Madam Speaker.

But let me also explain to the House why did we not, the MMM/MSM Government, finally proclaim the Bill and why the Bill didn't become operational. The answer is very simple, Madam Speaker. In fact, this Bill cannot become operational unless we have the specific sector legislation, and this is why, when we go through the Bill, even when we go through the most important provisions of this Bill regarding the Objects of the Authority, the Functions and powers of the Authority, sections 5 and 6 read as follows -

#### **“5. Objects of Authority**

Subject to the relevant Utility legislation, the objects of the Authority shall be to –

ensure the sustainability and viability of utility services;

protect the interests of both existing and future customers;”

Section 6 –

#### **“6. Functions and powers of Authority**

- (1) Subject to the relevant Utility legislation, the Authority may –
  - (a) implement the policy of Government relating to applicable utility services;
  - (b) grant, vary and revoke licences in respect of a utility service;”

So, we had to have this relevant Utility legislation, that is, the law concerning the electricity sector, the water sector or the wastewater sector had to be passed in order to be able for this Bill to become operational.

Therefore, the Electricity Bill was passed by the MSM/MMM Government in March of 2005, one month before the National Assembly was dissolved, and then we went in general elections, I think, in July of 2005. After having adopted the Utility Regulatory Authority Bill, then the Ministry started to work on the Electricity Act. We finally succeeded in repealing the old Electricity Act of 1939, I think, and in 2005, we adopted a new Electricity Bill, which became an Electricity Act, which is in our Statute Book, but which has never been proclaimed

so far. When you set up a regulatory body, it must regulate the sector and which sector to regulate. Therefore, this is why in the First Schedule of the Bill, Part A and Part B, the Bill talks of the Electricity Act and the Electricity Services because the Bill regarding water sector or wastewater sector was not by then ready.

So, after we left in 2005 up to 2014, it is true, during those long nine years, the Electricity Act was never proclaimed. It's still in our Statute Book. A new Water Act to enable the new market to evolve in the water sector has never been adopted in this House and things have been allowed to rest as they were since 2005, when we left Government, except for the fact that, in 2008, a few amendments were brought and there were debates on this Utility Regulatory Authority Act. Therefore, in 2008, the Labour Government brought a few amendments and after those amendments were brought and adopted unanimously in the House, just as it happened in 2004, nothing happened. This is why, therefore, up to now, unfortunately, this new body has never become operational.

There is, therefore, this question, Madam Speaker, that, even if we solve the problem of finding *l'oiseau rare*, after the amendments will have been adopted today, there still remains the problem of proclaiming the new Electricity Act. Government has to go through it, correct it, and amend it if the Minister thinks it should be amended. Will we come with a new Water Act with regard to the water sector? Because a lot has been said recently on management contract in the water sector, *privatisation* and so on. So, Government will also have to take a decision on these questions.

Madam Speaker, therefore, the Utility Regulatory Authority Act was a *loi cadre*, was a framework legislation, and linked to this framework legislation were other pieces of legislation concerning the different utility sectors which had to be adopted, voted and inserted in the Schedule of the present Bill which we are amending, but only part of this has been done. So, the rests have to be done.

In the Utility Regulatory Authority Act, there is also another question with regard to new legislation. It is the Tribunal. Because if somebody is not in agreement, if a promoter is not in agreement with the decision of the Utility Regulatory Authority, he has the right to appeal to a Tribunal, and this is the Regulatory Authority Tribunal Bill that had also been adopted during the MSM/MMM Government, but not proclaimed yet. This also will have to be proclaimed to allow the Authority to become operational. Therefore, my point is: Okay, we are solving one problem today, in the hope that when we amend section 10, as we are

doing today, it will be possible to ensure that the Authority will start operating. But amending section 10 by itself is not the solution. We have other issues also to tackle, as I have said, the other specific sector legislation and the setting up of a Regulatory Authority Tribunal.

Madam Speaker, having said this, I come to section 10. Very briefly, I will say that I endorse the provisions of this Bill because my wish, like everybody in this House, is to see this body operating once for all. If the Minister thinks that this is the problem, this is the real problem for the Authority to start operating, so be it! Let's give it a chance. Now, Government wishes to amend what we had proposed in section 10 at that time concerning the qualifications. Okay, if you want to give the Authority a chance, let us amend it.

But, what we must bear in mind, Madam Speaker, is that the original section which is being amended today was drafted in good faith. We wanted to make an independent body; we wanted to have the best cadres, the best professionals to head that Utility Regulatory Authority. *On a péché peut-être par bonne foi*, but that was the reason why we perhaps over restricted the qualifications and the track record of the Chairman of the Board and the Commissioners. Therefore, the hon. Minister and his predecessor, during many years, have had to answer this question in the House about when the regulatory body will start operating, because it has been voted twice in this House unanimously, it has even been proclaimed, but it has not yet started its operation.

So, Madam Speaker, let us hope that by amending section 10 today and repealing paragraph (a) in subsection (2) of section 10 or subsection (3) with regard to the Commissioners by repealing paragraph (a), that the hon. Minister will find the right persons and the Bill will start operating. Madam Speaker, as I said, I have also tried to go through other similar legislation in other countries. It is true; I have not found the qualification that we have prescribed for the Chairman of the Board or the Commissioners of the Regulatory Authority Board. But as I said, Madam Speaker, when we did that in 2004, it was because we wanted to make sure that this body would become a truly autonomous and independent body. We will see that in the 2004 legislation, Madam Speaker. In fact, for the first time, this Bill made it imperative, for example, for the Commissioners to declare their assets. For the first time, I think, it is one of the rare legislation where it was provided, Madam Speaker, in section 7 of the Act, and I quote –

“Subject to this Act, the Authority shall not, in the exercise of its functions under this Act or a Utility legislation, be subject to the direction or control of any other person or Authority.”

Therefore, to invest this body with all its independence, nobody had the power to direct or control the Board of the Utility legislation. So, these are the specific features of this legislation, Madam Speaker. This is why, according to me, we committed ourselves to set up this truly independent and autonomous authority which would provide full assurance to utility service providers, to the consumers and to the stakeholders in general. So, it was going to be an Authority free from Ministerial control; to insulate the Authority from improper influence and the protection of the Chairman and the Commissioners from arbitrary removal in a real spirit of accountability and transparency, Madam Speaker.

To me, I have no quarrel with this amendment. I would have hoped that the hon. Vice-Prime Minister should have come back to the original propositions in the law of 2004; he decided not to do so. He allowed the amendment that was brought by the Labour Government in 2008 with regard to the appointment of the Commissioner and the members of the Board. I think we missed an opportunity to give this Regulatory Authority a real independence. But be that as it may, Madam Speaker, as I said, the hon. Vice-Prime Minister has decided to amend section 10 in the hope that this will help the Regulatory Body to take off. Let that be so. I, therefore, wish that once for all, by this amendment, the Regulatory Authority will become operational and will start, in fact, helping our utility sectors *dans le cadre d'une transformation* of our utility sector.

I have done, Madam Speaker. Thank you.

(6.08 p.m.)

**The Vice-Prime Minister, Minister of Energy and Public Utilities Mr I. Collendavelloo:** Madam Speaker, I have the honour to stand up and to speak after the father of the original Utility Regulatory Authority (URA) Act has taken the floor.

Let me say for what the hon. Leader of the Opposition calls a ‘ridiculous amendment’, there has been a very high level of debate all through the discussions today.

At the end of my closing address, all the Members of the House will be in a very good position to decide, who, between the Leader of the Opposition and me, is the more ridiculous than the other, because that is how he has put the key note. It is a very good thing and very

symptomatic that he was not followed in this unfair, incoherent, but very characteristics tone that he gave, because this is an important amendment.

Hence, whatever hon. Ganoo may say, hon. Rutnah is proved to be exactly right. Yes, this legislation was a perfect piece of legislation, except for section 10. And when we read section 10, it is obvious that an evil pen has inserted its red ink after subsection 1 - and those who were there in 2004 and the records show it. In 2004 in the original draft, subsections (2) and (3) did not exist, this university degree and 5 years, and what have you and what have you not.

At the latest stages of the day, the Advisor of the then Prime Minister rushed and imposed subsections (2) and (3). This is why when hon. Ganoo took the floor in 2004, not one word he breathed on subsections (2) and (3) because, in those days, foreigners were the order of the day.

At the CEB, we needed to look for a Canadian to come to the Head and paid huge sums of money along with three others foreigners. Everything was done to stop Mauritians from dealing with the URA and this is why hon. Ganoo kept quiet. I am sure now that I speak, his memory is joggled. Those who were working on this file in 2004 remember this. The records speak for it. Politicians had dealt with the file. The evil man with the evil pen came in. And this is why with these uncanny knack as a lawyer, hon. Rutnah, without knowing, of course, hits the problem on the nail.

The unfair, outrageous and uncalled for remarks to call this amendment 'ridiculous,' I am sorry he is not there, but I hope that tomorrow morning when he wakes up and he looks himself at the mirror and then he pronounces that word 'ridiculous', and then he will understand who is the more ridiculous of the two.

*(Interruptions)*

He will digest? No! He won't be able to digest, he stops taking his little ...

**Madam Speaker:** Don't make comments on persons' characters!

**Mr Collendavelloo:** That is why the whole process has been stored for 11 years. The delay, even in 2008, when hon. Bodha took the floor, he is the one who started the term '*l'oiseau rare*' for the members of this Committee. When we come to the nomination of *ce qu'on a souvent appelé les oiseaux rares*, because by 2008, everybody had realised that we were looking for *l'oiseau rare* the whole world over.

When I took office, our files on the nomination were empty. In 2009, the Government had indeed advertised internationally, it did not do anything. It was after hon. Mahomed, whom I thank a lot, had raised this question in April that I said - contrary to my predecessor we have to take the bull by the horns. Everyone was scared of touching this section for fear of being told: 'you are doing a ridiculous amendment', and they have been proved right, but I don't care and I don't mind. I have to do my job and I am doing my job and my job implies trying to put in place an authority. Not with Nobel Prize winners, but, at least, with people who can operate that authority and the matter is urgent.

Of course, it is urgent. What do they say? Well, what does the Leader of the Opposition say: 'Ah, they have taken 11 years; we've lost all that time and you've lost one year.' Well, I have lost one year, yes, but, at least, I am doing it. At least, we are doing it and I hope we are doing the right thing. The phrase '*mieux vaut tard que jamais*' which came out of the – how do we call it - intelligent mind of the Leader of the Opposition because everybody in this country is ridiculous. There is only one person who is not ridiculous. Everybody is a *crétin*, except the Leader of the Opposition and he uses these words to describe this amendment. Yes, I see you holding your mike, but this came from the Leader of the Opposition and I am going to reply to him.

**Madam Speaker:** No...

**Mr Collendavelloo:** I am going to reply to him.

**Madam Speaker:** I am only appealing to you not to make any character assassination, not to attack the character of a person. You can make your comments, alright, but not to attack the character. That is why you saw me sign to you.

**Mr Collendavelloo:** I am not attacking his character; I am describing his character.

*(Interruptions)*

That is the fact. History has proved him so wrong so many times in so many places and he comes today and he calls this a ridiculous amendment! Shame on him! I am upset yes and I have got every right to be upset.

Now, let me come back to more intelligent – I am sorry - to less ridiculous persons, I am talking of hon. Mahomed. He had, on many occasions, very good ideas which he has imparted, I am sure he will have no problem about letting me have a copy of his speech which he was unable to deliver because it was outside the scope.

Let me reassure him on one thing. Water! A new Water Bill is being prepared currently at the moment that we speak, but we have to see about the future strategies which we will be adopting in Government in order to know exactly what are the contours of the water legislation. My training for 38 years has been to always well reflect on a point before I come with it. Whatever small point it is, and that is a *déformation professionnelle* and I am making sure that when we do it, we do the right thing and not as has been done in the past, catastrophic results. Hon. Ganoo is a bit like me; this is why he did that URA Act, but, unfortunately, with subsections (2) and (3) added, as I have said.

Let me just rejoin on what hon. Sesungkur, hon. Rutnah and hon. Ghana...

(*Interruptions*)

Ganoo have said about the Bill.

(*Interruptions*)

I am very sorry! I will say why I used “Ghana”. In a moment, it will become clear because of the paper that I have in my hand.

Hon. Sesungkur is so right. How many great men have we had in Mauritius, starting with Guy Rozemont? Did they have University Degrees and what have you? What is this thing about qualification? Ridiculous! I have a list of countries where similar regulatory authorities exist. Vanuatu: Qualification for this appointment is based on the knowledge and experience of electricity and water sectors as well as in commerce, economics, law and public administration. Doesn’t it remind us of what there is in our section 10 subsection (1)? Ghana – this is how the slip occurred. Ganoo!

(*Interruptions*)

I am really sorry.

(*Interruptions*)

I can assure you that it is entirely unintended.

The persons appointed by the President – so, qualifications! For the UK: Office and Gas and Electricity Markets, non-executive members who bring experience and expertise from a range of areas, including industry, economics, consumer science, finance and European energy issues. Where are the degrees? Where are the PhD’s?

(*Interruptions*)

No, I will go because I want to show that the whole world is ridiculous, except for the Leader of the Opposition. There is only one bright man in this world who knows everything. He should be the Chairperson and the Commissioners of this Authority because he has got the widest experience in everything, but all these countries like Tanzania, Jamaica and France, the Board of the Commission is composed of five members appointed for their skills in the legal, economic and technical fields. Malta, Canada and Italy: qualified acknowledged professionals who are experts in the sector. Internationally, therefore, it is section 10, subsection (1) which obtains. What are we trying to do here? It is to set the clock right, not back in time, but to set it right. To remove from this law, the evil pain which paralysed the Regulatory Authority for 11 years and, this, the Leader of the Opposition, don't tell me that he does not remember because if there is one thing he has, it is a good memory. Don't tell me he does not recall that it was his advisor who went and inserted these two subsections. This is why in order to attack this amendment he has to trade in insults. He has to use the term 'ridiculous' because once he is uncovered, Madam Speaker, who is the more ridiculous of the two: the world over or the Leader of the Opposition?

Let me conclude by thanking everyone who took part in these debates. I am sorry if I have not been able to go over each and every point raised, especially the points raised by hon. Sesungkur which merit more careful consideration that I have given it, but it would take too much of the time of the House. I had said 10 minutes in opening, but nobody asked me how much in closing. So, I took the liberty of it.

Thank you, Madam Speaker. I commend the Bill to the House.

*Question put and agreed to.*

*Bill read a second time and committed.*

#### **COMMITTEE STAGE**

*(Madam Speaker in the Chair)*

#### **THE UTILITY REGULATORY AUTHORITY (AMENDMENT) BILL**

**(NO. XII OF 2016)**

*The Utility Regulatory Authority (Amendment) Bill (No. XII of 2016) was considered and agreed to.*

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

*Third Reading*

*On motion made and seconded, the Utility Regulatory Authority (Amendment) Bill (No. XII of 2016) was read the third time and passed.*

**ADJOURNMENT**

**The Prime Minister:** Madam Speaker, I beg to move that this Assembly do now adjourn to Tuesday 05 July 2016 at 11.30 a.m.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo)** rose and seconded.

*Question put and agreed to.*

**Madam Speaker:** The House stands adjourned. We have got some Adjournment Matters. Hon. Jhuboo!

**MATTERS RAISED**

(6.27 p.m.)

**CHAMOUNY, CHEMIN GRENIER & SURINAM - WATER SUPPLY**

**Mr E. Jhuboo (Third Member for Savanne & Black River):** Thank you, Madam Speaker. I would like to raise an issue concerning my Constituency and it is addressed to the Vice-Prime Minister, Minister of Energy and Public Utilities.

It is in relation to the shortage and cuts in the supply of water in the region of Chamouny, Chemin Grenier and Surinam. I am given to understand that there is a new tank that is under construction, but, in the meantime, especially during Ramadan, if the hon. Vice-Prime Minister could see to it that water is supplied in the region.

Thank you.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** If I may. Yes, we are receiving complaints from many areas around Mauritius. These complaints have existed not ever since I have been a Minister, but for 20 years or more. Every effort is being done to alleviate the problems faced by the inhabitants at least so that they get some level of water either through direct water pipes or by water tankers to palliate whatever failings there may be.

The situation is only medium term. I have put before the House all the projects, Constituency by Constituency, which are recurrent. If any Member of the House wishes to have a personal copy, this can be arranged by email. The CWA has done it. A copy is open for public inspection equally at the CWA where everyone can look at his own area and see what is being done.

Pipes are not repaired in one day, it is like Rome, and we will do it. As you know, there is a lack of resources, lack of technology and the question demands a more general answer which nobody has dared to come to grips, because all sorts of demagogical talk. Luckily, I am immune from all these lobbies, pressures, whatever, so, I am confident that I am going to push this further. I smile like you. We hope that it is true because then we will be able to have 24 and 7 at least within a narrow forecast.

**Madam Speaker:** Hon. Uteem!

(6.30 p.m.)

#### **RAMADAN – PRIESTS - VISA**

**Mr R. Uteem (First Member for Port Louis South & Port Louis Central):** Thank you, Madam Speaker. I would like to raise an issue, it concerns the Rt. hon. Prime Minister. It relates to the priests who come temporarily in Mauritius for the period of Ramadan. They come because they have special prayers. Most of them are from India, Pakistan and they are typically given one month visa when they arrive in Mauritius.

However, the whole month of Ramadan takes one month. So, very often, most of them are having to leave the country before Eid celebration or on the eve of it. So, I would make an appeal to the Rt. hon. Prime Minister if these priests ask for a few days extension or two days extension, needful can be done so that they can - having spent the whole month in prayers - celebrate Eid in Mauritius as well.

**The Prime Minister:** Thank you. I will look into it.

**Madam Speaker:** Hon. Baloomoody!

(6.31 p.m.)

#### **PAILLES & CAMP CHAPELON - FOOTBALL GROUNDS - LIGHTING**

**Mr V. Baloomoody (Third Member for GRNW & Port Louis West):** I was supposed to address the hon. Minister of Local Government, I don't know to whom do I

address now. It is a question concerning the Municipality of Port Louis, and most especially, two football grounds in my Constituency; one at Pailles at Morcellement Rey and the other one at Camp Chapelon.

For many months now, the lights have gone off. The inhabitants have approached the Councillors, they have approached the Mayor. Every time there is a reply either that there is no bulb, there is no transport. When they get the transport there is no technician. When they get the technician there is no bulb. So, may I appeal to the hon. Minister to look into the matter. I am sure the hon. Wong Yen Cheong knows very well about it, so that matter can be taken up urgently because our youngsters today, unfortunately, do not have much leisure, and football is one of their leisure in the evenings, whenever they can use the football ground in the evening.

Thank you.

**The Minister of Social Integration and Economic Empowerment (Mr P. Roopun):** I shall convey to the hon. Minister the concern of the hon. Member.

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

(6.32 p.m.)

### **SUPER CASH BACK GOLD POLICIES - PAYMENT**

**Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East):** Madam Speaker, the issue I am raising tonight relates to the payment of the Super Cash Back Gold policies and is addressed to the hon. Minister of Financial Services, Good Governance and Institutional Reforms. I have given prior notice to that, but he is not here. I think some other colleague can take this issue.

The hon. Minister went on MBCTV and announced two options for policies more than Rs1 m. Our concern is the lack of communication between the NPFL and the clients which resulted in a *cafouillage* at the NPFL since no communiqué has been issued yet. There are long queues actually at the premises and since yesterday, many clients are not aware where to go to exercise the options.

Presently, if a client does not opt for deduction of bonuses till tomorrow, he will be automatically diverted into option two, that is, losing the 25%, etc. Questions are being asked as to if debentures will be issued for those opting for the cut in bonuses. Therefore, there is another issue regarding the bonuses, I would like the hon. Minister to clarify to the public for

the deduction of bonuses whether it will include bonuses already paid since the beginning where the bonuses have been capitalised.

Therefore, Madam Speaker, I am requesting the hon. Minister if he can extend the delay in a reasonable lapse of time so that all the clients are given ample time before they can take a decision.

Thank you.

**The Attorney General (Mr R. Yerrigadoo):** Madam Speaker, I shall convey the concerns of the hon. Member to the substantive Minister.

**Madam Speaker:** Hon. Ramful!

(6.34 p.m.)

#### **PRIMARY SCHOOLS - TEXTBOOKS**

**Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien):** Thank you, Madam Speaker.

I have an issue concerning the Minister of Education and Human Resources, Tertiary Education and Scientific Research. I think she is not here, if one of the colleagues can convey the issue to her.

I have been informed by parents with regard to some primary schools - I don't know if in all of them, but I know for some - students have not received their part two textbooks yet. These students would be going on holidays in July. They will be back in August and they will have only about two months to complete those Part II textbooks which, I believe, are quite thick.

Therefore, I am making a humble request to the hon. Minister of Education, and Human Resources, Tertiary Education and Scientific Research to, please, kindly look into the matter.

**The Minister of Agro-Industry and Food Security (Mr M. Seeruttun):** Madam Speaker, I would like to have some clarifications with regard to the subjects and the classes concerned, please.

**Mr Ramful:** Well, for example, at Sir Veerasamy Ringadoo Government School, which is in Sodnac, Standard III pupils don't have their Maths, French, Science and History textbooks. But I don't know if it is the case for other Primary Schools.

**Mr Seeruttun:** Okay, I take note of that request and I will pass on the message to the hon. Minister when she is back.

*At 6.39 p.m., the Assembly was, on its rising, adjourned to Tuesday 05 July 2016 at 11.30 a.m.*

## WRITTEN ANSWERS TO QUESTIONS

### SEA – SAFETY MEASURES

**(No. B/613) Mr D. Sesungkur (First Member for Montagne Blanche & GRSE)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to disappearance of persons at sea, he will, for the benefit of the House, obtain from the Commissioner of Police –

- (a) the list thereof on a yearly basis since 2009 to date, and
- (b) information as to the measures taken to improve safety at sea, indicating the investments made in equipment and technology therefor.

**Reply:** In regard to part (a) of the question, I am informed by the Commissioner of Police that since 2009 up to 23 June 2016, 15 persons have disappeared at sea. The list thereof is being tabled.

In regard to part (b) of the question, the Police have taken several measures to improve safety at sea, including procurement of additional vessels, improvement of the communication network for the reinforcement of the coastal surveillance and provision of continuous training to divers and lifesavers, in respect of the National Coast Guard. Additionally, in the various public beaches a portion of the lagoon has been declared boat free zone and swimming zone.

Furthermore, the Police conduct sensitisation campaigns with skippers, fishermen, tourists and seafarers on safety at sea. Particular emphasis is placed on the precautions that have to be taken by owners and skippers in terms of seaworthiness of pleasure crafts and the need for passengers to wear life jackets prior to venturing into the sea.

Regular offshore patrols are carried out by National Coast Guard to prevent any accident in our coastal areas.

I also wish to inform the House that for the period January 2015 to June 2016 some Rs2.1 billion have been spent by the Police Department towards the maintenance and acquisition of equipment for the National Coast Guard and the Police Helicopter Squadron as

compared to around Rs2 billion for the period January 2009 to end 2014. Thus, the fleet of the National Coast Guard has been increased and reinforced with the acquisition of one Offshore Patrol Vessel, the “CGS Barracuda” which has an endurance of 5,000 Nautical Miles; and the procurement of 10 Fast Interceptor Boats with a maximum speed of 35 Nautical Miles.

I am informed that the Police Helicopter Squadron has a fleet of five helicopters to carry out aerial patrol and to undertake search and rescue mission at sea. Five Coastal Surveillance Radar Systems have been installed at various locations around the island of Mauritius, one in Rodrigues, one in St Brandon and one in Agaléga.

Moreover, the acquisition of the following is in the pipeline –

- (i) two Water Jet Fast Patrol Vessels with endurance of 2,000 Nautical Miles are at various stages of construction, one will be delivered in September this year and the other one in June 2017, and
- (ii) one new Dornier equipped with state-of-the-art sensors on board for detection and assistance at sea, has been delivered and will be commissioned by mid July 2016.

#### **ROAD – FATAL ACCIDENTS**

**(No. B/614) Mr D. Sesungkur (First Member for Montagne Blanche & GRSE)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to fatal road accidents, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases thereof since March 2015 to date.

**Reply:** I am informed by the Commissioner of Police, that from March 2015 to 23 June 2016, 174 fatal road accidents have been reported to the Police, in which 189 persons have lost their lives.

#### **BELL VILLAGE – POLICE QUARTERS – RENOVATION**

**(No. B/615) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Police Quarters situated at Bell Village, he will, for the benefit of the House, obtain from the Commissioner of Police,

having regard to the deplorable conditions thereof, information as to if consideration will be given for the renovation/upgrading thereof and, if so, indicate –

- (a) when same will be carried out, and
- (b) the actions taken, if any, to ensure the maintenance of the yard and of the common areas thereof.

**Reply:** I wish to point out at the very outset that the Police Quarters at Bell Village which were constructed as far back as 1964 are maintained by the Police and the Ministry of Public Infrastructure and Land Transport.

As regards part (a) of the question, I am informed by the Commissioner of Police that at present no major renovation or upgrading work is being contemplated. However, minor repairs to the Quarters are carried out as and when required.

In regard to part (b) of the question, the yard and the common areas within the precincts of Bell Village Police Quarters are cleaned, bushes and grasses trimmed, solid wastes and unserviceable items dumped within the compound are carted away to dumping grounds by the Police Department, on a monthly basis.

Moreover, household wastes and detritus are removed by the Garbage Collection Department of the City Council of Port Louis twice a week.

In accordance with the provisions of the Police Standing Orders, the occupants of Police Quarters have a duty to ensure that the premises are kept clean and tidy, hedges are trimmed, gutters and drains are clean and free of obstructions.

#### **CUSTOMS TARIFF – TRUE HEMP – IMPORT & EXPORT**

**(No. B/616) Mrs D. Selvon (Second Member for GRNW & Port Louis West)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to True Hemp, he will state if he is aware that the Customs Tariff Schedules of the Mauritius Revenue Authority describes same as Cannabis Sativa L, raw or processed, but not spun, that it is imported and exported by Mauritius as per the United Nations Statistics Division and an Enterprise Mauritius international trade brochure distributed in South Africa in March 2016 and that internationally customs services label same as Cannabis Sativa L, and, if so, indicate if he will address the issue of why importers and exporters thereof and of Armani's cannabis

products should not be prosecuted under the Dangerous Drugs Act which imposes a blanket ban on all Cannabis Sativa L and, if not, why not.

**Reply:** I am informed by the Mauritius Revenue Authority that under the Tariff Heading 53.02 of the First Schedule of the Customs Tariff Act, True Hemp, which is commonly known as Cannabis Sativa L, is classified as raw or processed hemp fibres and is used in the textile industry.

The above Tariff Heading, under which Mauritius imports and exports True Hemp fibres, is in accordance with the International Convention on the Harmonised Commodity Description and Coding System of the World Customs Organisation.

Moreover, under the same Tariff Heading, importers and exporters of True Hemp are required to obtain the clearance of the National Plant Protection Officer prior to the import or export of True Hemp, as the case may be.

I have also been informed by Enterprise Mauritius that no mention was specifically made that Cannabis Sativa L is imported or exported by Mauritius, in the brochure that was distributed during the Buyers Sellers Meeting held in March 2016 in South Africa.

In light of the above, therefore, the prosecution of importers and exporters of raw or processed hemp fibres which are used in the manufacture of textile products including the Armani's textile products, in full compliance with international and domestic regulations, does not arise.

#### **LE BOUCHON - SHIP MV BENITA – GROUNDING**

**(No. B/617) Mr P. Jhugroo Second Member for Mahebourg and Plaine Magnien** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the ship MV Benita, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) the date, time and how the National Coast Guard was informed of the presence thereof within our territory, indicating the –
  - (i) initial location thereof;
  - (ii) date and time the first call was received therefrom;
  - (iii) number of Police Officers deployed thereat, and
  - (iv) number of persons who were on board, and
- (b) where matters stand as to the inquiry being carried out thereinto.

**Reply:** In regard to part (a) of the question, I am informed by the Commissioner of Police that, on 16 June 2016 at 23.50 hours, the National Coast Guard (NCG) Operations Room was apprised by the Mauritius Radio Services, which operates under the Shipping Division of the Ministry of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands, that they had received a Very High Frequency (VHF) call from the Captain of MV BENITA to the effect that a crew member on board was injured and needed to be evacuated. At that time, the vessel was positioned at 17 nautical miles (nm) off Mahebourg, which is outside the territorial waters of Mauritius.

I am also informed that, on 16 June 2016 at 23.51 hours, when the National Coast Guard established communication with the Captain of the vessel, the latter stated that the ship had an engine breakdown and he reiterated that there was a casualty who needed medical evacuation.

I am further informed that, on 17 June 2016 at around 07.30 hours, the Captain of MV BENITA reported to the National Coast Guard that the vessel had lost both its anchors and had gone aground off Le Bouchon.

On the same day, that is, on 17 June 2016, 84 Police officers were deployed on site. 23 crew members, including its Captain, were on board MV BENITA.

As regards part (b) of the question, I am informed that an enquiry into the matter is being carried out by CID Southern Division. As at now, a member of the crew is detained in Police cell on a provisional charge of "*Assault with Aggravating Circumstances*" in breach of section 228 of the Criminal Code Act.

#### **RIO OLYMPIC GAMES – ATHLETES & DISCIPLINES**

**(No. B/640) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the forthcoming Rio Olympic Games, he will –

- (a) for the benefit of the House, obtain from the Mauritius Olympic Committee the list of athletes, discipline-wise, qualified therefor, and
- (b) information as to the composition of the Club Maurice, indicating the responsibilities of each member thereof.

**Reply:** I am informed by the Mauritius Olympic Committee (MOC) that a total of eight athletes have qualified so far. They are -

- Jonathan Drack and David Carver – Athletics

- Kate Foo Kune – Badminton
- Kennedy St Pierre and Merven Clair – Boxing
- Yannick Lincoln – Cycling
- Christianne Legentil – Judo
- Fabienne St Louis - Triathlon

As regards part (b) of the question, I am advised that Club Maurice is a company and that it would not be appropriate to disclose information relating to the internal matters of a company.

**RIO OLYMPIC GAMES – ATHLETES - FINANCIAL ASSISTANCE**

**(No. B/641) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the forthcoming Rio Olympic Games, he will give a breakdown of the financial assistance given by his Ministry to the athletes who have been qualified/invited thereto.

**Reply:** As at to date, a total of eight (8) athletes have already obtained their qualification to participate at the forthcoming Olympic Games scheduled in Brazil from 05 to 21 August 2016. Four invitations have also been received for participation -

- One in weightlifting;
- Two in Swimming, and
- One in Athletics.

Nominations of athletes in respect of invitations received are being finalised at the level of the respective National Sports Federation.

Since January 2016, my Ministry, through the High Level Sports Unit, is giving an additional allowance of Rs10,000 over and above their actual allowance to all athletes who have qualified on basis on their performance and Rs5,000 to those who will participate on basis of an invitation from the International Olympic Committee (IOC). The House may also wish to note that all training camps have been financed by my Ministry.

I am tabling a breakdown of the financial assistance given by the High Level Sports Unit of my Ministry to the athletes who have been qualified to participate at the Olympic Games 2016.

The granting of the special allowance by the Ministry of Youth and Sports is subject to confirmation from respective National Sports Federation that the athlete has obtained his or her qualification for these Games.

#### **FOOTBALL - DIRECTEUR TECHNIQUE NATIONAL - RECRUITMENT**

**(No. B/642) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the recruitment of a Directeur Technique National for football, he will –

- (a) for the benefit of the House, obtain from the Mauritius Football Association, information as to the actions taken in relation thereto, and
- (b) state the actions taken by his Ministry in relation thereto, if any.

**Reply:** I am informed by the Mauritius Football Association that the post of Directeur Technique National is actually vacant and that it is prospecting for the best candidate from foreign countries.

As regards part (b) of the question, I would like to inform the House that my Ministry via the Mauritius Embassy in Germany, has approached the German authorities with a view to seeking technical assistance in football. Last April, under the cooperation agreement with Germany in the field of sports we received three proposals for football coaches, as recommended by the German Football Association, for possible assignments in Mauritius. These proposals have been transmitted to the MFA for consideration.

#### **MINISTRIES & PARASTATAL BODIES - CONFERENCES & SEMINARS**

**(No. B/643) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Arts and Culture whether, in regard to the holding of Conferences and Seminars, he will give a list of the venues approved by his Ministry for use therefor by Ministries, Departments or parastatal companies indicating in each case the –

- (a) number of times the said venues have been used since January 2015 to date, and
- (b) rates charged for the use thereof.

**Reply:** I wish to inform the House that it is not within the mandate of my Ministry to approve venues for the holding of conferences and seminars by Ministries, departments and parastatal bodies.

However, two theatres, namely the Serge Constantin Theatre and Pointe Canon Open Air Theatre are managed by my Ministry and are used for artistic and cultural activities.

As regards parts (a) and (b) the information is being compiled in respect of these two theatres.

#### **LANDLORD AND TENANT ACT – AMENDMENT**

**(No. B/644) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the Landlord and Tenant Act, he will state if he proposes to bring any amendment thereto in relation to the applicability of the Act after 31 December 2017.

*(Withdrawn)*

#### **SUGAR ESTATES – LAND DISPOSSESSION**

**(No. B/645) Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Deputy Prime Minister, Minister of Tourism and External Communications whether, in regard to the five sugar estates which are allegedly concerned with the dispossession of the lands of the slaves and of the indentured labourers, he will, for the benefit of the House, obtain from the Land Research and Mediation Unit, information as to the names thereof, indicating the –

- (a) names of the families of the slaves and indentured labourers concerned therewith, and
- (b) total extent of land involved therein.

**Reply:** I am informed by the Land Research and Mediation Unit that there are five cases which relate alleged land dispossession by Sugar Estates.

I am hereby tabling the information relating to the above-mentioned cases.

#### **CHILD MARRIAGE - LEGISLATION**

**(No. B/646) Mr M. Gobin (First Member for Rivière des Anguilles & Souillac)** asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to child marriage, she will state if consideration will be given for the introduction of proposed amendments to the existing legislation to prohibit the marriage of children below 18 years of age, following the international commitments taken by Mauritius in relation thereto.

**Reply:** The Code Civil Mauricien states in Article 144 that the age of marriage shall be 18 years. However, under Article 145, it is also possible for a child over 16, but under 18 to get married with the consent of his parents or if they do not give such consent, the Judge in

Chambers may grant the dispensation to the minor if it is necessary to do so in the latter's interest.

As regards the 'international commitments', it is noted that Article 21 of the African Charter on the Rights and Welfare of the Child, which came into force on 29 November 1999, states that -

"Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be 18 years and make registration of all marriages in an official registry compulsory."

Furthermore, the Committee on the Convention on the Rights of the Child (CRC) in its last report in 2015, urged State party to ensure that the minimum age of marriage, set at 18 years, is strictly enforced, in line with the State party's obligations under the African Charter on the Rights and Welfare of the Child. The Committee recommended that the State party carries out comprehensive awareness-raising programmes on the negative consequences of child marriage, targeting in particular parents, teachers and community leaders.

Sensitisation campaigns on the CRC are carried out by the National Children's Council under the '*Ecole des Parents* and School Child Protection Clubs' projects, whereby parents and children are respectively made aware of the provisions of the CRC and the negative effects on the child development following early child marriages.

It is proposed that the present provision of the Code Civil Mauricien be maintained due to the cultural unique specificity of the country.

#### **PIGS – PRODUCTION & IMPORTATION**

**(No. B/647) Mr J. C. Barbier (Fourth Member for GRNW & Port Louis West)** asked the Minister of Agro-Industry and Food Security whether, in regard to pigs, he will state, in respect of the past five financial years, the total value and quantity thereof –

- (a) imported, and
- (b) produced locally.

*(Withdrawn)*

### **CATTLE BREEDERS - GRANTS**

**(No. B/648) Mr J. C. Barbier (Fourth Member for GRNW & Port Louis West)** asked the Minister of Agro-Industry and Food Security whether, in regard to the cattle breeders, he will state if they are entitled to a yearly grant per head of cattle or otherwise and, if so, indicate why some breeders have not yet received their grants over the past two years.

*(Withdrawn)*

### **BEACHES - IRON-SHEET STRUCTURES**

**(No. B/649) Mr J. C. Barbier (Fourth Member for GRNW & Port Louis West)** asked the Minister of Civil Service and Administrative Reforms, Minister of Environment, Sustainable Development, and Disaster and Beach Management whether, in regard to the beaches, he will, for the benefit of the House, obtain from the Beach Authority, information as to if consideration will be given for the advisability of stopping the proliferation of the use of iron-sheet structures by commercial traders thereat and making provision for appropriate buildings to be erected in dedicated areas for the location of the said traders.

*(Withdrawn)*

### **BEACHES - POINTE AUX SABLES & TOMBEAU BAY - MAINTENANCE**

**(No. B/650) Mr J. C. Barbier (Fourth Member for GRNW & Port Louis West)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the beaches of Pointe aux Sables and of Tombeau Bay which do not fall within the purview of the Beach Authority, he will state the measures taken by his Ministry for the cleaning and maintenance thereof.

*(Withdrawn)*

### **CITÉ BRIQUETTERIE - WATER SUPPLY**

**(No. B/651) Mrs M. C. Monty (Third Member for Port Louis North & Montagne Longue)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to Cité Briquetterie, in Sainte Croix, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the causes of the severe water supply problems thereat, indicating if remedial measures will be taken in relation thereto.

**Reply:** I am informed by the Central Water Authority that the region of Cité Briquetterie, Sainte Croix is supplied from the Priest Peak reservoir for about 12 hours daily.

I am further informed that all cases of no water or insufficient hours of supply reported to the CWA have been attended to.

I would request the hon. Member to advise me of any case of severe water problem which I will refer to the CWA for appropriate remedial action.

**MINISTRY OF GENDER EQUALITY, CHILD DEVELOPMENT AND  
FAMILY WELFARE - FAMILY WELFARE AND PROTECTION UNIT - TRAINING  
SESSIONS**

**(No. B/652) Mrs M. C. Monty (Third Member for Port Louis North & Montagne Longue)** asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the Domestic Violence Unit, she will state when training sessions were carried out thereat for the Enforcement Officers in relation thereto, indicating the –

- (a) number of Police Officers who have equally benefitted therefrom, and
- (b) resource persons having conducted same.

**Reply:** I am informed that, in regard to Domestic Violence which is under the responsibility of the Family Welfare and Protection Unit of my Ministry, Family Welfare and Protection Officers, also known as Enforcement Officers, underwent training as follows -

- (i) from 17 to 21 August 2015, 18 Family Welfare and Protection Officers and 14 Police Officers attended a workshop on Multi-Agency Response to fight against Domestic Violence organised by my Ministry in collaboration with the US Embassy. The training was conducted by high calibre Consultants from the US Embassy;
- (ii) from 28 September to 02 October 2015 and from 08 to 15 October 2015, 24 Family Welfare and Protection Officers followed an in-service training course on effective responses to cases of domestic violence. Resource Persons were from the Attorney General's Office, Office of the Director of the Public Prosecution and Officers of my Ministry, and
- (iii) from March to April 2016, 268 Police Officers and 9 Family Welfare and Protection Officers of my Ministry benefitted from a training programme on Domestic Violence which was conducted by a pool of Resource Persons from the Police Department as well as by Psychologists and Family Welfare and Protection Officers of my Ministry.

### **STC - RATION RICE - TENDER**

**(No. B/653) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to ration rice, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to if the procurement thereof through bidding exercises has been abolished and, if so, indicate –

- (a) when;
- (b) the method currently being used for the procurement thereof, and
- (c) if he will table a list of the suppliers thereof.

**Reply:** I am informed by the State Trading Corporation (STC) that the procurement of ration rice, through bidding exercises, has not been abolished.

Prior to 2011, the STC was carrying out an annual tender exercise for the procurement of rice.

Thus, in November 2009, following a tender exercise, a contract was awarded to a supplier for supply of rice for period February 2010 to January 2011. However, after February 2010, the average price of rice on the world market decreased considerably. The STC requested the supplier to change its price, but the latter refused to do so. The STC, therefore, terminated the contract and launched another tender exercise. A new supplier was awarded the contract at a price cheaper by some 33.5%.

However, towards the end of the contract, the rice supplied was found to be of bad quality.

Consequently, since 2011, the STC has been resorting to Request for Quotations (RFQ) every three to four months instead of annual tenders, so as to benefit from price fluctuations on the world market and to ensure supply of rice of the best quality.

For each exercise, the STC launches RFQs to the list of suppliers of rice registered with the STC as at date. For example, the RFQ launched in May 2015, STC invited 173 suppliers, whereas for the last one, on 21 June 2016, the STC invited 198 suppliers, to submit quotations.

The RFQs are also posted on the website of the STC, giving the opportunity to other interested parties to register themselves with the STC and participate in the bidding exercises.

I am tabling a list of the 198 potential suppliers registered with the STC as at today.

### **REAL ESTATES AGENTS BILL - INTRODUCTION**

**(No. B/654) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the real estate agencies, he will state if Government proposes to introduce legislation for the regularization thereof and, if so, when, indicating if the stakeholders thereof will be consulted prior thereto.

**Reply (The Minister of Finance and Economic Development):** This question was addressed to the hon. Minister of Housing and Lands and as agreed, I am replying to the question.

Real estate agents arrange the sale, purchase, rental and lease of property on a commission basis. The profession is currently not regulated.

However, those agents have an obligation to submit Suspicious Transaction Reports to the Financial Intelligence Unit (FIU). The FIU is also empowered under the Financial Intelligence and Anti-Money Laundering Act to issue guidelines to those agents on anti-money laundering and to take appropriate sanctions in case of non-compliance.

With the increasing number of real estate transactions and opening up of the property market, it is a fact that there has been a proliferation of untrained and sometimes unethical middlemen. This situation may give rise to malpractices. Foreign buyers, in particular, look for professionally competent licensed or registered estate agents.

In February 2018, Government has taken note of the Paper published by the Law Reform Commission on the Legislative Framework for the Regulation of Activities of Estate Agents and has agreed to the drafting of the Real Estates Agents Bill with a view to establishing a Real Estates Agents Authority, setting professional standards in the profession of real estate agents and providing accountability and transparency in the profession of real estate agents.

I am informed that the Ministry of Housing and Lands would have consultations with relevant stakeholders on the proposed Real Estates Agents Bill.

### **LA VALETTE, BAMBOUS - HOUSING ESTATE PROJECT**

**(No. B/655) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Social Integration and Economic Empowerment whether, in regard to the Housing Estate Project of La Valette and Bambous, he will state the –

- (a) amount of funds invested therein, and
- (b) number of housing units built, indicating the;
  - (i) number thereof which are occupied, and
  - (ii) terms and conditions regarding the devolution of the ownership of the housing units as per the agreement signed between the occupiers thereof and Government, indicating if Government will consider a review thereof to enable the occupiers honour their financial commitments towards the Mauritius Housing Company Ltd.

**Reply:** With regard to parts (a) and (b) of the question, the project value of the housing project at La Valette, Bambous, amounted to around Rs205 m. 199 housing units were constructed .

With regard to b (i), according to the National Empowerment Foundation, 197 housing units are presently being occupied.

With regard to b (ii), the Lease Agreement was in fact signed between the MHC and the beneficiary.

According to the terms and conditions, as from date of signature of the agreement, the housing unit would be rented for an initial period of three years against payment of an initial monthly amount of Rs800 in the first year, Rs1,000 in the second year and Rs1200 in the third year. Upon expiry of the three years of rental and provided that all the terms and conditions have been satisfied as well as compliance to the social contract and “*cahier des charges*” as provided in the Agreement, the beneficiary would have the option to buy “under *conditions suspensives*” the said housing unit. After signature of the option to buy, the monthly rental will be converted into monthly repayment to meet the cost of the housing unit and will continue to increase by Rs200 each year until it reaches Rs3000 in the 12<sup>th</sup> year.

With regard to the devolution of ownership, it had been reported that only 12 out of the 197 beneficiaries have abided by the terms and conditions of the Agreement and none of them have signed the option to buy.

On the other hand, to date, no representation for the review of the terms and conditions has been received at the MHC .

#### **CEB - HIGH VOLTAGE CABLES**

**(No. B/656) Mr D. Sesungkur (First Member for Montagne Blanche & GRSE)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the high voltage cables of the Central Electricity Board (CEB) network, he will, for the

benefit of the House, obtain from the CEB, information as to the number of reported cases of lives having been lost and of casualties having resulted following electrocution therefrom since 2012 to date, indicating –

- (a) the number of prosecutions initiated against the CEB and the quantum of damages paid in connection therewith, and
- (b) if the main causes thereof have been investigated into and, if so, indicate the actions taken to prevent the recurrence thereof.

**Reply:** I am informed by the Central Electricity Board that since January 2012 there have been reports of 30 cases of electric shocks and electrocution out of which 10 were fatal occurrences.

No criminal prosecution has been instituted against the Central Electricity Board. There is only one Judicial Enquiry regarding one accident which occurred in February 2012.

CEB has informed its insurer of all these occurrences. It will be up to the insurer to deal with any claims that may be made.

With regard to part (b) of the question, I am informed by the Central Electricity Board that most of the accidents were as a result of negligence on the part of the victims.

Measures taken by the Central Electricity Board include –

- (i) thorough investigation of all reported cases of accidents to identify the causes and assess risks;
- (ii) publication of press notices and communiqués to advise the public to exercise caution while performing works near any electricity network;
- (iii) replacement of bare conductors by insulated cables islandwide, and
- (iv) regular inspections of network and warning letters are issued to customers who do not comply with safety clearances.

### **RIVÈRE DES GALETS – INHABITANTS – RELOCATION**

**(No. B/657) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the inhabitants of Rivière des Galets, he will state where matters stand as to the proposed relocation thereof.

**Reply:** Following the sea swells of 12 and 13 May 2007, a Technical Committee was set up at the Ministry of Environment in June 2007 comprising officers of the Ministry of Housing and Lands to propose appropriate measures to protect the shoreline and the 46 residences on seaward side at Rivière des Galets/Petit Bien Ex-CHA Housing Estate.

Subsequently in 2008, Coastal Rehabilitation works were carried out whereby gabions were placed along the shore. An inland retaining wall over some 450m was erected at the cost of Rs19 m. to protect the vulnerable communities from frequent flooding due to storm surges and bad weather conditions where evident risk of damages to the housing infrastructure exists.

Following a recent mission by UN expert Coastal Scientist from 21 June to 24 June 2016, it has been decided after consultation with the UNDP to move ahead with coastal zone upgrading work. The bid document is being finalised. After approval by the Departmental Bid Committee of the Ministry of Environment, Sustainable Development, and Disaster and Beach Management, it is expected that the project estimated at Rs60 m. and of 12 months' duration, may be awarded by September 2016.

Nevertheless, there is a need to relocate the families occupying the housing units falling on the seaward side.

In this connection, a portion of land of an approximate extent of 7 Arpents at Rivière des Galets belonging to Saint Felix Sugar Estates Company Limited has been identified for the relocation exercise and action has been initiated for the acquisition of the land.

Government may also consider having the housing units of these families evaluated and paying a compensation to them for relocation.

#### **STATE OWNED & BEC COLLEGES – ACADEMIC COLLEGES - CONVERSION**

**(No. B/658) 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 Nine Year Basic Schooling Programme, she will state the number of State Owned Colleges and Bureau d'Education Catholique Colleges respectively which will be converted into Academic Colleges.

(Withdrawn)

#### **VALLÉE DES PRÊTRES – ROAD SAFETY**

**(No. B/659) Mr G. Oree (Second Member for Port Louis North & Montagne Longue)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to Vallée des Prêtres, he will state if additional speed breakers will be installed to reinforce road

safety thereat as requested by the inhabitants and the road users thereof and, if so, when and, if not, why not.

**Reply:** The Vallée des Prêtres region is serviced by the Bernardin de St Pierre (B143) Road, which starts at its junction with the Abercrombie – SSR St.- Queen Elizabeth (B32) Road up to the Chitrakoot Government School.

The Bernardin de St. Pierre Road has the following characteristics -

- (i) It is about 4 kms long, and extends from the junction up to the Chitrakoot Government School;
- (ii) It is 6.0m wide on the average and is a two-way road;
- (iii) There is provision of a footpath on both sides of the road;
- (iv) The authorised speed limit along that road is 60 km/hr, and
- (v) The road condition is relatively good and has on its frontage commercial and residential buildings.

It is not in the policy of my Ministry to install speed breakers because of the following negative impacts -

- (i) the highest noise level recorded at night and when empty lorries pass over them are well above the permissible limits of the Environment Protection (Environment Standards for Noise) Regulations 1997;
- (ii) Delayed response for emergency vehicles;
- (iii) Serious discomfort especially for people with illnesses, injuries and for pregnant women;
- (iv) Increased carbon dioxide as vehicles have to decelerate and accelerate again;
- (v) Accelerated wear and tear of vehicles thus increasing maintenance costs and in the long run causing premature ageing of vehicles. Such vehicles also become more polluting, and
- (vi) Traffic congestion with the repeated slowing down of a high number of vehicles.

However, with a view to enhancing road safety at Vallée des Prêtres a number of road safety measures are being implemented -

- (i) the setting up of three additional pedestrian crossings at
  - (a) near the Kovil at Carreau Lalo, Lower Vallée des Prêtres;
  - (b) near A+ Snack at Cipailles Brûlée, Lower Vallée des Prêtres, and

- (c) near Ideal Supermarket at Upper Vallée des Prêtres;
- (ii) the fixing of handrails and the painting of double yellow lines near School Street at Upper Vallée des Prêtres, and
- (iii) the fixing of 60 km/hr speed limit traffic signs at the following five locations -
  - Near NHDC in the direction of Upper Vallée des Prêtres;
  - Near Caro Lalo Mosque in both directions in Lower Vallée des Prêtres;
  - Near the Junction of Reverend Snepp St. in both directions at Upper Vallée des Prêtres, and
  - Near Ideal Supermarket at Upper Vallée des Prêtres.

#### **DISABLED PERSONS – EMPLOYMENT**

**(No. B/660) Mrs D. Selvon (Second Member for GRNW & Port Louis West)** asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to the disabled persons, she will state –

- (a) the measures taken -
  - (i) to improve the employability prospects thereof, and
  - (ii) against the employers for breach of the existing legislation in relation thereto, and
- (b) if proposed amendments to the existing legislation in relation thereto will be introduced in the House to increase the standards of protection and the rights thereof as obtain in countries of North America and Western Europe.

**Reply:** In my reply to PQ No. B/588 on Tuesday 14 June 2016, I informed the House of measures taken by the Training and Employment of Disabled Persons Board to improve employability prospects of persons with disabilities to give a better visibility and create more awareness of the services and facilities offered by the Training and Employment of Disabled Persons Board.

I have, now, to inform the House that persons with disabilities who are interested to undergo training or to secure employment have been invited, through a broadly disseminated communiqué over the radio and in the written Press as well as through posters displayed conspicuously in public places to apply for registration so that their names could be included in the new database. Persons with disabilities will be able to submit an application to register themselves with the Training and Employment of Disabled Persons Board at a number of

Social Welfare Centres, the Head Office and the sub-centres of the Training and Employment of Disabled Persons Board and the Disability Unit of my Ministry. The communiqué has also been uploaded on the website of the Disability Unit. The creation of a reliable database will allow for the Training and Employment of Disabled Persons Board to become more responsive to the requests of Employers for potential candidates for either training or employment.

As regards part (a) (ii) of the question, in my reply to PQ No. B/588, I informed the House that I am currently reviewing the operations of the Hearing Committee, which is responsible to deal with companies which are non-compliant with the legal requirements regarding employment of persons with disabilities. The objective of the Hearing Committee is to determine, after a hearing, whether an employer cannot reasonably be expected, having regard to the nature of his business, to provide suitable employment to or to create suitable employment opportunities for the employment of disabled persons.

I wish to add that the Committee on Employers, which is operational since August 2013, liaises with employers who are not compliant with the legal requirement. That Committee meets employers once monthly, sensitises them on the main provisions of the Training and Employment of Disabled Persons Act, particularly on their obligations and encourages them to inform the Training and Employment of Disabled Persons Board of any job opportunity available in their respective organisations. The Employers are also briefed about the process of recruitment of persons with disabilities through the Training and Employment of Disabled Persons Board and they are provided with the CVs of candidates who match their job specifications.

Regarding part (b) of the question, the House is aware that Mauritius has signed and ratified the UN Convention on the Rights of Persons with Disabilities (UNCRPD) which aims at promoting, protecting and ensuring the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and promoting respect for their inherent dignity. Consequently, Mauritius has a legal obligation to incorporate the various articles of the Convention in its domestic legislations. This is in line with one of the main objectives of my Ministry to integrate persons with disabilities in the mainstream of society.

Currently, services are provided to persons with disabilities in a dispersed manner by different institutions often resulting in the duplication. Such a state of affairs cannot, but be detrimental to persons with disabilities. It has become imperative that a consolidated piece of legislation be put up for the promotion and protection of the rights of persons with disabilities and which will work towards the elimination of any form of discrimination against them. My

Ministry has reached an advanced stage on work for the production of a Disability Bill which will take on board the activities of the Training and Employment of Disabled Persons Board, the National Council for the Rehabilitation of the Disabled and the Loïs Lagesse Trust Fund. The Bill is still at final drafting stage and once completed, it will be subject to broader consultations involving all stakeholders. The Bill makes provision for the setting up a National Disability Authority which will bring under a single umbrella the roles and responsibilities of the three organisations, with a view to better answer to the needs and aspirations of persons with disabilities.

My Ministry is also working on the finalisation of a National Strategy and Action Plan on Disability 2016-2020 which charts out the way forward for an ambitious string of disability policies and programmes for the coming five years with the vision of creating a disability-inclusive society. Its implementation will help to leapfrog the disability sector and bring about transformational change in the lives of persons with disabilities where their talents and potential are valued on an equal basis with others.

#### **BELLE ETOILE – ROADS RESURFACING**

**(No. B/661) Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to Belle Etoile, in Beau Bassin, he will, for the benefit of the House, obtain from the Central Water Authority, information as to if consideration will be given for the complete resurfacing of the roads thereat following the completion of the works carried out thereat to change the water pipes.

*(Withdrawn)*

#### **SHIP MV BENITA – SALVAGE OPERATIONS**

**(No. B/662) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Minister of Civil Service and Administrative Reforms, Minister of Environment, Sustainable Development, and Disaster and Beach Management whether, in regard to the ship MV Benita, he will state the measures that are being taken to prevent potential damages to the lagoon during the pumping of fuel and bailing out exercise.

**Reply:** I wish to inform the House that on Saturday 18 June 2016, the National Coast Guard (NCG) informed my Ministry that following the grounding of bulk carrier MV Benita at Le Bouchon, an oil spill was detected and the shoreline of Le Bouchon was affected by the spill. However, no spill was detected outside Le Bouchon area.

Accordingly, the Operation Oil Spill Cell and the National Oil Spill Coordination Committee (NOSCP) were immediately activated and an emergency meeting was held on site on Saturday to coordinate the oil spill response and take necessary preventive measures. In addition, a Crisis Committee under the chairmanship of the Director of Shipping was set up to take stock of the situation and coordinates the salvage operations of the MV Benita. So far, the following actions have been and are being taken to minimize potential damages to the lagoon-

- (i) the site has been cordoned off by the regular Police to control access to Le Bouchon Public Beach and its surroundings;
- (ii) a total of 780 m of oil spill booms have been obtained from different agencies namely the NCG, the Special Mobile Force (SMF), the Mauritius Ports Authority and Vivo Energy Mauritius. These have been deployed and are being maintained and monitored by the NCG and the SMF and are used to contain the oil. Moreover an additional 500 m of booms and skimmers have been acquired by the Salvage Company to be used whenever required;
- (iii) sorbent booms have been placed at strategic areas to absorb the oil reaching the shore. These booms are also protecting the mangrove patches within the le Bouchon lagoon;
- (iv) the National Coast Guard, the SMF, my Ministry and the District Council of Grand Port started a clean-up operation as from Saturday 18 June 2016 itself and is ongoing. So far, approximately 880 bags of oily debris and textile rags provided by the Compagnie Mauricienne de Textile used as sorbent have been collected and temporarily stored pending arrangement for recovery by recyclers. The clean-up operation on the shoreline and on Ilot Brocuz is ongoing;
- (v) a team of personnel of my Ministry, the NCG, the SMF, the Ministry of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Island and other authorities are on a state of preparedness for immediate response together with the International Salvage Team and are also monitoring the transfer of the oil from the vessel to land;
- (vi) the pumping of the oil contained in the ship started since Monday 20 June 2016 in the afternoon. So far, 118 metric tonnes of heavy fuel oil has been pumped out and has been transferred ashore and sent for treatment at Virgin Oil Company, Montagne Blanche;

- (vii) sampling of sea water is ongoing by the National Environment Laboratory and Fisheries Division. Moreover, arrangements are being made for laboratory test with the International Tanker Owners Pollution Federation Limited (ITOPF). The aim of this exercise is to determine the level of the seawater pollution at Le Bouchon and the vicinity following the oil spill;
- (viii) an ecological survey to assess the environmental damage has already been initiated by the Ministry of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Island (Fisheries Division), Mauritius Oceanography Institute (MOI) and my Ministry in collaboration with the International Tanker Owners Pollution Federation Limited (ITOPF). The findings of this study will be used to rehabilitate the environment and also to claim compensation;
- (ix) the submission and implementation of a Pollution Prevention Plan by ITOPF during the transfer of the oil from the ship to shore and during the salvage operation by the salvage company. The plan provides for additional response measures in case of any eventual oil spill incident. Necessary precautions as well as provision of materials, such as handheld skimmers, absorbent pads, booms, and shovels, are being made; and
- (x) a platform of size 100 m<sup>2</sup> made of metal base and wooden deck is being constructed by the Salvage Company to have a safe working place for oil removal and clean- up operations on Ilot Broc. Additionally, measures to protect the Blue Bay Marine Park which is located some 2 km from the incident site have also been catered for.

The National Oil Spill Contingency Plan (NOSCP) Coordination Committee and the Crisis Committee are meeting regularly to monitor the situation and take appropriate measures as and when required.

#### **MV BENITA – RISKS ASSESSMENT**

**(No. B/663) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Minister of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands whether, in regard to the ship MV Benita, he will state if his Ministry has carried out a study to assess the risks that may be caused to the fish and to the natural resources thereat, indicating if he has met the fishermen operating thereat and, if so, indicate the-

- (a) quantum of compensation that will be paid thereto, and
- (b) number of fishermen who will benefit therefrom.

**Reply:** With regard to the first part of the question, I wish to inform the House that sampling of sea water has already been undertaken by my Ministry and the National Environment Laboratory which will be referred to the International Tanker Owners Pollution Federation Ltd for analysis by an appropriate laboratory.

Furthermore, I am informed by the Ministry of Environment, Sustainable Development, and Disaster and Beach Management that an ecological survey to assess the environmental damage would be carried out by the International Tanker Owners Pollution Federation Ltd in collaboration with my Ministry, the Mauritius Oceanography Institute and the Ministry of Environment, Sustainable Development, and Disaster and Beach Management.

The outcome of these surveys would enable my Ministry to assess the impact of the wreckage on the marine ecosystem including the risks that may be caused to the fish and natural resources at Le Bouchon.

I also wish to inform the House that I have already met the fishermen community of Le Bouchon.

With regard to part (a) of the second part of the question, I wish to inform the House that the quantum of compensation which would be paid to fishermen will be based on the recommendations of the Committee on 'Grounding of MV Benita' for the salvage of wrecked vessel. The quantum has not been determined yet. This exercise will be done in consultation with the fishermen.

With regard to part (b) of the question, it is to be noted that there are 11 registered fishermen at Le Bouchon Fish Landing Station.

#### **MAHEBOURG & PLAINE MAGNIEN - SCAVENGING SERVICES - CONTRACTORS**

**(No. B/664) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked Minister of Local Government whether, in regard to each of the villages of Constituency No. 12, Mahebourg and Plaine Magnien, he will, for the benefit of the House, obtain from the District Council of Grand Port, a list of the contractors presently appointed for the provision of scavenging services thereat, indicating in each case the –

- (a) regions covered;
- (b) days of service;
- (c) duration of contract, and
- (d) total amount of money paid thereto.

**Reply:** I am making necessary arrangement for the information requested by the hon. Member to be placed in the Library of the National Assembly.

### **CHEMIN GRENIER - KALIMATA MANDIR - FOOTPATH & PEDESTRIAN CROSSING**

**(No. A/26) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Chemin Grenier Kalimata Mandir located at Belle Vue, in Chemin Grenier, he will state if consideration will be given for the installation of a sidewalk and pedestrian crossing thereat.

**Reply:** The Kalimata Mandir is situated at the Chemin Grenier Road, (B10) Belle Vue Chemin Grenier and to ensure road safety of the public in the vicinity, due consideration has been given for the construction of a footpath and the painting of a pedestrian crossing thereat.

In the financial year 2016/2017, the Road Development Authority (RDA) earmarked funds for the construction of footpath and drain on both sides of the road from the Kalimata Mandir towards the Engen Filling Station over a total length of 225m amounting to Rs800,000.

However, during the execution of the works various protests and complaints had been received from land owners and the footpath could not be completed over a stretch of 60m before Engen Filling Station side.

Hence, in the financial year 2017/2018, RDA issued a new Works Order for the construction of footpath from the Kalimata Mandir up to the Belle Vue Ashram over a stretch of 200m for an estimated amount of MUR 2.5 Million. Works are ongoing and are expected to be completed by August 2018.

The TMRSU has already completed the painting of a pedestrian crossing at Chemin Grenier.

In addition, to improve road safety, the TMRSU has fixed two traffic signs of 60 km/hr to regulate excessive speeding. The Police has also been requested to carry out frequent speed checks in that village to deter speeding.