



SIXTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

FIRST SESSION

TUESDAY 05 JULY 2016

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(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
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Hon. Ashit Kumar Gungah	Minister of Industry, Commerce and Consumer Protection
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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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Deputy Speaker	Duval, Hon. Adrien Charles
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MAURITIUS

Sixth National Assembly

FIRST SESSION

Debate No. 15 of 2016

Sitting of 05 July 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. Ministry of Finance and Economic Development –

- (a) Virement Certificates Return – Quarter 3 (January-March 2016)
(Estimates 2015-2016). (*In Original*)
- (b) Virement Warrant Return Nos. 10, 13 to 21, 23 to 25 & 27 to 31 – Quarter 3
(January-March 2016) (Estimates 2015 – 2016). (*In Original*)
- (c) Virement (Contingencies) Warrant Return Nos. 17 & 25 to 36 – Quarter 3
(January-March 2016) (Estimates 2015 – 2016). (*In Original*)
- (d) The Housing and Population Census 2011 – Volume VI: Census Atlas.
- (e) The Digest of Education Statistics 2015.

B. Ministry of Local Government –

The District Council of Pamplemousses (Fees for Classified Trades) Regulations 2016 (Government Notice No.136 of 2016).

C. Ministry of Agro-Industry and Food Security –

The Mauritius Cane Industry Authority (Delivery of Canes for Production of Juice) Regulations 2016. (Government Notice No. 135 of 2016)

D. Ministry of Industry, Commerce and Consumer Protection –

The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 19) Regulations 2016 (Government Notice No. 137 of 2016).

E. Ministry of Business, Enterprise and Co-operatives –

The Annual Report for period July 2010 to June 2014 of the Co-operatives Division

F. **Ministry of Environment, Sustainable Development and Disaster and Beach Management** –

The Annual Report 2013 of the Beach Authority.

ANNOUNCEMENT

PARLEMENT DE LA FEDERATION WALLONIE-BRUXELLES – DELEGATION

Madam Speaker: Honorables membres, j'ai l'honneur et le plaisir de vous annoncer la présence parmi nous ce matin de Son Excellence Monsieur Philippe Courard, Président du Parlement de la Fédération Wallonie-Bruxelles et sa délégation composée de –

- (1) L'honorable Luperto, Député-Bourgmestre, Vice-Président International de l'Assemblée Parlementaire de la Francophonie;
- (2) L'honorable Fassi-Fihri, Député, Président de la section Belgique/Communauté Française/Wallonie-Bruxelles de l'APF, et
- (3) Monsieur Xavier Baeselen, Secrétaire général du Parlement de la Fédération Wallonie-Bruxelles.

La délégation est en visite officielle à Maurice. En votre nom et en mon nom personnel, je souhaite à Son Excellence Monsieur Philippe Courard ainsi qu'à sa délégation un agréable et fructueux séjour à Maurice.

ORAL ANSWERS TO QUESTIONS

CHAGOS ARCHIPELAGO – MAURITIUS SOVEREIGNTY

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 our sovereignty over the Chagos Archipelago, he will state –

- (a) if he is aware of the positive comments made by Mr Louis Olivier Bancoult in relation thereto last Wednesday, indicating if he will meet the latter on his return;
- (b) if our mission in London is keeping a watching brief on the appeal lodged by the Chagossians before the Supreme Court of the United Kingdom on the fishing rights within the so-called “Chagos Marine Protected Area”, and
- (c) the measures taken as at to date concerning an eventual resolution in relation thereto at the forthcoming United Nations General Assembly.

The Prime Minister: Madam Speaker, as I have always maintained, the Chagos Archipelago, including Diego Garcia, forms and has always formed an integral part of the territory of Mauritius.

Mauritius does not recognise the so-called “British Indian Ocean Territory” which the United Kingdom purported to create by illegally excising the Chagos Archipelago from the territory of Mauritius prior to its accession to independence, in violation of international law and the United Nations General Assembly Resolutions 1514 (XV) of 14 December 1960, 2066 (XX) of 16 December 1965, 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967.

My Government is strongly committed to ensuring that the territorial integrity and sovereignty of Mauritius are fully respected and safeguarded. In this regard, no efforts are being spared by my Government so that Mauritius can effectively exercise its sovereignty over the Chagos Archipelago.

I wish to reiterate that the long-standing struggle of Mauritius to effectively exercise its sovereignty over the Chagos Archipelago and the right of Mauritian citizens, including those of Chagossian origin, to return to and resettle in the Chagos Archipelago are indissociable.

Madam Speaker, in reply to part (a) of the question, as the House is aware, the UK Supreme Court delivered its judgment on 29 June 2016 in the case brought by Mr Olivier Bancoult challenging the judgment given by the House of Lords on 22 October 2008. The UK Supreme Court dismissed Mr Bancoult’s application for the 2008 judgment of the House of Lords to be set aside and also ruled against a re-hearing of the appeal he had lodged before the House of Lords in the Bancoult No. 2 case.

Madam Speaker, in my reply to Parliamentary Question B/369 which I had tabled, I had indicated that Government will maintain close contact and collaboration with the Chagossian community to ensure that we continue to be on the same wavelength as regards the plight of our Mauritian citizens of Chagossian origin who were forcibly removed from the Chagos Archipelago by the United Kingdom in the wake of the illegal excision of the Chagos Archipelago from the territory of Mauritius and the effective exercise of our sovereignty over the Chagos Archipelago. In this regard, I met Mr Bancoult last year and I propose to meet him again shortly if he so wishes.

Madam Speaker, I have noted that Mr Bancoult has made several comments in the press following the UK Supreme Court judgment. In one of his statements, he is reported to have said that the ruling is not the end of the road.

In another statement, Mr Bancoult has said that he will solicit a meeting with the outgoing UK Prime Minister, David Cameron and he believes that the latter will give him a positive hearing.

In yet another statement, on a private radio on 29 June, Mr Bancoult said that he noted that, I quote –

« La communauté chagossienne sort gagnante après ce jugement de la Cour suprême britannique »

and added, I quote –

« Je note aussi que nous avons gagné sur la Marine Protected Area ».

No doubt several other comments may have been made and I cannot make out which specific positive comments the Leader of the Opposition is referring to. Be it as it may, when I meet Mr Bancoult on his return I will hear from him directly if, as I said, he so wishes to meet me.

Madam Speaker, our sovereignty over the Chagos Archipelago is of national interest and I have, therefore, always favoured a concerted approach on this issue. In this context, I will consider the advisability of convening another meeting of the Committee which I have set up under my chairmanship following the Award delivered on 18 March 2015 in the case brought by Mauritius against the UK under UNCLOS.

Madam Speaker, with regard to part (b) of the question, in an article in the Daily Mail dated 29 June 2016, it is briefly mentioned and I quote –

“A further legal challenge by Chagos Islanders about their fishing rights is expected to reach the Supreme Court next year. This should be in 2017.”

An article of The Guardian, dated 29 June 2016 repeats verbatim the same thing.

As far as I am aware, there is no such case currently pending before the UK Supreme Court.

Should such a case come up for the hearing before the UK Supreme Court, our High Commission in London, as per the practice for previous cases, will certainly keep a watching brief.

Madam Speaker, I wish to recall that, in its Award of 18 March 2015, the Arbitral Tribunal in the case of Mauritius v/s United Kingdom, *inter alia*, stated that the United Kingdom was bound to ensure that fishing rights in the Chagos Archipelago would remain available to Mauritius as far as practicable, and that this is a legally binding obligation in relation to the territorial sea.

Madam Speaker, in regard to part (c) of the question, I wish to reiterate what I stated in my reply to a Private Notice Question on 17 May 2016. The Chagos Archipelago should be returned by the United Kingdom to the effective control of Mauritius by a precise date to be agreed upon and proposed that consideration could be given to the joint management of the Chagos Archipelago pending its return to Mauritius. I had asked for a response to my request by the end of June 2016, otherwise Mauritius would take appropriate action at the international level including at the United Nations. Further, at the request of the British High Commissioner, I have agreed to extend the deadline by another week.

It would, therefore, be inappropriate at this precise juncture to go into the specifics of the course of action to be taken.

I wish further to assure the Leader of the Opposition that all necessary steps are being taken to enlist the support of the UN Member States in favour of such action.

Mr Bérenger: I am referring to the statement from Mr Bancoult, which I heard with my own ears and watched on ION News amongst others. I heard him say - this is why I say positive comments -

« Souveraineté d'accord, mais comme dans cas Rodrigues bizin banne représentants de bannes Chagossiens partie prenante. »

Which, I believe, is positive because he says, and I repeat –

« Souveraineté d'accord, mais comme dans cas Rodrigues bizin banne représentants de bannes Chagossiens partie prenante. »

Now, will the Rt. hon. Prime Minister agree with me that, in fact, there are several dangers after this ruling by the Court?

- (i) The Supreme Court of the UK has invited Mr Bancoult and his group to go again to the Supreme Court to appeal against the 2004 Order which banned anybody from being present anywhere on the Chagos Archipelago, including the *Ilois*. That is the first thing which I think is very dangerous; I think it is a *piège*.
- (ii) The lawyer representing Mr Bancoult has himself referred to the Gibraltar possibility, which we know what that means, Madam Speaker.
- (iii) It is clear that London is going to propose resettlement to the *Ilois*.

Therefore, can I appeal to the Rt. hon. Prime Minister to take the first step and invite Mr Bancoult so that this is a national patriotic effort and we do not allow London to divide us?

The Prime Minister: Well, certainly, if this is the intention of Mr Bancoult, definitely, on his return, he will approach me, and I never refused receiving anybody. Depending on what discussion we will have, he may be invited to join me in the Committee.

As regards the *piège* in the invitation of the UK Supreme Court made to the Chagossians to lodge a fresh application for judicial review, I am sure that the Chagossian community and their lawyers will pay careful attention to the risk, if it exists, before lodging a fresh case.

Mr Bérenger: On the same part of my question, Madam Speaker, I think I heard the Rt. hon. Prime Minister say that there is no such case before the Supreme Court. My information is that there was legal action entered by the Ilois Group in August 2010 challenging the lawfulness of the so-called Marine Protected Area - what is contained in the legislation setting up this. My information is that Mr Bancoult and his group lost in the lower courts and that next year the appeal by the same group will be before the Supreme Court. So, can I request the Rt. hon. Prime Minister to double check and see to it that if there is such a case we must have a watching brief?

The Prime Minister: Well, it is always the practice when there is a case where Mauritians and Mauritius have an interest, the mission in UK always keeps a watching brief. I said so in my answer, and it is going to be the same thing again.

Mr Bérenger: On the last and third part of my question, will the Rt. hon. Prime Minister agree with me - because I asked what measures, what actions have been taken to date concerning the eventual Resolution before the UN General Assembly - that three things need to be done urgently?

- (i) to have the final draft of the Resolution cleared here and with the President of the General Assembly;
- (ii) to get the help of the President of the forthcoming General Assembly to put it on the agenda, and
- (iii) to lobby our friends internationally actively, especially India, China, Russia, Japan, the Non-Aligned Movement, the African Union, the European Union, the Organisation of Islamic Cooperation and Arab League and the Organization of American States.

Are we actively doing that?

The Prime Minister: Since the Prime Minister of UK has asked for an extension, which I have agreed upon, it all depends what stand he is going to take, and very soon we will be aware of this. We know our responsibilities, we know what we have to do, we know what route we have taken. I am not doing *fausse route*, as some believe. Therefore, at this stage, to enter into what we are doing, what we will be doing and all that, I don't think it is right to do that at this juncture. But we are very conscious of the timing, of our responsibilities. We are working towards what end we want to achieve.

Mr Bérenger: The Rt. hon. Prime Minister has insisted that he would wish to see the Resolution before the General Assembly this year, that is, as from September. Will he agree with me that, pending the UK Prime Minister making another offer or another proposal or what have you, we should be in touch with the freshly elected Chairperson/President of the next General Assembly of the UN who happens to be from Fiji? The Ambassador of Fiji has just been elected to the United Nations. Have we made contact with him already?

The Prime Minister: I have said it is no use discussing all this right now. I have said we know our responsibilities, what has to be done is being done, and I don't want to go into details.

Mr Bérenger: It is already nearly a week since the Rt. hon. Prime Minister supposedly extended an extension of one week. We will see and I will come back, of course. Can I ask the Rt. hon. Prime Minister whether he is aware - because I started by saying that

the first country that we must get assistance from is India, as usual - of a very tough statement made by the US Deputy Secretary of State on Political Affairs, the number 4 in the State Department, in India, a week ago - very forceful - where he said, if I can quote his statement as reported in The Hindu on 30 June, in unusually strong comments –

“China’s motives to secure the South China Sea are “madness” and intended towards the Indian Ocean (...).

The U.S. will work to ensure India remains the “natural power” in the Indian Ocean (...).

As China works to secure the South China Sea as an area of strategic importance for it, it does so not with the intention of going into the blue Pacific, but with going into the Indian Ocean and broadening its presence in the Indian Ocean....[] So it is certainly our intention to work with India to have a strong and comprehensive presence there (...).”

So, is Government perfectly aware of the lobbying that is being done by the United States on India - and there is the Nuclear Group to bargain with? Are we in touch not only with Delhi but with all those who are concerned by this kind of statement, very strong statement made on Wednesday 29 June after that gentleman had met the Foreign Secretary of India, Mr Jaishankar?

The Prime Minister: Well, what do we expect from the United States? This is their stand. When we have started taking our decision to recuperate the Chagos, we knew the strong reaction of the United States and the United Kingdom. I have come to the conclusion that we have no other alternative than to follow the course that I am following simply because United Kingdom has no intention whatsoever – I repeat it, whatsoever – to return Chagos to Mauritius. Therefore, we must have recourse to whatever means and if we get a guidance from the International Court of Law, we will use that afterwards in every forum to bash against the United Kingdom and that will hurt them a lot, I am sure. That is why, Mr Cameron, who avoided discussing with me over the Chagos, today, has asked for an extension of one week. I have been good enough to accept it. He says: ‘There will be a compromise in which we will be in a win-win situation.’ Let’s see what compromise he is going to suggest, but we are not sleeping. As I have said, we are doing our job because I do not trust these people. These people speak so much about democracy, rule of law, justice, but

when it comes to their interest, they forget all these. Their philosophy which prevails is 'might is right'. This is my conviction.

Mr Bérenger: Amongst the groups, organisations that I suggested we need to actively lobby in the Non-Aligned Movement, which I mentioned. I am sure the Rt. hon. Prime Minister is aware that the Non-Aligned Movement is in a terrible mess. In fact, we can consider that the Non-Aligned Movement these days is non-existent, if I can call it the next best. Is the Rt. hon. Prime Minister aware that, on the other hand, at the UN, there is the group of 77, and China, which is very powerful and which represents the same Constituency as the Non-Aligned Movement, but actively in New York? So, are we in touch with them and are we lobbying them also. Is the Rt. hon. Prime Minister aware that a few days ago, a new Chairman of the group of 77 and China in the UN has been elected and it happens to be the representative of Thailand, whereas, I am sure the Rt. hon. Prime Minister is aware, Thailand is a major non-NATO ally as designated by the US? Therefore, can I know whether, as in the case of the recently elected President of the next General Assembly, we have been in touch with the freshly elected President of the group of 77 and China at the UN?

The Prime Minister: The hon. Leader of the Opposition spoke of India. Well, if we cannot rely on the support of India then it is better we stop in our struggle, because I do not believe that India is one of the countries which we have to lobby. I take it for granted that India will be, as they have always been in the past, in support of the sovereignty of Mauritius over the Chagos Archipelago. There are many other countries also. The hon. Leader of the Opposition wants to know by all means what are actions we are taking, we are doing and all that. I just ask him to be patient. We know what we have to do. We know that we must try to get the support of all the nations who are in the United Nations and we are doing our job.

Mr Bérenger: Madam Speaker, I hope that the Rt. hon. Prime Minister realises it is because he has said, and has insisted, that the Resolution must be before the General Assembly next September of this year. He has insisted on that. That is why I want to know because September is *derrière la porte*, in a few weeks' time. So, can I ask the Rt. hon. Prime Minister – he has extended one week to outgoing Prime Minister Cameron – whether he is satisfied, at this stage, that we will be ready with the drafting of the Resolution, that we will get the green light from the President of the next General Assembly and that our lobbying will be completed for us to get a big majority, if indeed we go to the General

Assembly in a few weeks' time in September? Is he satisfied that we are on target to be there in September as he has insisted?

The Prime Minister: It all depends on what the UK Prime Minister is going to propose, but whatever be it, in the meantime we are continuing to take our responsibility and to do what we have to do. If we can come to an agreement with the UK in the meantime, then, of course, we can withdraw whatever we are doing and whatever Resolution will be before the United Nations. We are fully aware of the timing and that the United Nations sitting will be in September. So, I do not want to give more particulars about what is being done, what we are doing and what not. We do our job. If, in the meantime, UK comes to an agreement, then we will not proceed further, even if there is a Resolution before the United Nation, we will withdraw it.

Mr Ganoo: Madam Speaker, I heard the Rt. hon. Prime Minister saying that he will call the Inter-Parliamentary Committee on the Chagos issue; I commend him for that because there are so many issues which have cropped up recently. With regard to the recent ruling, which was delivered last week as a result of the case which was dismissed in 2008, when he meets Mr Bancoult, in view of the fact that the hon. Leader of the Opposition has said we must be careful lest *des pièges* be opened to the Mauritian side, can I ask the Rt. hon. Prime Minister to keep in mind that, in fact, the ruling in 2008 went the way it went because the British Authorities have concealed documents, have not allowed the Court to be apprised of the documents which they should have been given? This is why the ruling went as it went last week because, as we know, at the end of the ruling it is said that it will now be opened to challenge the failure to abrogate the 2000 Order. This was said by Lord Clarke, who was one of the majority Judges: 'It was opened to any Chagossian to challenge the failure to abrogate the 2004 Orders in the light of all the information which is now available, because there is a new report, KPMG Report, which says that there was no problem about resettlement'.

Madam Speaker: Hon. Ganoo, please ask your question!

Mr Ganoo: Therefore, can I ask the Rt. hon. Prime Minister, when he meets Mr Bancoult, to keep in mind that Lord Clarke said that it was opened for Mr Bancoult to institute judicial review proceedings to challenge any future...

Madam Speaker: Hon. Ganoo, I am sorry I have to interrupt you. Don't dilly-dally on your question. I should give the opportunity to other hon. Members also to ask their questions.

Mr Ganoo: ... refusal of Government. This is what Lord Clarke said: ' (...) is irrational, unreasonable and disproportionate'. This is what the majority Judge said. The British Authorities are behaved in such a way.

The Prime Minister: What does the hon. Member want me to do? Let's wait! Let's see whether Mr Bancoult and his group will take the proper action. But, as I said a moment ago, they have to be careful lest it is a *piège*.

So, we have to be very careful about all this. And insofar as Chagos Sovereignty is concerned, if Mr Bancoult wants to see me, I have said, I am prepared to receive him and resettlement, of course, we are concerned with it. I said in my answer to the hon. Leader of the Opposition, it is indissociable, sovereignty and resettlement.

Madam Speaker: Hon. Shakeel Mohamed!

Mr Mohamed: Thank you, Madam Speaker. Madam Speaker, there is an international jurisprudence that states that whenever a country stops a people from circulating freely and going to work in the country where they come from, this international jurisprudence has described a state of affairs as this as apartheid, as in the case of South Africa and in the case of Palestine. In this particular case of the Chagossian people, could the Rt. hon. Prime Minister not, therefore, consider the possibility of consulting the legal advisers of the Republic of Mauritius on this issue as to whether we could not take the fight to the United States of America and the United Kingdom on a new front altogether which would be a simple violation of human rights because by stopping Chagossians to go and circulate freely on the Chagossian islands and work from the country where they come from, they are, in fact, those two super powers practising nothing else but apartheid?

The Prime Minister: I must make one thing clear, that the Chagossians originally were Mauritians, of course, and then, when they were there, the number continued to grow. But we can't separate the question of sovereignty. It is a question of all Mauritians who are being deprived. So, that is how I look at it.

I have a note here as regards Mauritius. Government will throughout, as it has been doing hitherto, act in consultation with its foreign and local legal advisers as well as take into account the views of other stakeholders. And certainly, we'll take care of the proposal made just now by the hon. Member.

Madam Speaker: Hon. Rutnah!

Mr Rutnah: Thank you, Madam Speaker. Other than asking for a week's extension, the Prime Minister of the United Kingdom, David Cameron, has also said that he is going to make a full statement in the House of Commons in relation to the whole issue surrounding Chagos Island. In this circumstance, will the Rt. hon. Prime Minister agree with me that insofar as discussions, negotiations and lobbying are concerned that we should be at this stage, optimistically, cautiously approach such discussions and to wait until the statement of David Cameron in the House of Commons come public, then, we take further action?

The Prime Minister: Well, there is a question of timing. As you know, the United Nations General Assembly will be meeting and our resolution must be ready to be presented there. So, we can't wait indefinitely Mr Cameron making a statement in the Parliament there and then writing to us. He said, in a week, he is going to write to us, making certain proposals. But we just can't sit down and wait for proposals. If proposals come and if we can agree, of course, then we will put a stop to everything.

Madam Speaker: Last question, hon. Leader of the Opposition!

Mr Bérenger: I am cautiously optimistic, but I agree fully with the Rt. hon. Prime Minister, we should be very careful and *mobilisés de plus en plus*. Now, can I know whether the Rt. hon. Prime Minister remembers that he himself and I, in the past, not that distant past,...

(Interruptions)

Madam Speaker: Order!

Mr Bérenger: Can I know whether he remembers what he and I, in the not so distant past, what we proposed apart from action at the UN General Assembly other initiatives, other actions? So, whilst I do hope that there is a positive settlement and that we don't have to go to the United Nations General Assembly, is he prepared even now, to consider other initiatives - which I will not mention here but I am sure he remembers - not in *lieu* of going to the UN

General Assembly, but to support our move and bring the attention of the whole world to the injustice that has been done to Mauritius and to the Chagossians?

The Prime Minister: Well, the past is the past. There has been no positive result and the Britishers will very much like that we follow what the hon. Member is suggesting because it will be in their interest. I think I have taken the right path and if we have to succeed, it is this, what we are doing, will make us succeed, otherwise the Britishers will never voluntarily amicably settle this question of sovereignty over the Chagos Archipelago.

Madam Speaker: Yes, last.

Mr Bérenger: I think the Rt. hon. Prime Minister misunderstood me completely. I am saying that there are other non-legal non-United Nations resolution ways of bringing the attention of the whole world to what we are doing and rightly at the UN General Assembly. I think he does not remember what he proposed in the past at one point and which I proposed, if I can request him to exercise his memory so that we can possibly take those initiatives.

The Prime Minister: Well, after considering all these, we have come to the conclusion that the initiative we have taken is the best and the right one.

Madam Speaker: Time is over!

POLICE OFFICERS - PROTECTIVE EQUIPMENT

(No. B/665) Mr D. Ramful (Third Member for Mahebourg & 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 Police Officers, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if consideration will be given for the provision of protective equipment such as face mask thereto, especially, those who control traffic and who are exposed to pollution.

The Prime Minister: Madam Speaker, I am informed by the Commissioner of Police that Police Officers are issued with personal protective equipment according to the nature and specificity of their duties. Those performing traffic duties, in particular those posted to the Traffic Branch, are issued with the following protective equipment -

- (i) Crash Helmets with sun and wind visors;
- (ii) Leather gloves;
- (iii) Fluorescent jackets;

- (iv) High visibility jackets;
- (v) Top boots;
- (vi) Rubber boots;
- (vii) Wet weather gear, and
- (viii) Goggles.

As regards the use of face mask by Police Officers deployed for traffic duties, I am informed by the Commissioner of Police that, should the circumstances warrant, due consideration will be given thereto in consultation with the relevant authorities, and keeping in mind factors like the level of pollution and comfort of officers.

However, I wish to inform the House that the roadside monitoring exercises by the Ministry of Environment, Sustainable Development and Disaster and Beach Management have revealed that air pollutant levels are currently within the prescribed limit of Ambient Air Standards.

Madam Speaker: The hon. Member has a question.

Mr Uteem: Madam Speaker, may I know from the Rt. hon. Prime Minister whether these Policemen who have exposure to traffic and pollution, do they follow any regular medical check-up in the Police Force to ascertain whether their health is affected by exposure to dust?

The Prime Minister: Well, that, I don't know. A specific question may be put; we will come with an answer.

Madam Speaker: Next question, hon. Bhagwan!

COROMANDEL – POLICE FLATS - MAINTENANCE

(No. B/666) 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 Police Flats at Coromandel, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to who is responsible for the maintenance and upkeep thereof, indicating if the latter has carried out a survey following representations made, especially, for –

- (a) embellishment works to be carried out thereat;

- (b) the lighting of the compound thereof;
- (c) the installation of recreational facilities thereat, and
- (d) the water problems thereat to be addressed and, if so, indicate if measures have been taken in relation thereto and, if so, indicate the timeframe for the implementation thereof and, if not, why not.

The Prime Minister: Madam Speaker, I am informed by the Commissioner of Police that the Police Quarters at Montreal, Coromandel, comprising of 288 apartments were acquired in June 1997 from the National Housing Development Company. All the apartments are occupied by Police Officers and their families.

The maintenance and upkeep works of these quarters are carried out by the Ministry of Public Infrastructure and Land Transport following requests made by the Police Department. However, by virtue of the Police Standing Orders No. 140, it is the responsibility of the occupant of the apartment to keep the compound clean and tidy at all times.

Madam Speaker, in addition, a Police Corporal has been posted at the Police Administrative Post thereat and the latter is responsible to deal with all issues pertaining to the Quarters and channelling them to the appropriate authorities. Further, the regular cleaning of the yard and the premises is carried out by a Police Gardener posted thereat and the collection of refuse is done twice weekly by the Municipal Council of Beau Bassin/Rose Hill.

Regarding part (a) of the question, I am informed that, in their endeavour to embellish their environment, the occupants of the quarters have approached the Ministry of Tourism and External Communications for embellishment works. In this context, landscaping works have started since 28 June 2016 and are expected to be completed by mid-September, this year. Both the Ministry of Tourism and External Communications and the Ministry of Environment Sustainable Development, and Disaster and Beach Management have been requested to assist the Police in embellishment works at other Police Quarters namely at Bell Village, Mahebourg and Pointe aux Sables.

In regard to part (b) of the question, I am informed that the Energy Services Division (ESD) of the Ministry of Public Infrastructure and Land Transport is presently conducting a survey for the upgrading of the lighting in the compound of the Quarters.

In regard to part (c) of the question, the Commissioner of Police will have further consultations with the occupants of the Quarters in order to examine and decide on the appropriate recreational facilities for their benefit.

As regards part (d) of the question, I am informed that four water pumps have been installed in November and December 2015 at a total cost of Rs800,000 in order to remedy the problem of water supply.

Mr Bhagwan: I thank the Rt. hon. Prime Minister for his reply. The problem of the Police flats is a recurrent problem. My question is on Coromandel. Recently there was a problem at Bell Village also. Can the Rt. hon. Prime Minister, at least, instruct the Commissioner of Police so that a sort of *syndic* be set up with the inhabitants, the Police Officers themselves and a representative of the administration of the Police so that we don't wait for MPs or other Women Police Officers to come up with their grievances, and that there is a permanent follow-up through committee set up with the Police, Administration of the Police, they can elect a few other people so that there can be a follow up on the issues pertaining to their welfare?

The Prime Minister: I will ask the Commissioner of Police to look into this.

Madam Speaker: Hon. Jhuboo!

Mr Jhuboo: Being given that the rent charged is around Rs800 per month, can the Rt. hon. Prime Minister confirm that there is a consideration from the Commissioner of Police to increase the monthly rental?

The Prime Minister: Increase the monthly rental! The Police are asking that! They want to pay more!

Madam Speaker: This is outside the premise of the question!

Mr Jhuboo: Is there a proposition from the Commissioner of Police to increase the monthly rent of Rs800?

The Prime Minister: Whether there is a request to increase from the Commissioner of Police! I am not aware of that.

(Interruptions)

I get a note here. No request has been received.

Madam Speaker: Next question, hon. Uteem!

**NATIONAL HUMAN RIGHTS COMMISSION – COURT OF APPEAL -
APPLICATIONS**

(No. B/667) 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 National Human Rights Commission, he will, for the benefit of the House, obtain therefrom, information as to the number of applications received for an inquiry to be carried out as to whether there exists sufficient fresh and compelling evidence to refer convictions to the Court of Appeal for review, since 2013 to date, indicating the outcome thereof in each case.

The Prime Minister: Madam Speaker, as the House has already been informed in my reply to Parliamentary Question B/55 of 24 February 2015, the Protection of Human Rights Act was amended in 2013 by introducing section 4A, so as to allow a convicted person or his representative to apply to the National Human Rights Commission requesting the latter to conduct an inquiry as to whether there exists sufficient fresh and compelling evidence to refer the case to the Court of Criminal Appeal for a review of the proceedings under section 19A(4) of the Criminal Appeal Act.

It is to be noted that this provision only applies to decisions of the Supreme Court and not those of the Intermediate Court or District Court.

Madam Speaker, I am informed by the National Human Rights Commission that since July 2013, 4 applications have been received for inquiry to be carried out under section 4A of the Protection of Human Rights Act.

In 2 cases, enquiry was carried out and no fresh and compelling evidence was found to justify referring the cases to the Court of Criminal Appeal for review in accordance with section 19A(4)(b) of the Criminal Appeal Act.

The third application was rejected as the applicant was tried by the Intermediate Court and not the Supreme Court.

The fourth application was also rejected due to non-availability of exhibits and blood samples.

In all cases, the applicants or their legal counsel were informed accordingly.

Mr Uteem: Madam Speaker, answering to the same PQ, the Rt. hon. Prime Minister, last year, stated to a question about whether he is proposing to come forward with amendments to the legislation, that -

“There has already been an amendment and the Commission is acting under it, we will wait for the result and see what happens”.

One year later we see the results. Only two cases have been considered and both rejected because they don’t satisfy the high criteria of fresh and compelling evidence. May I ask the Rt. hon. Prime Minister whether one year later now he will consider bringing amendments so that people, who feel that they have been wrongfully convicted, can seize the Human Rights Commission?

The Prime Minister: Well, an amendment has already been made as I have said. Cases from the Supreme Court are considered, but not Intermediate and District Courts. I don’t see what other facilities we are going to put at the disposal of the population.

Madam Speaker: Hon. Rutnah!

Mr Rutnah: Would the Rt. hon. Prime Minister, in the circumstance where if no satisfaction has been obtained by whatever the National Human Rights Commission is doing, consider setting up a Criminal Cases Review Commission in order that that Commission can specifically deal with matters of wrongful convictions?

The Prime Minister: That we will have to study and consider for the future.

Madam Speaker: Hon. Uteem!

Mr Uteem: In one of the judgements given by the Human Rights Commission, they stated that there were disquieting – that is the word used – features which would require the intervention of the Supreme Court and re-opening of the case. However, at the moment the Commission can only review cases where there are fresh and compelling evidence unlike in England, unlike, my hon. friend has just mentioned, the Criminal Cases Review Commission, the Human Rights Commission does not have the same powers as in England. So, may I ask the Rt. hon. Prime Minister whether he would consider to, at least, extend the powers of this Human Rights Commission so that it can have powers which exist elsewhere?

The Prime Minister: Well, I really don't know what to say. If we make it so easy, every person convicted will try to get his conviction quashed and we will be in front of so many cases that it will become just a farce. We can't go to that length.

Madam Speaker: Hon. Leader of the Opposition!

Mr Bérenger: ...suggesting that every case can be forwarded for review, but the point is - and when the law was debated here, I raised that time and time again - the criteria is the toughest you can have - fresh and compelling evidence. It's not even the wording that is in the UK. The UK allows for extraordinary circumstances and so on. We are not asking for an open door to any case. No! But, at least, can't we align on the wording of the law, as it has been for years in the UK, where not only fresh and compelling evidence is taken into consideration, but extraordinary circumstances?

The Prime Minister: Extraordinary circumstances! In extraordinary cases, maybe we can look into that.

Mr Uteem: Madam Speaker, I have a last question. Answering to a PQ last year, the Rt. hon. Prime Minister himself stated, and I quote -

“In fact, we had stated in our party programme that we were going to bring amendments in order to facilitate this task.”

This is why I am asking the Rt. hon. Prime Minister whether he will live up to what he has stated in his electoral programme and bring amendments to facilitate the task in exceptional circumstances; people who feel that they have been wrongly convicted can ask for a review of their judgment.

The Prime Minister: Most people think they are wrongly convicted. This is the mentality of Mauritians. Anyway, I don't know what we said in our programme, but there have already been amendments, as I said, and cases are being considered by the Commissioner.

Madam Speaker: Hon. Sesunkur, next question!

ATTORNEY GENERAL (FORMER) - ASSAULT CASE - INQUIRY

(No. B/668) Mr D. Sesunkur (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 the alleged case of

conspiracy to pervert the course of justice against the then Attorney General in relation to the Police inquiry in a case of assault involving himself and Mr F. J. in May 2013, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) the outcome of the Police inquiry carried out thereinto, and
- (b) if any prosecution has been initiated in relation thereto and, if so, indicate the outcome thereof.

The Prime Minister: Madam Speaker, in regard to the alleged case of conspiracy to pervert the course of justice against the then Attorney General in relation to the Police inquiry involving himself and Mr F. J. in May 2013, I am informed by the Commissioner of Police that an enquiry was carried out thereinto.

After completion of the enquiry, on 07 February 2014, the Police referred the case file to the Office of the Director of Public Prosecutions for advice.

On 16 April 2014, the Director of Public Prosecutions advised “No further action” in the case.

Madam Speaker, as regards the case of assault Police vs Varma Yatindra Nath, the then Attorney General, the case was dismissed by the District Court of Rose Hill on 10 July 2014.

However, on 22 June 2014, the father of the victim made a declaration at the Rose Hill Police Station (OB Number 3848/2014) alleging that a forged medical examination certificate (PF 58) had been produced before the District Court of Rose Hill and had submitted to the Police the PF 58 which was issued at Victoria Hospital to his son on the day of the accident.

I am informed by the Commissioner of Police that a new enquiry has been instituted to look into the serious averments of the declarant and the issues mentioned are also expatiated in the judgment 2014 LPW 122 Police vs Varma Yatindra Nath.

Mr Sesungkur: Madam Speaker, will the Rt. hon. Prime Minister agree that there are several troubling facts which come up in what we call ‘The Varma Gate Case’, which was unveiled by the then Leader of the Opposition whereby he stated to the House that there was money which was proposed to the family, there were several meetings and there was also

admission of certain facts live on radio by the PPS Reza Issack which led the then Prime Minister to admit...

Madam Speaker: Hon. Sesungkur, you can't make a statement. You can ask questions to the Rt. hon. Prime Minister, but you can't make a statement and then you can't ask the Rt. hon. Prime Minister for his opinion on this case. This is not allowed.

Mr Sesungkur: No, but I was coming to that, Madam Speaker. I won't be long. The then Prime Minister, in view of the facts which were revealed by the Leader of the Opposition at that time, admitted...

Madam Speaker: Don't make a statement! Ask your question! You have had sufficient leeway!

Mr Sesungkur: No, I am coming. The Prime Minister stated -

"I should like to inform the House that in light of the new facts that have come to light, I have decided that the Attorney General cannot remain in office as Attorney General and I will be asking him to submit his resignation."

So, despite all these clear-cut facts and evidences which are presented to the House, I am surprised that the Police...

Madam Speaker: No! Hon. Sesungkur, I am sorry, I have to interrupt you. I just asked you not to make a statement on this question. You have asked your question. You cannot ask the Rt. hon. Prime Minister for his opinion as well and you cannot make a statement. The object of a question is to get information on a specific issue. So, will you ask the Rt. hon. Prime Minister, if you have a question in mind or else, no?

(Interruptions)

Mr Sesungkur: I have a question. Will the Rt. hon. Prime Minister ensure that this time there is no cover-up in this case?

The Prime Minister: Well, who is going to make cover-up? If there has been one, it has already been done and the hon. Member says he is surprised of what took place. Well, I am also surprised!

Madam Speaker: Next question, hon. Sesungkur!

METEOROLOGICAL SERVICES – STAFF & TECHNOLOGIES

(No. B/669) 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 the Meteorological Services, he will, for the benefit of the House, obtain therefrom, information as to -

- (a) if it is adequately staffed with experienced professional in the field of meteorology;
- (b) if appropriate technologies are used thereat, and
- (c) the actions being taken to restore public confidence therein and to provide reliable forecasts following persistent public uproar about wrong weather forecasts made in the recent past.

The Prime Minister: Madam Speaker, in regard to part (a) of the question, I am informed by the Director of the Mauritius Meteorological Services that fifteen professional Meteorologists are currently serving at the Department, comprising of -

- one Director;
- two Deputy Directors;
- three Divisional Meteorologists, and
- nine Meteorologists/Senior Meteorologists.

In addition, two Trainee Meteorologists are undergoing training for appointment as Meteorologist/Senior Meteorologist.

It is also envisaged to enlist five additional Trainee Meteorologists during the next financial year to replace professionals who will proceed on retirement in the foreseeable future.

The Director of the Meteorological Services has pointed out that the professional Meteorologists are holders of specialised postgraduate qualifications in meteorology and related subjects, from overseas universities in UK, France, Australia and India. In addition, as part of the continuous development programme and to keep abreast of developments in technologies, the Meteorologists benefit from various short courses conducted by the World Meteorological Organisation (WMO) and other specialised agencies, both overseas and

locally, in fields such as, satellite meteorology, agro meteorology, hydrology, early warning system, climate change, numerical weather predictions, among others.

It is relevant to point out that the Mauritius Meteorological Services Headquarters houses a WMO Regional Meteorological Training and Research Centre which dispenses specialised training courses to local meteorological staff, as well as those in the region.

I am informed by the Director of the Meteorological Services that the present pool of Meteorologists is adequate to provide a round-the-clock coverage of the Department.

Madam Speaker, concerning part (b) of the question, I am informed by the Director that the methods used for measuring weather parameters, as well as the meteorological instruments deployed for that purpose are all compliant with the World Meteorological Organization Standards, Regulations and Guidelines. The Mauritius Meteorological Services is already ISO 9001-2008 certified and is currently transiting to ISO 9001-2015 standards, in line with the requirements of the World Meteorological Organization and the International Civil Aviation Organization.

With a view to monitoring rainfall in near real time, especially in flood prone and data sparse areas, the installation of Automatic Weather Stations has been accelerated. Since March 2015, eight Stations have been installed bringing the total number to twenty-six in Mauritius and three in Rodrigues. Four additional Automatic Weather Stations will be installed in the near future.

The forecast office of the Meteorological Services is equipped with the latest platforms to receive satellite imageries and products from Numerical Weather Prediction Centres, such as Meteo France, the UK Meteorological Office and the European Centre for Medium Range Weather Forecast, among others.

The softwares and hardwares of the Department have been upgraded in March this year in the context of the implementation of the Monitoring of the Environment for Security in Africa Project, under the aegis of the African Union Commission.

Madam Speaker, in reply to Parliamentary Question B/881 on 17 November last, I informed the House that a Non-refundable Grant of Rs387.0 m. has been made available by the Japanese Government for the implementation of the Weather Radar Project at Trou-aux-Cerfs. I am informed by the Director that the award of the tender for

civil works will be made in mid-July 2016 in Japan. Constructions works are expected to start in August 2016 and completed by March 2018.

The provision of the new Weather Radar System with state-of-the-art technology will be an additional tool that will assist the professional Meteorologists in the daily performance of their duties.

Madam Speaker, in regard to the last part of the question, the Director has pointed out that the methods used for measuring weather parameters and the instruments and technology deployed for that purpose at the Department are comparable to those available in modern Meteorological Stations elsewhere. In addition to the weather parameters which are collected and processed in-house, the Department also obtains numerical weather prediction products from authoritative sources from a number of centres, such as Meteo France, the UK Meteo Office, the European Centre for Medium Range Weather Forecast and other specialized bodies in the region.

The information, data and other relevant weather products collected are scrupulously scrutinized, compared and assessed by the professional Meteorologists to ensure the accuracy of weather forecasts, prior to their dissemination to the public and other stakeholders.

Madam Speaker, the Director has also acknowledged that the effects of climate change and climate variability are already impacting on all countries worldwide, through the manifestation of extreme weather events, as can be witnessed every day. According to climate experts, such extreme weather events will occur more frequently and will increase in severity. In spite of all the advances made in the field of meteorology, there are still uncertainties in numerical weather prediction even in the most advanced and developed countries. Notwithstanding these challenges, the Director has given the assurance that his Department will continue its relentless efforts to do everything humanly possible to improve service delivery, through its early warning system and to preserve life and property of our citizens.

Madam Speaker: Hon. Osman Mahomed!

Mr Mahomed: Thank you, Madam Speaker. I do believe that the Radar System will definitely boost up the prediction methods. However, it is going to be ready two years from now, I heard the Rt. hon. Prime Minister say in 2018. Meanwhile, can we, under the collaboration that we already have with Reunion Island, envisage having radar images from

them because there they produce very high quality radar images and their predictions are very accurate?

The Prime Minister: As far as I know, I know that there is collaboration between Mauritius and Reunion insofar as meteorological events are concerned. But, about this radar, I am not so sure. I don't know.

POLITICAL PARTIES – FINANCING - LEGISLATION

(No. B/670) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the financing of political parties, he will state when new legislation in relation thereto will be introduced in the House.

The Prime Minister: Madam Speaker, as the House is aware, the Ministerial Committee which has been set up by the Government to make recommendations on electoral reforms has already examined the issue of financing of political parties and submitted its recommendations thereon.

These recommendations are currently being looked into, along with certain other related issues which will have to be included in the new legislation.

I wish to reassure the House that the Government will stand by its commitment and introduce the Bill on the financing of political parties as soon as it is ready.

Mr Ramano: Madame la présidente, est-ce que je peux savoir de l'honorable Premier ministre si le projet de loi se basera uniquement sur le rapport de l'honorable ministre Duval ou prendra aussi en considération toutes les opinions émises par les différents courants de pensées, les partis politiques et aussi les forces vives qui ont émis des propositions à cet effet ?

The Prime Minister: Well, we will take into consideration all propositions that have been made and we will take up what we consider is the best for our country.

Madam Speaker: Hon. Dr. Sorefan!

Dr. Sorefan: Thank you, Madam Speaker. May we know from the Rt. hon. Prime Minister, after this document was tabled on 05 April in this House, how many sittings we had of this Ministerial Committee to look into the reform?

The Prime Minister: I have not counted the sittings.

(Interruptions)

Mr Ramano: Madame la présidente, le rapport du ministre Duval reconnaît l'importance d'une réforme du système électoral pour déterminer la formule pour le financement des partis politiques. Il est un fait aujourd'hui qu'on ne sait pas encore si la Chambre se composera de 60, 80 ou même 100 membres. Est-ce que je peux savoir du Premier ministre si la réforme du système électoral est considérée concurremment avec le financement des partis politiques?

The Prime Minister: Well, we will go step by step.

Madam Speaker: Time is over! Hon. Members, the Table has been advised that Parliamentary Question No. B/674 in regard to overseas missions undertaken by members of the Board of the State Land Development Company Ltd since January 2015 to date will now be replied by the hon. Minister of Finance and Economic Development. Parliamentary Question No. B/691 in regard to the Report of Moody's on the financial sector will now be replied by the hon. Minister of Financial Services, Good Governance and Institutional Reforms and Parliamentary Question No. B/699 in regard to works to be carried out at Batelage, Souillac will now be replied by the hon. Minister of Public Infrastructure and Land Transport. PQ B/673 has been withdrawn. Hon. Rughoobur!

NPF - IMMOVABLE PROPERTY - ACQUISITION

(No. B/672) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or) asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to the National Pension Fund, she will, for the benefit of the House, obtain therefrom, information as to the price and location of each immovable property it has acquired over the past eight years, indicating in each case, the actual and expected annual yield thereof, indicating the reasons for variance thereof, if any.

Mrs Jeewa-Daureeawoo: Madam Speaker, I wish to inform the House that the National Pension Fund acquired two buildings, namely Altima and Ébène Heights in the Ébène Cyber City from Altius Ltd and Fortius Ltd respectively, both subsidiaries of Altima Group on 28 December 2010 for a total amount of Rs823,615,812, inclusive of registration duty and notary fees.

I am informed that the acquisition of the Altima and Ébène Heights buildings by the National Pension Fund fit within the objective of diversifying the investment of the Fund

with a view to optimising their return. The decision of the NPF/NSF Investment Committee at that material time was based on the fact that the interest rates were low and yielded an attractive return. The expected yield upon purchase of the said building at time of acquisition was around 9% on an annualised basis over a period of ten years. The actual yield over the last five years since purchase, on an annualised basis, is at 8.5%.

Mr Rughoobur: Madam Speaker, the last audit report in August 2015 states that the financial statements of the NPF for the three years, 2013, 2014 and 2015, have not been prepared and submitted. Can I know from the hon. Minister if that has been prepared now and submitted, and if same can be tabled to the National Assembly?

Mrs Jeewa-Daureeawoo: Well, I am informed that since the MCB/NPF issue, for a couple of years, the National Audit Office did not issue the audit certificate in time despite the fact that the financial statements for the years 2003 to 2008 were sent to the National Audit Office on time. For instance, financial statements for year ended 30 June 2003 have been certified only in 2009. So, it is clear that there is backlog. However, gradually we are clearing the backlog.

Mr Rughoobur: There is a working paper on Pension Reform in Mauritius dated June 2015. Let me quote the IMF report, which states that –

“(...) it will be extremely important to improve the investment capacity and governance structure of the NPF to ensure that the investment returns on which the NPF’s sustainability relies are achieved in practice. Regular actuarial reviews with automatic adjustment parameters would be useful to keep the NPF sustainable.”

May I ask the hon. Minister if she is contemplating to review the NPF structure and functioning and also if actual report is regularly being issued?

Mrs Jeewa-Daureeawoo: The NPF/NSF Committee has a duty to see to it that the investment is made in a transparent, fair and fruitful manner. So, I am only informed of the investment made. I do not see the point of reviewing the structure for the time being.

Mr Ramano: Madame la présidente, l’honorable ministre a parlé du bâtiment Altima à Ébène. Est-ce que je peux savoir du ministre le nombre de locataires, le loyer payé et le nombre de loyers impayés jusqu’à présent des différents locataires ?

Mrs Jeewa-Daureeawoo: I don't have all the information now. But I do know that one tenant, DYP Worldwide Ltd., owes rent of an amount of about Rs17 m. Our office is doing the needful to recoup that amount.

Mr Uteem: Following on from the question of hon. Rughoobur, there is a report which says that we need to review the investment strategy of the National Pension Fund. There is also a legislation which sets out the three criteria which have to be taken into consideration when making an investment. So, may I ask the hon. Minister whether –

- (i) her Ministry has carried out a study to find out whether any amendment needs to be brought to the existing legislation to meet what the IMF has said in their report, and
- (ii) she is satisfied that, based on the existing legislation, the NPF is sustainable?

Mrs Jeewa-Daureeawoo: There is a Committee which has been set up at the level of my Ministry to look at this aspect, and we will come up with some recommendations.

Dr. Sorefan: May I know from the hon. Minister whether the National Pension Fund has invested in SICOM - we heard from the Minister last week that they do not get any dividend - and if that is a sound investment in SICOM?

Mrs Jeewa-Daureeawoo: Well, if the hon. Member can come up with a substantive question.

AFRICAN UNION - AGENDA 2063 - RATIFICATION

(No. B/673) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or) asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the Treaty in regard to the Agenda 2063 of the African Union, he will state where matters stand as to the ratification thereof by the Republic of Mauritius.

(Withdrawn)

STATE LAND DEVELOPMENT COMPANY - BOARD MEMBERS - OVERSEAS MISSIONS

(No. B/674) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the State Land Development Company, he will, for the benefit of the House, obtain therefrom,

information as to the number of overseas missions undertaken by members of the Board thereof since January 2015 to date, indicating in each case the –

- (a) cost thereof, and
- (b) purpose thereof.

The Minister of Finance and Economic Development (Mr P. Jugnauth):

Madam Speaker, I am informed by the State Land Development Company Ltd (SLDC) that, since January 2015 to date, the then Chairperson, Mr Gaëtan Siew, is the only member of the Board who has undertaken overseas missions. He resigned as Chairperson of SLDC on 26 June 2016.

Mr Siew is also the co-chairperson of the Smart City Scheme Technical Committee and has provided assistance to Government in connection with the proposal to develop Technopoles in Ghana and Madagascar.

With regard to parts (a) and (b) of the question, Mr Siew has participated in two ministerial missions and attended two international events in relation to Smart Cities. The total costs which were paid by the SLDC amounted to Rs791,265. In this respect, I am tabling the detailed costs incurred by the SLDC as well as the purpose for each mission undertaken.

Mr Rughoobur: I have only one supplementary question, Madam Speaker, because I know the Minister is not the substantive Minister. Will the Minister agree that there is nothing wrong in undertaking foreign missions as far as there is a mechanism in place to ensure that there are adequate returns in all these missions being undertaken?

Mr Jugnauth: Well, let me say first of all that I am the substantive Minister because I am responsible for SLDC and it falls under my portfolio. With regard to missions, of course, every money that is being spent should bring dividends. I hope that those missions that are being undertaken will have contributed in one way or the other positively to SLDC.

Mr Mahomed: Mr Siew is known to be the Mr Smart City. He was the one spearheading Smart City. The hon. Minister rightly said this in his reply. It is also a small department. Recently, there was one young architect, Mr Allam, who also left the department. Is the Smart City Scheme of the Government at stake at this juncture?

Mr Jugnauth: Well, this is a totally different question. If a specific question is put, I will, of course, reply.

Madam Speaker: It has nothing to do with the main question! Yes, hon. Jhuboo!

Mr Jhuboo: Can we know the reasons why Mr Siew has tendered his resignation from the Board of SLDC?

Madam Speaker: I am sorry! Hon. Jhuboo, look at the question. This has nothing to do with the substantive question. The question relates to the number of missions. Next question, hon. Mohamed!

JUDICIARY - COURT INFRASTRUCTURES - MAINTENANCE

(No. B/675) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East) asked the Attorney General whether, in regard to the Judiciary, he will, for the benefit of the House, obtain information as to –

- (a) for the past five years, the amount of money
 - (i) collected by each court and tribunal of mainland Mauritius and of Rodrigues in terms of fine, costs or any other charges respectively, and
 - (ii) spent on maintaining and building new facilities such as court houses, and
- (b) if consideration will be given for the implementation of the Mackay Report on the issue of maintenance of court infrastructures.

Mr Yerrigadoo: Madam Speaker, with regard to part (a) (i) of the question, I am informed by the Office of the Master and Registrar that the amount of money the judiciary has collected as fines, costs or other charges in respect of each court for the past five years, in the Republic of Mauritius, are as shown in annex A1 to A5, which I am tabling.

It is to be noted that Tribunals do not fall within the Judiciary and if the hon. Member wishes to have a reply with regard to tribunals, he should address his question to the Rt. hon. Prime Minister who is the Minister for portfolio of tribunals.

With regard to part (a) (ii) of the question, the only building erected in the past five years is the Piracy/ Moka District Court, on land vested in a Judiciary at Moka. This project

was mostly financed by the United Kingdom Government, but the Government of Mauritius partly funded the said project in the amount of USD 901,751, which at the equivalent rate in 2013 amounted to Rs26,885,976.59. The Piracy/ Moka District Court was handed over to the Judiciary in March 2015 and is actually housing the Moka District Court.

Regarding the sums spent for the maintenance of existing buildings and facilities, same is set out in Annex B, which I have just tabled.

With regard to part (b) of the question, the Mackay Report has recommended that early attention be given to the poor condition of most of our Court infrastructures. I wish to reiterate the commitment of Government to bringing reforms in the Judiciary and to improve infrastructure of the Judiciary so that both the members of the Judiciary, the legal profession and the public can operate in an environment which befits an institution as important and prestigious as the Judiciary. Government will fully support the Judiciary in upgrading its infrastructure. In fact, on 13 June 2016, at a meeting with the Master & Registrar and the Deputy Master & Registrar, we discussed and reviewed existing future renovation projects and ongoing ones and construction of new infrastructure, in line with the Government Programme 2015-2019 which reads as follows with regard to the Judiciary. I am quoting –

“Paragraph 158 –

Reforms will be brought to expedite determination of Court cases and improve services to the public. A new independent Court of Appeal will be set up.

Paragraph 159 –

In line with the Mackay Report of 1997, Government will introduce legislation to set up separate Court of Appeal Section and a separate High Court Section of the Supreme Court.

Paragraph 160 –

In the above context, renovations to the Supreme Court Historical Building will be undertaken to accommodate the propose Court of Appeal.

Paragraph 161 –

A dedicated state-of-the-art Court Building for Supreme Court and all its Divisions will be built.

Paragraph 162 –

The required support services for a full-fledged Family Division will be improved.

Paragraph 163 –

All District Court premises will be reviewed and upgraded to ensure better services to all stakeholders since the bulk of Court cases are dealt with at this level”.

As a matter of fact, District Courts of Black River, Savanne, Pamplemousses and Rivière du Rempart have had to be moved to rented premises because of the derelict state of the building they were in. There is need to construct new dedicated buildings to house these Courts.

It has also been noted that the buildings of District Courts of Flacq and Upper Plaines Wilhems can no longer accommodate these Courts as they are now inappropriate in terms of space required. These Courts will be moved in more spacious and adequate dedicated buildings.

Finally, the historical building accommodating the Supreme Court of Mauritius is in great need of considerable repair works. Some works have been undertaken already, but for the security of Judges, staff and the public at large, these works can only be undertaken once the premises are vacated. The Judiciary has already requested for funds to be allocated for the construction of a new Supreme Court building on premises presently housing the Commercial Division of the Supreme Court.

I will be following up the matter with the Master & Registrar.

Madam Speaker: Hon. Shakeel Mohamed!

Mr Mohamed: Madam Speaker, I thank the hon. Attorney General for his answers. And having perused very briefly the document that he has tabled, that shows the summary of revenue collected for each Court for the past five years, and the reason I asked for the past five years has nothing to do with any party political issue and what has to be looked into is also the mistakes prior to 2015.

Now, I see here that on average there is a collection of approximately Rs300 m. on a yearly basis for all the Courts of Mauritius and the Tribunals, whereas, in the last document he has tabled, when more than Rs300 m. were received every year from Court fines, costs

and what have you, only approximately Rs3 m. is spent on maintenance of those very Court buildings on an annual basis, which is almost less than 1% of what is recovered on a yearly basis in those Courts. Therefore, I am sure the hon. Attorney General has seen the conditions. Let me only use one Court, the Curepipe Court, which has been there even before 2015. Could the hon. Attorney General...

Madam Speaker: Hon. Mohamed, you are too lengthy in your question. Ask your question!

Mr Mohamed: My question is coming. Could the hon. Attorney General consider using his good offices to try to see that our learned Magistrates are not forced to sit or organise sittings in makeshift environments, where they are exposed to prisoners whom they have to pass sentence against by one centimetre when coming up the stairs because there is no other facility? This is urgent and has nothing to do with this regime or the past one as well.

Mr Yerrigadoo: Madam Speaker, I am happy that the hon. Member recognises. I wish to state the unflinching support and commitment of this Government, as I stated in my answer, to improve things. I took the initiative ever since the new Government assumed office of having regular meetings with the Master and Registrar and her Deputy on such issues. There are a number of procedural impediments, but my colleague at the Ministry of Public Infrastructure is also helping. But just to tell the hon. Member, if we look at Annex B, expenses have, on maintenance, been improved from Rs4.2 m. last year up to June this year to Rs5.6 m. So, we are very conscious and we are taking our responsibilities. We are taking the appropriate steps - the Judiciary, the public especially. The Rt. hon. Prime Minister himself was very concerned that members of the public together with the Judiciary and all staff are operating sometimes in difficult circumstances in certain Courts, which I have mentioned.

Mr Bérenger: May I ask one question? I heard the hon. Attorney General talking of a new Supreme Court building. Some years back, there was a project for us keeping the old historical building and then destroying the old buildings behind the historical Supreme Court and building the New Supreme Court building on *pilotis* if required, because there is plenty of space at the back of the historical Supreme Court. Is this still on?

Mr Yerrigadoo: There are a number of issues being considered. There is a Standing Technical Committee for some years now. One thing is sure; the existing historical Supreme Court building will be renovated. It is intended that this would house the Court of Appeal to

be and a number of considerations are being given, including what the hon. Leader of the Opposition said, at the back of that building, but also establishing a New Court at the spot where the Commercial Court is. All this has many considerations and we are working in a timely manner. Nothing definite *a été arrêté* as at yet, but a lot of consideration is being given to housing the New Supreme Court.

Mr Ganoo: The hon. Attorney General has made mention of the fact that renovations to the Supreme Court historical building will be undertaken to accommodate the Court of Appeal. Can I ask the hon. Minister where matters stand as regards the introduction of legislation pertaining to the *appel* in Court?

Mr Yerrigadoo: I shall keep the House informed; there are ongoing discussions with the Judiciary.

Mr Ramful: May I ask the hon. Minister where matters stand as regards the Souillac District Court? We know it's been years now. I think three years ago, the whole building got burnt down and tenders were launched. May I know where matters stand?

Mr Yerrigadoo: In fact, all these issues have been raised with the Master and Registrar and her Deputy. I am awaiting suggestions from them. The House where it has been housed right now is clearly inappropriate.

Mr Baloomoody: The hon. Attorney General has mentioned so many times the name of the Master and the Deputy Master. I am sure the hon. Attorney General is aware that these two, the Master, the Deputy Master are overloaded with Courts work. It is not their duty to maintain Courts. Can I ask the hon. Attorney General whether it is not time to have a proper Maintenance Officer who will look at all our Courts permanently?

Mr Yerrigadoo: May I just remind this House that it is their responsibility, which befits upon the Master and Registrar to look at such matters, including construction and renovation. There is a Standing Committee with the MPI. This Government is very respectful of institutions and we are working in collaboration with all the institutions concerned.

Madam Speaker: Last question, hon. Shakeel Mohamed!

Mr Mohamed: The last question, Madam Speaker. In fact, the last segment of my question did refer to the recommendations of the MacKay Report in relation to the maintenance of Court infrastructure. Could the hon. Attorney General commit to this august Assembly that he will use his good offices in trying to convince our hon. Minister of Finance

and Economic Development to at least use all the money that is received from Courts, at least Rs300 m. on a yearly basis – you have the funding there – to ensure that each district has proper facilities that could be used and could be called Courts of law and not houses that are simply makeshift Courts in 2016?

Mr Yerrigadoo: The hon. Member would appreciate that since time immemorial, all the funds received and the sums and money collected do not go exclusively for maintenance.

(Interruptions)

And whilst I can assure the hon. Member that the hon. Minister of Finance and Economic Development is very well aware and is appreciative of this Government's initiative and commitment to that, I certainly cannot commit what the hon. Member has asked to this august Assembly.

Madam Speaker: The Table has been advised that PQ No. B/690 has been withdrawn. PQ No. B/704, with regard to full time courses at Orian Centre Ltd., will now be replied by the Minister of Public Infrastructure and Land Transport. I suspend the sitting for one and a half hours.

At 1.04 p.m., the sitting was suspended.

On resuming at 2.37 p.m. with Madam Speaker in the Chair.

Madam Speaker: The Table has been advised that PQ No. B/676 has been withdrawn.

ISLAMIC CULTURAL CENTRE – MR S. S. – BOARD MEMBER

(No. B/676) Mr S. Mohamed (First 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 if Mr S. S. has been removed as Board Member thereof and, if so, indicate –

- (a) when;
- (b) why, and
- (c) by whom has he been replaced and when.

(Withdrawn)

NATIONAL FEDERATION – YACHTING CLUB - AFFILIATION

(No. B/677) **Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the National Federation, he will, for the benefit of the House –

- (a) obtain therefrom, information as to the =
 - (i) composition of the Managing Committee thereof, and
 - (ii) names of the Yachting clubs affiliated thereto, indicating in each case, the region, names of the office bearers thereof and date of affiliation thereof, and
- (b) obtain and table copy of the activities thereof for 2016.

Mr Sawmynaden: Madam Speaker, I am tabling the information regarding the composition of the Managing Committee of the Yachting Federation together with the names of the clubs affiliated to the federation, their respective regions, the names of their office bearers and the date of affiliation as well as a copy of the activities of the federation for 2016.

Mr Quirin: Madame la présidente, peut-on savoir, après les performances très moyennes de cette discipline lors des derniers Jeux des Iles, si l'honorable ministre a rencontré les membres de cette Fédération afin de mettre en place un plan de relance pour cette discipline ?

Mr Sawmynaden : So far, I have not met them, but my Desk Officer is liaising with them.

Mr Quirin: Peut-on savoir, Madame la présidente, s'il y a un encadrement technique au niveau de cette fédération et, si oui, peut-on savoir comment il fonctionne et qui sont les entraîneurs?

Mr Sawmynaden: Tout encadrement technique, tout entraîneur doit venir d'une demande de la fédération. Pour l'instant, il n'y a aucune demande.

Mr Quirin: Une dernière question, Madame la présidente. Peut-on savoir si cette discipline, c'est-à-dire la voile, fera partie des disciplines au programme lors des prochains Jeux des Iles en 2019 ?

Mr Sawmynaden: *Jusqu'à preuve du contraire*, at this moment it is no. They are not part of the Indian Ocean Games.

Mr Quirin: Excusez-moi, mais je n'ai pas bien compris la réponse de l'honorable ministre.

Madam Speaker: Can you please repeat?

Mr Sawmynaden: Pour l'instant, ils ne sont pas sur la liste des disciplines pour les Jeux des Iles de 2019.

Madam Speaker: Next, question, hon. Quirin!

WEIGHTLIFTING - ROMANIAN COACH - CONTRACT

(No. B/678) **Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to Weightlifting, he will state if the contract of the Romanian coach U. C. as *Directeur Technique National* thereof has been renewed and, if so, indicate the new terms and conditions of contract thereof.

Mr Sawmynaden: Madam Speaker, the services of the Romanian Coach, U. C., were enlisted "*Directeur Technique National*" in weightlifting with effect from 10 February 2015 for an initial period of one year. During the one-year period, he was being paid a monthly salary of Rs54,275 plus an allowance of Rs17,525, plus board and lodging, duty-free privileges and travelling allowance. The other conditions are the same as applicable for contract officers in the Civil Service.

The contract was renewed for a further period of one year as from 10 February 2016 on the same terms and conditions. However, following a decision of the High Powered Committee, his monthly salary has been converted into a monthly all-inclusive allowance of Rs140,000. The other conditions are the same as applicable for the contract officers in the Civil Service.

Mr Quirin: Madame la présidente, peut-on savoir si l'honorable ministre a consulté la fédération d'haltérophilie avant de renouveler le contrat du DTN?

Mr Sawmynaden: *Bien sûr!* As usual!

Mr Quirin: Peut-on savoir où se trouve actuellement le DTN?

Mr Sawmynaden: Le DTN actuellement est en Roumanie.

Mr Quirin: Peut-on savoir depuis quand il n'est pas à Maurice, Madame la présidente?

Mr Sawmynaden: Madam Speaker, I answered to that in a previous question. I don't know the exact date, but he was in a training camp in Romania and he was training one of our athletes there.

Mr Quirin: Madame la présidente, l'honorable ministre trouve-t-il normal qu'un DTN étranger, avec un si gros salaire, passe la plupart de son temps à l'étranger?

Mr Sawmynaden: Madam Speaker, our athlete, Miss Roilya, who is now the Champion of Africa, was doing her training in Romania and before the African Games she was there preparing for the African Games. Then, she went to the African Games and then back. Now she is preparing for the Olympic Games. This is why they are there because it is a training camp as decided by the Federation and the DTN.

Mr Quirin: Madame la présidente, peut-on savoir si l'honorable ministre est au courant que la fédération d'haltérophilie a informé M. Constantin, c'est-à-dire, le DTN, qu'après les Jeux Olympiques, il ne sera plus le DTN d'haltérophilie à Maurice? Est-ce que l'honorable ministre est au courant de cette décision de la fédération ?

Mr Sawmynaden: I think it is in the press and everyone is aware of that.

Madam Speaker: Next question, hon. Quirin! Last question!

Mr Quirin: Quelle décision prendra l'honorable ministre après les Jeux Olympiques, vu que le contrat de M. Constantin, le DTN, a récemment été renouvelé? Peut-on savoir si l'honorable ministre partage la même opinion que la fédération ?

Mr Sawmynaden: The Federation has said after the Olympic Games. After the Olympic Games, we will see.

Madam Speaker: Next question, hon. Quirin!

MADAGASCAR – 10TH CJSOI GAMES – NATIONAL FLAGS

(No. B/679) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the 10th CJSOI Games to be held in Madagascar, he will state the stand of Government following the proposal of the Organising Committee not to hoist the national flags of participating countries during official medals award Ceremony.

Mr Sawmynaden: Madam Speaker, I have to inform the House that, at the last Experts' CJSOI Meeting held in Mayotte in early June 2016, Madagascar made a proposal that national flags of participating countries would not be hoisted during the official medal award ceremony at the 10th Edition of the CJSOI Games to be held in Madagascar from 30 July to 05 August 2016. Reunion Island and Mayotte supported the proposal. Djibouti, Mauritius and Seychelles abstained on the motion and Comoros was absent. This matter will

be taken up again at the next CJSOI Ministerial Meeting scheduled for the 18 of July in Madagascar.

I wish to inform the House that the Government is not agreeable to the proposal of Madagascar. Mauritius will continue adhering to the practice of hoisting national flags during the official medal award ceremony as stipulated in the Charter of the CJSOI Games.

Mr Bérenger: I heard the Rt. hon. Minister say that Comoros was absent from the last meeting. Do we know, if it's for practical reasons or are they objecting to the fact that the meeting was held in Mayotte? What is the situation concerning Comoros and Mayotte as far as the CJSOI is concerned?

Mr Sawmynaden: The reason that I have got is that for technical reasons they did not attend. We all know the position between Comoros and Mayotte, but the games will be held in Madagascar. So, the next meeting will be held in Madagascar on the 18th and let's hope that they will be present.

Madam Speaker: Next question, hon. Ramful!

CEB - ELECTRICITY SUPPLY – HARDSHIP CASES

(No. B/680) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien) asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to electricity supply, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the number of consumers who are in default of payment of their bills therefor over the past twelve months, indicating the –

- (a) number thereof whose connection therefor have been cut, and
- (b) measures, if any, that are being proposed in respect of hardship cases.

The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo): Madam Speaker, I am informed by the Central Electricity Board that though its regulations provide that any person, who does not settle his bill, is liable to have his electricity supply disconnected, it usually resorts to disconnections as a last resort.

It inserts cautionary notes on the monthly bills to remind the client of unpaid arrears. It sends additional reminders to advise the client to settle outstanding claims. It is only when the client fails to respond to all these attempts that the supply is disconnected.

I am informed by the CEB that, over the past twelve months, 35972 clients have been in default of payment of their electricity bills and there have been 26510 disconnections of supply, out of which 22670 were reconnected. 20759 were domestic consumers, out of which 18255 were reconnected during the same period.

With regard to part (b) of the question, I am informed by the CEB that it grants to old age pensioners an additional period of 14 days to settle their bills without any late payment surcharge.

When confronted to hardship cases, CEB allows payment facilities on a case-to-case basis.

As the House is aware, Government has taken an important decision to support low-income families by introducing a concessionary electricity tariff.

Since January 2016, about 60000 vulnerable households are benefitting from a tariff, which is 31% lower than the normal tariff.

Mr Ramful: Madam Speaker, I am trying to make a case here for those genuine hardship cases. I am given to understand that once a consumer defaults from paying his electricity bill, then the CEB goes and immediately cuts the electricity supply. May I request the hon. Vice-Prime Minister to look into the matter and if there is a plan for those genuine hardship cases, they could be allowed some time to pay their electricity bills before disconnecting their supply?

Mr Collendavelloo: Well, first of all, we have got to proceed on the assumption that all hardship cases are genuine. We cannot proceed on the assumption that some hardship cases are not genuine or else that would entail a means test, a discrimination. So, let's take all hardship cases. First of all, what has happened is that CEB put the unpaid bills in descending order of the amounts. Already, if your bill is only Rs1,000 in arrears, you are at the bottom of the list, whereas if you owe Rs40,000, you are the first one to be disconnected.

Secondly, there are immense delays, we all know, because we are in constituencies where we meet people who have got these problems. We all know that when we phone CEB they get supplementary arrears. There are other plans which can be worked out for really hardship cases, all of them, whether genuine or not.

Mr Ganoo: Madam Speaker, may I ask the hon. Vice-Prime Minister the following question. In the not too recent past, there was a project in order to avoid additional costs to

the CEB and the inconvenience and discomfort to the consumers to introduce the pre-paid meters especially in certain depressed areas. Can I ask the hon. Vice-Prime Minister what is the situation with this project of pre-paid meters?

Mr Collendavelloo: It was introduced about 2011 or 2012. It has not worked. There are only one hundred or so. It has not worked for a variety of reasons. First of all, Mauritians are not used to it, and secondly, like the Emtel cards, you need to have a whole structure of sale of these cards. It has not worked. It has not worked, what can we say!

Mr Mahomed: On this project of pre-paid meters, I had the chance to attend the Samoa Conference, a country which is less advanced than us, and there it is working perfectly well. May we envisage consulting to see what went wrong? Because 26,000 disconnections, it is really, indeed, a very high figure. So, I believe this will go a long way in addressing the issue.

Mr Collendavelloo: Well, first of all, 26,000 is about 5%. Secondly, if we take from 2011 to 2015 - because I also was impressed by this figure - I see 2011: 21276; 2012: 19201; 2013: 25895; 2014: 22036; 2015: 21047. So, it's the same number year by year allowing for increase in number of consumers. Finally, it is not that impressive. I am sorry; I forgot the first part of the question.

Mr Mahomed: In countries which are less advanced than us, Samoa, for example, I have seen people sending SMS, they get a code and they just key in the number, the meter is back again. So, we don't need to go to the hassle of traumatising the person that is subject to disconnection.

Mr Collendavelloo: Of course, I entirely agree. I know that CEB is working on alternative modes to stop this business of the whole van coming with 10 persons and shouting to the neighbours: '*Ou courant pe coupé*'. We all know what this means. When I say we all know, I know what I am saying. It is traumatic because some people do it by negligence, they forget, not necessarily because they are culprits. But we are looking into other alternative ways.

Mr Baloomoody: It is a follow-up from the question of hon. Mahomed. When it comes to the cut off, why is it often done as a surprise? Why don't we inform the people: 'your electricity will be cut off on a specific day'? This creates much inconvenience,

especially to those who go out in the morning and come late at night and who have stored some food in their fridge. This causes much prejudice to these people. It is always a surprise.

Mr Collendavelloo: I have looked at the record. It is surprising how, year by year, since 2002, the same question comes up. Let me quote the then Ministry of Energy, hon. Ganoo, responding to the now Deputy Prime Minister, hon. Duval –

“So, the CEB gives a reasonable delay to consumers, Mr Speaker, Sir. It is also in the context of putting order in financial situation when the campaign was initiated.’

People do receive reminders time and time again!

(Interruptions)

People receive reminders, but people don’t read reminders, they don’t realise that it is going to come, and when it comes, it has got to come one day!

Madam Speaker: Last question, hon. Uteem!

Mr Uteem: Thank you, Madam Speaker. In relation to the reconnection, may I know from the hon. Vice-Prime Minister what is the cost of reconnection and whether there is any concession made for hardship cases when there is a reconnection?

Mr Collendavelloo: It’s Rs450 flat.

Madam Speaker: The Table has been advised that Parliamentary Question No. B/682 has been withdrawn. Hon. Ramful!

LANDLORD & TENANT ACT – BUSINESS PREMISES - LEASE

(No. B/681) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien) asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the Landlord and Tenant Act, he will state if proposed amendments thereto will be introduced to provide for the continued application of the provisions thereof to business premises leased before 01 July 2005 to a date beyond 31 December 2017.

The Minister of Youth and Sports (Mr Y. Sawmynaden): Madam Speaker, I am informed that the Landlord and Tenant Act was amended in March 2005 to provide, *inter alia*, for existing business lettings to be increased yearly in an amount equivalent to 15% of the difference between the market rent of the business premises and the actual rent paid as well as for the increase to be spread over a period of seven years, that is, up to 01 July 2012,

at which date business lettings which were already in operation before 2005 would be deregulated.

In 2009, it was observed that there was need to give incentives for landlords to liberate property and to invest in new developments, while at the same time protecting those who are most vulnerable. Accordingly, the following amendments were made to the Landlord and Tenant Act -

- (a) increase in rental to 10% instead of 15% of the difference between the market rent of the business premises and the actual rent paid, and
- (b) provide for the moratorium after which business lettings would be liberalised to be extended to 31 December 2017 instead of 30 June 2012.

Madam Speaker, I am informed that, at this stage, there is no case for extending further the moratorium date of 31 December 2017.

Madam Speaker: Yes, hon. Ramano!

Mr Ramano: Merci, Madame la présidente. Passée la date du 31 décembre 2017, ce seront les termes du Code Civil qui vont s'appliquer où très souvent le propriétaire dans une position de force pourra imposer ses conditions. Est-ce que sur une base humanitaire le gouvernement peut considérer une certaine extension pour une certaine catégorie de *business premises* ?

Mr Sawmynaden: As per the actual situation, it does not seem that there is a need for that and there is no request as well and we have seen that the cases have been on the downward trend. So, I don't think that there will be any further extension because the trend is going down.

FLIC-EN-FLAC - SECONDARY ACCESS

(No. B/682) **Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the proposed project for the urgent provision of a new secondary access to Flic-en-Flac, he will state where matters stand.

(Withdrawn)

Madam Speaker: Next question, hon. Ganoo!

MOTORWAYS & CLASSIFIED ROADS - OVERGROWN TREES

(No. B/683) **Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to motorways and classified roads, he will state if he is aware of the potential dangers represented by overgrown trees on the borders thereof and, if so, indicate if urgent remedial actions will be taken in relation thereto.

The Minister of Social Integration and Economic Empowerment (Mr P. Roopun): Madam Speaker, Government is fully aware of the danger represented by overgrown roadside trees which have unfortunately even caused fatalities recently.

I am informed by the RDA that an amount of around Rs5m was disbursed in the last financial year for the lopping of branches and cutting of trees along motorways and main roads to enable a safe passage of traffic. As a practice a clear height of 4.5 m is always maintained. However, it is a fact that the existing roads have trees bordering many roads as part of the landscape of Mauritius.

Madam Speaker, on 20 May 2016, Government approved that the Ministry of Environment, Sustainable Development and Disaster and Beach Management takes over under its Embellishment and Upgrading Programme the responsibility for planting and lopping of existing trees, trimming of plants and general embellishment along motorways and the major road networks, as well as for the upkeep of the green areas along the roundabouts.

On its side, the RDA will henceforth give authorisation only for the plantation of certain specific plants that will not obstruct the traffic along the motorways and main roads.

I am informed that the Ministry of Environment Sustainable Development and Disaster, and Beach Management is in the process of establishing a Program of Works and that works will start shortly.

Madam Speaker: Hon. Ganoo!

Mr Ganoo: Madam Speaker, I asked a similar question in October of last year in the wake of the fatal accident which took place in Vacoas near London Supermarket. Subsequent to the question, I asked and to the answers which were given by hon. Dayal who was then Minister, similar fatal accidents have taken place. May I ask the hon. Minister, therefore, whether he can see to it - especially in the town centres or village centres where there is a lot of traffic going on - that all these centres are looked after, are surveyed and the

proper work is carried out for the lopping of trees which might constitute a hazard to the traffic or to passers-by?

Mr Roopun: Madam Speaker, the remarks of the hon. Member will be transmitted to the Ministry of Environment, Sustainable Development, and Disaster and Beach Management for proper action.

Madam Speaker: Next question, hon. Ganoo!

***LA FERME DAM - RENOVATION & UPGRADING – COMPULSORY
ACQUISITION***

(No. B/684) Mr A. Ganoo (First Member for Savanne & Black River) asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Project for the Renovation and Upgrading of *La Ferme* Dam, he will, for the benefit of the House, obtain from the Central Water Authority -

- (a) information as to the names of the owners whose property are expected to be the subject of compulsory acquisition in the wake of the implementation thereof, indicating –
 - (i) in each case, the extent of the property and the offer made thereto, and
 - (ii) the names thereof who have appealed against the decision for compulsory acquisition, and
- (b) copy of the report/study which has recommended the implementation thereof and table same.

The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo: Madam Speaker, the hon. Member, I take it, is referring to the Water Resources Unit and not to the CWA. The rehabilitation works at *La Ferme* Dam require the acquisition of 28 properties located downstream of the spillway.

I am informed by the Ministry of Housing and Lands that compulsory acquisition of 14 portions of land has been completed. Notices have been served upon 13 other landowners and searches are being carried out to ascertain land ownership of the 28 plots of land.

With regard to the information requested under part (a) (i) of the question, it is considered that same cannot be disclosed without the consent of the persons concerned.

However, all information pertaining to the acquisition is publicly available for having been published in the Gazette.

As regards part (a) (ii), I am informed by the Ministry of Housing and Lands that no appeal has been received against the decision of compulsory acquisition, but some of the landowners have made representations on the amount of compensation proposed to them.

With regard to part (b), the structure of *La Ferme* Dam is over one hundred years old. Any breakdown of the dam structure represents a high risk. A Dam Safety Analysis carried out from 1997 to 1999 recommended rehabilitation works to ensure the structural integrity of the dam.

Subsequently, my Ministry appointed Arup SIGMA in October 2009 to review the design of the dam and prepare bidding documents for the rehabilitation works.

One of the terms of reference of the consultant was to review the safety analysis of the dam. The consultant recommended that due to extreme risk, property near the spillway should be relocated.

I am unable to table the report at this stage as it contains technical details which will be used for the bidding process. I am, however, tabling an Executive Summary of the relevant parts relating to the relocation of properties near the spillway.

Mr Ganoo: Can I ask one supplementary question to the hon. Vice-Prime Minister, Madam Speaker? The hon. Vice-Prime Minister has made mention of the fact that he has received representations from the occupiers. Can I ask him whether all these occupiers or their representatives have disagreed to the compensation that is being offered to them? They have also suggested or requested the Ministry to see to it that a plot of State land be made available to them so that they can construct a new house since they are being asked to leave the property they are presently occupying which they have built over the years with their own sweat and blood.

Mr Collendavelloo: Well, first of all, under the Land Acquisition Act, the procedure will be that there will be a Board of Assessment to compute the adequate amount of compensation. The compensation must be paid promptly and must be adequate under the law, under the Constitution.

The question of State land will arise at a later level. Whenever the question of compensation has been decided then we can see whether a deal can be struck as the hon. Member suggests.

Mr Ganoo: The hon. Vice-Prime Minister must know that a compensation has already been offered to them, as far as I know. Letters have been sent to them suggesting the compensation that should be paid to each and every one of these different families. So, this is why, dissatisfied with the sum that has been offered to them, they have made the proposal that, at least, a plot of State land be given to them and they can use the money which has been offered to them to construct the building.

Mr Collendavelloo: Well, let me just repeat myself. The first thing is to refer the matter to the Board of Assessment promptly, and then we shall see what are the facilities that we can make as a deal.

Mr Mahomed: I do understand the reason why the hon. Minister is unable to table the report for reasons he has mentioned. Now, insofar as upgrading of the reservoir is concerned, may I ask whether this will entail enhancing the storage capacity of that reservoir - because my colleague, hon. Jhuboo, last week, did mention some water shortage problem in the region - and, if so, by how much, from what capacity to what capacity?

Mr Collendavelloo: I do not know by how much, but I know that the plan is not only to enhance the present reservoir, but also to increase the capacity. The number of metre cubes is written in the Executive Summary and there is a calculation which has been made.

ALBION - LIGHTHOUSE - EMBELLISHMENT

(No. B/685) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Deputy Prime Minister, Minister of Tourism and External Communications whether, in regard to the Light House at Albion, he will, for the benefit of the House, obtain from the –

- (a) Mauritius Marine Authority, information as to -
 - (i) the date of the commissioning thereof, and
 - (ii) if any uplifting work is scheduled to be carried out thereat in relation to the landscaping of the compound thereof, provision of parking facilities and creation of a museum on the site thereof, and

- (b) Tourism Authority, information as to if signage will be provided to facilitate visitors find their way thereto.

The Deputy Prime Minister: Madam Speaker, in regard to part (a) of the question, I am informed by the Mauritius Ports Authority (MPA) that the Albion Lighthouse was commissioned in 1910 and the fenced area of the Lighthouse falls under its responsibility. However, the area surrounding the fenced premises is State Land falling under the purview of the Ministry of Housing and Lands.

The Lighthouse and its premises are regularly maintained by the MPA. However, as the site is regularly visited by tourists as well as Mauritians, I have impressed upon the Mauritius Ports Authority to further embellish the compound.

The Albion Lighthouse is an important navigational aid and access thereto is restricted for security reasons. It is not proposed to create a museum on the site.

Madam Speaker, as regards part (b) of the question, I am informed by the Tourism Authority that directional panels had been installed since March 2006 to guide visitors to the Lighthouse. Moreover, there is an informational panel giving basic information on the Lighthouse which has been fixed at the entrance.

Mr Bhagwan: Madam Speaker, this site is regularly visited by schoolchildren during holidays and on planned visits through the Ministry of Education, and it is a controlled area. Can I impress on the hon. Deputy Prime Minister to, at least, ask the MMA to provide basic facilities such as toilets for the schoolchildren as well as tourists who go there and also for the staff?

The Deputy Prime Minister: I will look into it, Madam Speaker.

Mr Bhagwan: The hon. Deputy Prime Minister has made mention of the Tourism Authority which has installed signage, but many of them have disappeared. So, can I make a request to the Deputy Prime Minister to ask the Tourism Authority to make a survey and reinstall same, as there are also places which can give guidance to the tourists and Mauritians who are going there?

The Deputy Prime Minister: Madam Speaker, I am not aware if they have disappeared, but if it is so, then I shall certainly request that they be replaced and appropriate signs be put.

Madam Speaker: Next question, hon. Bhagwan!

**STATE LAND DEVELOPMENT CO. LTD. - GENERAL MANAGER & BOARD
MEMBERS - APPOINTMENT**

(No. B/686) **Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Finance and Economic Development whether, in regard to the State Land Development Co. Ltd., he will, for the benefit of the House, obtain therefrom, information as to the –

- (a) terms and conditions of appointment of each Board member thereof, and
- (b) name of the General Manager thereof, indicating;
 - (i) his date of appointment, and
 - (ii) terms and conditions of appointment, and
- (c) total extent of land vested therein, indicating the prescribed procedures or the allocation of plots of land vested therein for the implementation of projects.

Mr Jugnauth: Madam Speaker, the terms and conditions of appointment of Board members of the SLDC Ltd. are determined by the shareholders of the Company.

At the Annual General Meeting held on 30 June 2015, the monthly fees payable to the Chairperson and Directors were fixed at Rs70,000 and Rs25,000 respectively.

As regards part (b) of the question, Mr Claude Wong So was appointed on 16 September 2015 as Chief Executive Officer of the SLDC for a period of three years. He is a Registered Professional Engineer and Project Manager reckoning 40 years' experience in the construction industry and in the property sector.

I am tabling the terms and conditions of employment of the Chief Executive Officer.

Regarding part (c) of the question, I am informed that SLDC originally owned around 3,035 *arpents* of land in the Highlands/Ebene region.

In addition, SLDC owns around 290 *arpents* of land at La Tour Koenig for industrial purpose, 20 *arpents* at Camp Ithier and 25 *arpents* at Bambous. The SLDC also owns around 93 *arpents* at La Valette, Bambous where around 21 *arpents* have been used for the construction of the Model Village/SME park and 72 *arpents* have been earmarked for transfer to the Ministry of Housing and Lands.

Out of 3,035 *arpents* in the Highlands/Ebene area, 341 *arpents* have been transferred for the Bagatelle Dam project, 178 *arpents* and 57 *arpents* have been transferred to the Employees' Real Estate Investment Trust and the Sugar Investment Trust respectively, 40 *arpents* have been used for the Terre Rouge/Verdun Link Road, 125 *arpents* have been used by SLDC for *morcellement* and VRS and 7 *arpents* for other projects. Another 336 *arpents* of land are being transferred to the Heritage City Co. Ltd. and 25 *arpents* have been earmarked for the Police Academy Project.

Regarding the remaining area of 1,926 *arpents* of land at Highlands, a masterplan for its development is currently under preparation by a team of consultants led by Luxconsult (Mtius) Ltd. Once the masterplan is finalised, the procedures for allocation of land will be determined through call of Expression of Interest (EOI).

Concerning La Tour Koenig Industrial Park, leases of lands have been made on the basis of applications received from enterprises either directly or through the Board of Investment.

I am further informed that at a meeting held on 25 May 2016, the Board of SLDC has decided to launch an Expression of Interest for the lease of vacant plots of land within the SLDC industrial park at La Tour Koenig after a subdivision plan has been worked out.

Mr Bhagwan: Madam Speaker, we have been made to understand that the Board has been reconstituted last week. Can we have an idea who are those who have been appointed, at this stage, as Chairperson and their members?

Mr Jugnauth: The new Chairperson is Mr Gérard Sanspeur who is the Senior Adviser at the Ministry of Finance and the other members are Mr Vidianand Lutchmeeparsad, the Permanent Secretary of the Ministry of Finance, Mr Javed Suhootoorah, Lead Analyst at the Ministry of Finance, Dr. Kaushik Reesaul, the Road Transport Commissioner of NTA, so far. Of course, other members will be nominated to constitute fully the Board.

Mr Bhagwan: Can the Minister confirm whether Mr Wong So is also the Chairperson of the Road Development Authority, Rodrigues Airport and some other parastatal bodies?

Mr Jugnauth: I do not have this information in my file. I can check.

Mr Bhagwan: Can the Minister inform the House whether cane-growing activities are still undertaken on all the land belonging to the SLDC, and if yes, how much area is under cultivation and what has been the yield for the past two years? If the Minister does not have the reply, we can have it afterwards. Can he confirm now whether cane-growing activities are still on?

Mr Jugnauth: I will request for the information to be circulated to the National Assembly.

Mr Bhagwan: Can the Minister also look into the file and see how much land has been given to some vegetable growers in the Highlands area and whether all the procedures have been followed, so that the House can be enlightened? We have heard that there would be expression of interest in the coming months, as far as land is concerned. Can the hon. Minister, at least, confirm whether land given for vegetables was not given *au petit bonheur à certains petits copains*?

Mr Jugnauth: According to the list that I have, I don't see whether there are plots of land that have been leased to vegetable growers. Maybe I have been given a list where land has been either sold or transferred. But I will obviously seek the information and provide it to the House.

Madam Speaker: Next question, hon. Bhagwan!

CITE MARCEL CABON - SEWERAGE PROJECT

(No. B/687) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Sewerage Project at Cité Marcel Cabon, in Albion Village, he will, for the benefit of the House, obtain from the Waste Water Management Authority, information as to –

- (a) the expected start and completion dates thereof;
- (b) the name of the contractor thereof;
- (c) the project value thereof;
- (d) the number of houses to be connected thereto, and
- (e) if all the roads and drains thereat will be fully reinstated after completion of the works carried out in connection therewith.

The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo): Madam Speaker, in my reply to PQ No. B/588 of 29 September 2015, I informed the House that the Wastewater Management Authority was planning the construction of a leaching field to alleviate the sewerage problems faced by the residents of Cité Marcel Gabon and procedures had been initiated to obtain a plot of land for that purpose.

I am informed by the Authority that the project started on 08 March 2016 and is expected to be completed in October 2016.

With regard to parts (b) and (c), the contract was awarded to Safety Construction Co Ltd. after an open competitive bidding process for the amount of Rs8,315,559.29, including VAT.

The project consists of construction of a septic tank, a leaching field, and connection of 13 houses. As at 30 June 2016, 20 metres of sewers have been laid. Construction of the leaching field is ongoing and eight house connections have been completed.

I am also informed by the Authority that, in accordance with the contract, the contractor has the responsibility to carry out full width reinstatement of the roads as per specifications set by the local authority and to restore the drains in their original condition in case they are damaged during the works.

Madam Speaker: Next question hon. Lesjongard!

DILO POURI, LE MORNE & COTEAU RAFFIN – SQUATTERS

(No. B/688) Mr G. Lesjongard (Second Member for Savanne & Black River) asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the squatters found in the regions of Dilo Pouri, Le Morne and Coteau Raffin, he will state where matters stand as to the proposed regularization thereof.

The Minister of Youth and Sports (Mr Y. Sawmynaden): Madam Speaker, I am informed that, in 2015, a survey was carried out by the Ministry of Housing and Lands to take stock of the number of squatters around the island, including the regions of Dilo Pouri, Le Morne and Coteau Raffin, whereat 59 and 49 families occupying State land without authorisation were identified respectively by the Ministry of Housing and Lands.

With regard to Dilo Pouri, I am informed that the land occupied by some 59 families forms part of a larger portion of land of 439.53 hectares that has been leased to “Baie du Cap

Estate Co. Ltd” by the Ministry of Agro-Industry and Food Security for fishing and shooting purposes.

Madam Speaker, I am informed that for the squatters at Coteau Raffin the Ministry of Housing and Lands has effected a complete survey in May this year and is working towards the possibility to regularise these families ‘*in situ*’.

Madam Speaker: Hon. Lesjongard!

Mr Lesjongard: Thank you, Madam Speaker. May I ask the hon. Minister whether he has a timeframe for the regularisation of squatters of the region of Coteau Raffin?

Mr Sawmynaden: The information that I have is that the survey has been completed in May this year. So, it is in due course.

Madam Speaker: Next question, hon. Lesjongard!

KARO KALIPTIS & BATTERIE CASSÉE – LAND LEASE

(No. B/689) Mr G. Lesjongard (Second Member for Savanne & Black River) asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to Karo Kaliptis and Batterie Cassée, he will state if –

- (a) lands located thereat have already been completely leased to squatters, and
- (b) his Ministry has retrieved the land leased to the *Mouvement Civique de Batterie Cassée*.

The Minister of Youth and Sports (Mr Y. Sawmynaden): Madam Speaker, I am informed that, following a survey in year 2007, it was found that 66 squatters were occupying State land of an extent of 7A05P at Batterie Cassée region, commonly known as Karo Kaliptis.

The then Government approved in 2008 and 2009 the regularisation of squatters.

I am further informed that, in 2011, it was also decided to relocate squatters from the surrounding regions on the remaining plots of land at Karo Kaliptis. As at date, the whole site has been parcelled out and 114 lots have been allocated to squatters for residential purposes and a plot of land of 480m² reserved for community facilities.

As regards to part (b) of the question, no lease has been granted to *Mouvement Civique de Batterie Cassée*. However, I am informed that a letter of intent was issued on 01 June 2005 to *Mouvement Bien Etre Batterie Cassée* for the grant of a socio-cultural lease

over an extent of 79 perches of State land at Karo Kaliptis. The 79 perches form part of the whole extent of 7A05P of land at Karo Kaliptis.

In accordance with the Letter of Intent, the association had one month as from 01 June 2005 to inform the Ministry of Housing and Lands in writing whether it is agreeable to the offer of the lease. Furthermore, the association had to submit evidence of registration and project details.

The association has never informed the Ministry of Housing and Lands in writing whether it is agreeable to the conditions nor has it submitted any documents related to its proof of registration and project details.

As such, the lease could not be drawn and, therefore, the question of retrieval does not arise inasmuch as the *Mouvement Bien Etre Batterie Cassée* has never used or occupied the land, thus it has never been in possession of the land. Subsequently, this portion of land has been allocated for the relocation of squatters.

Mr Lesjongard: May I ask the hon. Minister whether he is aware that the *Mouvement Bien Etre Batterie Cassée* is paying lease over a plot of land of 3,355 m² and they have already paid their lease until 2024?

Mr Sawmynaden: Yes, I have been made aware of that. At that time, the procedures were that, with a letter of intent, they could pay the rent. But, now, the Ministry has changed the whole procedure.

HAJJ 2015 – STAMPEDE - INVESTIGATION

(No. B/690) Mr R. Uteem (First Member for Port Louis South & Port Louis Central) asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the stampede which occurred in Mina, in Saudi Arabia during the Hajj 2015, he will state if he has requested the Saudi Authorities for the –

- (a) submission of a report on the outcome of the investigation carried out to determine the causes thereof, and
- (b) payment of compensation to the families of the five Mauritians who lost their lives in the course thereof.

(Withdrawn)

FINANCIAL SECTOR - MOODY'S REPORT

(No. B/691) Mr R. Uteem (First Member for Port Louis South & PortLouis Central) asked the Minister of Finance and Economic Development whether, in regard to the financial sector, he will state if he has taken cognizance of the Report of Moody's entitled "Government of Mauritius: Financial sector is a source of growth and diversification and Government of Mauritius – Financial Sector is a Source of Growth and Diversification, But Also Systemic Risk" and, if so, indicate the actions, if any, that will be taken in the light of the analysis contained therein.

The Minister of Financial Services, Good Governance and Institutional Reforms (Mr R. Bhadain): Madam Speaker, I would be grateful if I could be given some time to answer this question on the Moody's Report and also actions which, as per the question, will be taken.

Madam Speaker: How long do you propose to take?

Mr Bhadain: I will try to be very quick, Madam Speaker.

Madam Speaker: Yes, but how long? Five minutes, ten minutes?

Mr Bhadain: Maybe ten minutes.

Madam Speaker, yes, we are aware of the Moody's Report - Financial Sector is a Source of Growth and Diversification, But Also Systemic Risk. Just by looking at the first page of the report, it is confirmed that Mauritius has a Baa1 stable rating from Moody's and it states that, as Mauritius financial sector has grown, it has supported economic development and generated foreign-currency earnings. Meanwhile, the authorities have managed to maintain macroeconomic stability while supporting the sector's competitiveness by fostering financial innovation and preserving tax and non-tax competitive advantages.

Madam Speaker, the report is in four parts; I am not going to go into all these details. I will just go to the conclusion. So, if we look at the macroeconomic stability that has been the norm in Mauritius, reference is made to the BAI case and what Moody's say is that the case revealed shortcomings in the authorities' supervision and enforcement capacity. Ultimately, the fiscal authority of Mauritius decision to bail out depositors and policyholders had the advantage of being swiftly implemented, avoiding a spill over to the rest of the sector, but carried the disadvantages of increasing the risk of moral hazard and incurring a fiscal cost. Now, moral hazard is defined, if we do a Google search, as "the lack of incentive to

guard against risk when one is protected from its consequences”, and it applies to insurance companies and treaties. During all these years, there has been moral hazard with BAI and this has been addressed by this Government. As we know, Super Cash Back Gold people are being repaid now, Bramer Asset people are being repaid now. In relation to the second part, stating the possibility of incurring a fiscal cost, as I have stated to this House on numerous occasions, no funds from the Consolidated Fund, from public funds, have been utilised to repay Super Cash Back Gold or Bramer Asset.

So, the Moody’s Report actually says that we were absolutely right to deal with the BAI situation in the way we’ve done it, and we’ve done it in record time, in one year a few months, since April last.

Now, with regard to the offshore sector which is also mentioned in the report, of course, Moody’s explains that companies holding Category 1 licences are mainly pass-through structures for investment flowing through the country, but their financial flows are so large relative to the national scale that they play an important role in Mauritius. Now, we are aware of that. We are aware that a lot of money is going through Mauritius, using GBL structures, but these funds are not kept in Mauritius. That is why we are the largest provider of Foreign Direct Investment in India. So, the funds are being channelled through Mauritius. There is no risk in terms of a large amount of money being in deposit in bank accounts in Mauritius, but, because they are going through Mauritius, it represents somehow a risk if there is a massive change because, banks operate and people work in banks; there is a risk there. Now, this risk has always been there. It is a systemic risk. If you look at the title, it says ‘Financial sector is a source of growth and diversification, but also Systemic Risk’. Systemic risk meaning that there is a risk in the system, which has always been there.

In relation to the recent changes in the Double Tax Treaty with India, it is very interesting to note that the conclusion of Moody’s is follows –

“We estimate the recent changes to the DTAA with India to have a modest impact.”

Modest! And it goes on to say –

“The amended DTAA is the result of extended negotiations (...)

We know, for ten years.

“(...) and as such any inherent risk to the DTAA with India, as a result of the amendments, have been to a large extent incorporated in our Baa1 Sovereign rating which we last confirmed in December 2015.”

And what Moody's is saying is that we already took everything into consideration because it was extended negotiations for a period of ten years. We know what the risks were and when we rated Mauritius Baa1 - Baa1, meaning stable - in December 2015, we had already taken into consideration the inherent risks prevailing with the Double Tax Treaty with India.

Now, what would a responsible Government do in relation to risks which is prevailing in a system and also look at the potential for growth and the potential for diversification? What we have done, Madam Speaker, is we mitigated the risk. How have we mitigated the risk? When we negotiated with the DTA with India, we said one thing: “There should be no abrupt end so that we could bring in the ground favouring clause so that all existing investments are protected until April 2017”. That has been done. I can confirm to this House, now, that according to the statistics of the FSC last month, June, there has been an increase of 25% in GBCs which has Indian-based activities. So, what we said is happening. People are coming to Mauritius because of the ground favouring clause, because none of these investments will be taxable if they are done in Mauritius before April 2017. So, the strategy is right on that front.

Now, in the Treaty we also mentioned debt structures because, of course, when people invest, there are two ways of investing. One is equity, shares and the other one is debt structure. Now, equity structures attract tax when you sell the shares and this is what we dealt with. On the debt structures, what have we done? We have launched Mauritius as an International Financial Centre in March this year, which provides diversification of our Financial Services Strategy. So, we are enhancing Mauritius as a regional platform of solutions for debt structures creating skilled employment for our youth. We are increasing sophistication of our workforce to cater for those debt structures investments through the Financial Services Institute which has already been set up, already in place, already operating. This will allow Mauritius as a based investment fund to operate widely. We want them to become issues of CDOs (Collateralised Debt Obligations) and CLO (Collateralised Loan Obligations) to outside investors seeking to have access to frontier market. We have also linked up the Stock Exchange of Mauritius with the National Stock Exchange of India to

promote the MIFC as a Centre for listing debt instruments, derivatives, other securities and we are also improving on dual listings.

We are now getting Asset Managers and Fund Managers to come and be based in Mauritius, do the fund management work here in Mauritius, create jobs in Mauritius. So, they will be physically operating from here. We are bearing in mind all the implication of BEPS (Based Erosion Profit Shifting) and, of course, we are implementing policies in that sense.

Mauritius International Financial Centre is also becoming a pooling jurisdiction. We are bringing in regional headquartering and also global headquartering to Mauritius, regional treasury activity as well. There are firms which we have already discussed with during the missions that we have done and I can say now: Philips, Samsung, ZTE from China, Shoprite, the Mahendra Group from India. They are all negotiating to basically come and set up the regional headquarters for Africa in Mauritius.

Law firms! We have discussed with a number of law firms. I have stated that to the House before. I can confirm to the House that we have genuine interest from Norton Rose, Herbert Smith, DLA Piper, Ozan, Nishith Desai Associates from India who want to set up their law firms in Mauritius.

To remain at the forefront as a clean, transparent, compliant jurisdiction the FSC is working to set up its online KYC system to facilitate the processing licencing so that everything happens very quickly. We have also diversified, Madam Speaker. As the House is aware the Captive Insurance Act was passed in December last year. We have made progress. We went to London; we discussed with Barclays UK. Their clients were present. Now, I can confirm to the House that Willis, one of the large insurance groups, has set up in Mauritius. Marsh, the second largest in worldwide group has set up in Mauritius; Palm Captive. CIM Group in Mauritius has launched its own Captive Insurance side. They have recruited people and it is operational now. Hyperion is another one. They are doing the same with Overseas Family Corporation.

Now, Madam Speaker, I come to the second part which is in relation to what the hon. Leader of the Opposition mentioned regarding Brexit. Brexit is an opportunity for our Financial Services Sector...

Madam Speaker: Hon. Minister, ...

Mr Bhadain: This is action to be taken...

Madam Speaker: ...I have given you ten minutes for this question. It's already ten minutes. How long will you be? I'll give you three more minutes, if you can wind up.

(Interruptions)

Mr Bhadain: I will, very quickly!

(Interruptions)

Mr Uteem: Moody's does not refer anything about Brexit!

Mr Bhadain: I will very quickly reply to that. It is in relation to the question which has been asked because the Moody's Report which the hon. Member is referring to is dated 07 June. Brexit happened on 23 June and now everything has changed because Moody's has downgraded UK. Moody's has downgraded England also.

So, Moody's Report basically states in terms of what is happening to finances now. When we launched the Mauritius International Financial Centre in March, the Lord Mayor of London was present. We signed an agreement with London. The City of London and Mauritius are promoting financial services together. That has already been done. That was *prévoyant*. On 09 June this year, we went to London and we addressed 200 private equity firms and, I must say, Madam Speaker, that the response is in today's newspaper –

'En Afrique Australe: Maurice, la plateforme financière préférée des professionnels'

—

"La juridiction mauricienne, en tant que plateforme financière, est appelée à devenir le centre offshore préféré de la région. C'est le choix exprimé par des conseillers financiers indépendants dans le cadre d'une étude réalisée par l'assureur Providence Life. Au moins 60 % des 200 professionnels interrogés ont été en faveur de Maurice"

And it goes on to quote –

"Le Chief Executive of Providence Life, Austin Blair explique que la décision, sans précédent, du Royaume-Uni de quitter l'Union européenne, le 24 juin, a soulevé (...)"

Madam Speaker: Hon. Minister, please wind up! I have given you ample time for you to explain.

(Interruptions)

I understand that the question is a leading question of national importance, so I have given you, at least, 15 minutes.

(Interruptions)

Please allow for questions! Hon. Uteem!

Mr Uteem: Thank you, Madam Speaker. I am not sure whether we are reading the same Report. The Report from Moody's is very clear, and I read –

“The DTAA with India will weaken – will weaken! - an industry that contributes to approximately 9% of GDP and 15% in net foreign inflows annually. Moody's estimates that the DTAA changes with India could curtail net financial flows by between 1% and 2% of GDP annually.”

This is what Moody's says! And my question was: does the Government agree with the analysis of Moody's that the DTAA will have an impact on the offshore industry? Did the Government carry out its own independent survey to estimate the impact? This is the question.

Mr Bhadain: Madam Speaker, when the hon. Member says that ‘it will weaken, weaken’, he reached ‘weaken’ too much.

(Interruptions)

The answer is in the conclusion. You take one part of what is quoted in a report and you make a sensation out of it. Read the conclusion after the analysis! The conclusion says –

“We estimate that recent changes to the DTAA with India will have a modest impact.”

It's a modest impact. It goes on to say that the amended DTAA is the result of extended negotiations and any inherent risks through the DTAA has already been taken into consideration when they gave the B1 rating. Let's not just say things! Let's be patriotic as well!

Mr Uteem: Madam Speaker, what Moody's has stated is nothing else than confirm what IMF in Staff Report for 2015, Article IV Consultation stated in February 2015, and I quote –

“Revision of the DTAA Treaty with India (...) could worsen Mauritius’ balance of payments position, lead to exchange rate pressure, a weakening of reserves, and rising inflation and external debt servicing costs.”

So, this is what we are facing here, not only Moody’s, but also the IMF is saying so. So, my question is: - I repeat it - has the Government done a serious study by serious economists to analyse the impact which the revision of the DTAA will have on the balance of payment, on the exchange rate, on all these things that have been mentioned in Moody’s and IMF?

Mr Bhadain: Madam Speaker, the hon. Member has read it out, it says ‘could’; ‘could worsen’. It didn’t say ‘did worsen’, meaning that these are issues which are being looked at. This Government has been working on the financial services side like no other Government has worked before and this is proven by the Statistics Mauritius Report which came out this week.

When you look at manufacturing, in 2014, contribution to GDP, it was 15.4%. Now it is 14.4. The second largest industry in Mauritius, Financial Services, was 11.9, this week, in 2016, it’s 12.2%. It means we are doing things right.

Now, what about the part relating to whether serious economists, serious people have looked at serious things? I will answer that when we have a serious Opposition.

(Interruptions)

Madam Speaker: Order!

(Interruptions)

Order! Order!

(Interruptions)

Hon. Uteem!

Mr Uteem: Madam Speaker, this is why...

(Interruptions)

Madam Speaker: Order, please!

(Interruptions)

Order! We are discussing serious matters! Allow the hon. Member...

(Interruptions)

No remarks, hon. Bhadain! Please!

(Interruptions)

Hon. Bhadain, please, calm down!

Mr Uteem: Madam Speaker, this is why I had addressed the question to the hon. Minister of Finance and Economic Development. We are talking about impact on the economy, impact that Moody's Report has on the economy, and one of the things that Moody's highlights is the vulnerability of our banking sector because the Segment B Banks pay only 3% tax. So, they have an over exposure in global business companies and Moody's rings the alarm bell that a change in DTAA would affect the banking sector, again, confirming what has already been said before by the International Monetary Fund as far back as February 2016. I want to know again whether the Ministry has held consultation with the banking sector, with the Bank of Mauritius, to see what are the risks to the Segment B Banking Sector.

Mr Bhadain: There are no such risks, Madam Speaker. I will quote from the report itself. What the hon. Member is mentioning about is the paragraph which says there is a contingent liability risk because the assets are 3 times GDP; that's in relation to the banking sector. But if the hon. Member would be serious and turn to the last page and if you look at the last page, the end note relating to this paragraph, and I am going to read it out to this House –

“Mauritius is 3 times GDP.”

But when you look at, for instance...

(Interruptions)

Madam Speaker: No, I am sorry!

(Interruptions)

I am sorry!

Mr Bhadain: When we look at Malta...

(Interruptions)

Madam Speaker: Please! Please, calm down!

Mr Bhadain: When we look at Malta, for instance, we are talking about...

(Interruptions)

It's in relation to the...

(Interruptions)

6.5.

(Interruptions)

Madam Speaker: No! Order, please! Hon. Bhadain, just wind up!

Mr Bhadain: I am answering the question, Madam Speaker.

Madam Speaker: Please, because we have got other questions as well!

Mr Bhadain: Yes, but I have to give the answer. It's in the report.

Madam Speaker: Please be brief!

Mr Bhadain: What the hon. Member is mentioning is the banking sector because the figures, the assets are 3 times GDP, but if you look at Malta, it is 6.5 times GDP. If you look at Cyprus, it is 5 times GDP, if you look at Hong Kong, it is 8 times GDP and if you look at Luxembourg, it is 15 times GDP. We are just making sensation. That's all.

Madam Speaker: Hon. Osman Mahomed!

Mr Mahomed: Thank you. In his first reply, the hon. Minister has been very broad, including listing several multi-nationals wanting to invest in Mauritius. May I ask him whether there have been concrete offers on behalf of Prudential and Old Mutual, which he has, time and again, announced in this august Assembly, themselves wanting to invest again in Mauritius?

Mr Bhadain: Madam Speaker, Old Mutual is already operating in Mauritius and many other names that have been mentioned before this House have already started operations in Mauritius and recruited people. Old Mutual is one of those. We also have Palm Captive, we also have Willis, we also have Marsh and local companies, the CIM Group, but with regard to Prudential, Prudential was one of the bidders for National Insurance Co. Ltd., which I have stated before. The offer is still there, we are still in contact with the CEO Mantili and we will deal with that after we've repaid the Super Cash Back Gold people and the Bramer Asset people. We know what we are doing.

Madam Speaker: Next question, hon. Uteem!

BRITAM (KENYA) LTD. – SHARES – SALE

(No. B/692) 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 sale of the shares of Britam (Kenya) Ltd., he will, for the benefit of the House, obtain from the Financial Services Commission, information as to if anyone has acted as adviser in relation thereto and, if so, indicate the fees/commissions paid thereto in Mauritius and/or in Kenya.

Mr Bhadain: Madam Speaker, I will be very quick on this one.

I am informed by the FSC that nobody has acted as adviser in relation to the sale of shares of Britam (Kenya) Ltd. The negotiations were conducted by the Special Administrator of BAI (Mauritius) Ltd. and its lawyers ENSafrica directly with the existing shareholders of Britam (Kenya). No fee or commission has been paid to any adviser whether in Mauritius and/or Kenya.

Mr Uteem: Is the hon. Minister aware that BDO has been sending around information memorandum stating that it has been appointed as transaction adviser to assist in the disposition of the business of Britam to potential acquirer, that is, in February 2016?

Mr Bhadain: I am not aware of what has been sent, but I know that transaction advisers have not been appointed because Britam shareholders have, basically, exercised their pre-emption rights and said that they will buy those shares themselves. They flew to Mauritius, they had meetings with the FSC, Special Administrator, with myself and at the end of the process they went back to Kenya and they checked with their regulators what's the process for them to acquire those shares. Those shares have been acquired, the money has already been obtained, it is in US Dollars sitting in the bank account of NPFL to be distributed to Super Cash Back Gold and Bramer Asset people.

Mr Uteem: Answering a PNQ on 03 May 2016, the Minister stated that the Special Administrators have already signed with the existing shareholders of Britam (Kenya), for the sale of Britam (Kenya) shares, for an amount of Rs2.9 billion. So, may I know from the hon. Minister whether the selling price is still Rs2.9 billion or Rs2.6 billion, as has been reported in the press?

Mr Bhadain: What has been agreed, Madam Speaker, is Rs2.6 billion to be straightaway and Rs300 m. is conditional upon the share price going out. So, there is a potential of getting Rs300 m. more, but what has been agreed and paid to date is Rs2.6 billion.

Madam Speaker: Next question, hon. Osman Mahomed!

BANK OF MAURITIUS – BANKNOTES - REPLACEMENT

(No. B/693) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Finance and Economic Development whether in regard to the local currency, he will, for the benefit of the House, obtain from the Bank of Mauritius, information as to whether there is a project for changes to be brought thereto and, if so, indicate the –

- (a) reasons therefor;
- (b) extent thereof, and
- (c) total estimated costs thereof.

Mr Jugnauth: Madam Speaker, with your kind permission, I shall reply to Parliamentary Questions B/693 and B/705 together as they relate to the same subject matter.

I am informed by the Bank of Mauritius that its Board of Directors was apprised on 19 February 2016 about the decision of the Bank to launch a new family of banknotes and the setting up of a Banknote Design Committee.

Furthermore, on 17 June 2016, the Bank of Mauritius issued a communiqué informing the public that it has been decided that the portraits of personalities on the existing banknotes will be replaced by illustrative elements that may include a country's national heritage, history, culture, endemic species of the Mauritian flora and fauna and distinctive landscapes.

As to the reasons put forward by the Bank of Mauritius for the issue of the new family of banknotes, I am informed that the Bank considers that after 17 years, there is a need for a new family of banknotes to preserve the integrity of the currency, especially in a world where technological innovations have facilitated counterfeiting. Other reasons are the need to ensure the supply of good quality banknotes to incorporate the latest developments in banknote technology and security, to refresh the image of the currency as well as for economic reasons.

The Bank of Mauritius has estimated that the proposed new family of banknotes would cost around Rs600 m.

Pursuant to section 36 of the Bank of Mauritius Act, currency notes to be issued are determined by the Central Bank after consultation with the Minister of Finance.

I have already conveyed to the Bank of Mauritius that I do not support its proposal to issue a new family of banknotes.

(Interruptions)

Madam Speaker: Yes, hon. Leader of the Opposition!

Mr Bérenger: I think I heard the hon. Minister say that there was a Bank Design Committee that was set up and came up with this brilliant idea. Can I know who chaired that Committee and who the members of that Bank Design Committee were?

Mr Jugnauth: The Banknote Design Committee is chaired by Mrs Marjorie Heerah-Pampusa who is Assistant Director of the Financial Market's Division of the Bank of Mauritius and comprises the following members –

- Mr Yves Chan Kam Lon;
- Mr Yacoob Ghanty;
- Mr Yvan Martial;
- Dr. Vijaya Teelock, and
- Mr Grooduth Daboo.

Madam Speaker: Next question, hon. Osman Mahomed!

ROAD ACCIDENTS – DISABLED PERSONS – SOCIAL ASSISTANCE

(No. B/694) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to the persons who have become disabled as a result of the road accidents that have occurred since January 2015 to date, she will state the number thereof who have applied for any form of social assistance from her Ministry.

Mrs Jeewa-Daureeawoo: Madam Speaker, I have to inform the House that there is no record in the Ministry of Social Security, National Solidarity and Reform Institutions regarding persons who have become disabled as a result of road accidents for period January 2015 to 01 July 2016 and who have applied for any form of social assistance.

I am informed by the Commissioner of Police that, for the period January 2015 to 01 July 2016, 189 cases of serious road accidents have been reported to the Police whereby victims were admitted to hospital health institutions.

In these circumstances, the persons calling at the Ministry of Social Security, National Solidarity and Reform Institutions normally apply for basic invalidity pension and/or social aid. They produce medical certificates from their treating doctor. The diagnosis on their medical certificate does not always indicate that the sustained injury has been caused specifically by road traffic accidents.

Furthermore, there is no indication of the date and time of accident in the medical certificate issued by the doctor. If a specific list of persons who became disabled as a result of road accidents is to be drawn up the names of such persons and their identity card numbers must be made available to the Ministry of Social Security, National Solidarity and Reform Institutions for necessary verification to be done from the system at the level of the Ministry.

Madam Speaker: Next question, hon. Osman Mahomed!

EDUCATIONAL REFORM - SENIOR EDUCATIONAL ADVISOR - RECRUITMENT

(No. B/695) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central) ask the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether in regard to the proposed recruitment of a Senior Educational Advisor under the assistance of the Commonwealth Secretariat to support the System-Wide Educational Reform and the Development of a Regulatory Framework for Higher Education in Mauritius, including the Nine Year Continuous Basic Educational Reform Programme, she will state where matters stand.

Mrs Dookun-Luchoomun: Madam Speaker, my Ministry submitted a project proposal for technical assistance to the Commonwealth Secretariat in October 2015 for assisting us in the implementation of the Educational Reform Project.

This request proposal for technical assistance was approved in January 2016 by the Commonwealth Secretariat. It involves the deputation of consultants which includes a Senior Educational Adviser as well as a Legislative Drafter for the purpose of supporting us in the drafting of the Higher Education Bill.

Madam Speaker, as regards the Senior Educational Adviser, the selection process has been initiated at the level of the Commonwealth Secretariat in consultation with my Ministry and we are in the process of making the selection of the candidate for the post. The selection exercise will be completed shortly.

Mr Mahomed: Thank you. We are on the eve, six months away from the beginning of the implementation of the Nine Year Schooling Programme. Are we going to be in time? Because we are talking about a major reform and the Adviser is not there, the Action Plan is not submitted. Are we going to be on time?

Mrs Dookun-Luchoomun: Madam Speaker, let me inform the hon. Member that the person coming from the Commonwealth Secretariat is to assist us in the implementation of a project which is spread over a number of years and we are not at all late in the implementation process. The person coming would be assisting us and, furthermore, the Commonwealth Secretariat has been telling us that they would like to see the review in the curriculum that we have brought within our system and try to see how it can be used also as a model for other countries with similar background taking into consideration the fourth Sustainable Development Goal which is based on Education.

Madam Speaker: Hon. Osman Mahomed!

Mr Mahomed: Some time ago, I had a chance to question the hon. Minister about an Action Plan for the Nine Year Schooling Programme and the reply was that it is going to be submitted soon. May I ask whether this has been already done?

Mrs Dookun-Luchoomun: Madam Speaker, the hon. Member talked about the whole reform project and I said that the document is ready and will be made public soon. As far as the Action Plan is concerned, the Ministry has got eight implementation committees and they are working on the implementation in a phased manner. Now we have logistics, we have the curriculum, we have got the assessment, all these different committees are working continuously. There is no report as such that I will be submitting. This is a continuous work that is being done at the level of the Ministry.

Madam Speaker: Next question, hon. Osman Mahomed!

SCHOOLS – ACADEMIES – RESOURCE ALLOCATION

(No. B/696) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Education and Human Resources, Tertiary Education and

Scientific Research whether in regard to the schools which will be transformed into academies, under the Nine Year Continuous Basic Educational Reform Programme, she will state how parity in resource allocation will be maintained between the said academies and the existing regional colleges.

Mrs Dookun-Luchoomun: Madam Speaker, the Nine Years Continuous Basic Education Reform provides that each and every school, be it a regional one or an academy, has to be subject to the same consideration and treatment in terms of resources whether human, material or financial.

Madam Speaker, I wish to reassure the House that the same policy in respect of parity of resource allocation will therefore prevail for all schools. There will be no difference in terms of staff entitlement and, as per the current practice, teaching and non-teaching staff may be called upon to work in any secondary institution at a particular point in time.

Madam Speaker, the principle of equal consideration to all schools will be maintained in respect of grant to PTAs and other forms of support as may be the case in line with priorities set by my Ministry irrespective of whether they are in respect of regional schools or academies. Hence, both regional schools and academies would be on a level playing field for the appropriation of resources such that each and every student is provided equal treatment in terms of learning opportunities and prospects for their future development and career advancement.

Madam Speaker: Next question, hon. Sesungkur!

TERTIARY EDUCATION – AUDIT & INSTITUTIONS

(No. B/697) Mr D. Sesungkur (First Member for Montagne Blanche & GRSE) asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the Tertiary Education Commission, she will, for the benefit of the House, obtain therefrom, information as to –

- (a) the composition of the Board of Management thereof;
- (b) if an audit of the tertiary education sector has recently been carried out and, if so, indicate the main observations thereof and, if not, why not;
- (c) the number of approved tertiary institutions as at to date, and

- (d) since January 2015 to date, the names of the institutions in respect of which the licences have –
 - (i) been revoked, and
 - (ii) been issued.

Mrs Dookun-Luchoomun: Madam Speaker, the Board of the Tertiary Education Commission has last been constituted in March 2015 with Mr Surendra Bissoondoyal as the Chairman and Mrs Nema Devi Goorah, Permanent Secretary at my Ministry as my representative on the Board. I am tabling the current composition of the Board.

With regard to part (b) of the question, Madam Speaker, I am informed by the Commission that there has been no sector wise audit of the tertiary education sector. However, the Tertiary Education Commission has carried out periodic academic audits at the University of Technology, Mauritius (UTM), the University of Mauritius, the MIE and the MGI in 2008, 2012, 2013 and 2014 respectively.

It is planning a second cycle of audit at the UTM as well as the first cycle of audit at the Open University of Mauritius and l'Université des Mascareignes in 2017. This is in line with section 4A of the Tertiary Education Commission Act which states that and I quote –

- “(1) In furtherance of its objects, the Commission shall-
 - (h) undertake periodic academic audits of institutions offering post-secondary education in Mauritius (...).”

Madam Speaker, as to part (c) of the question, I am further informed that today there are 54 registered tertiary education institutions which are operational.

In regard to part (d) (i) of the question, I am informed that the registration of the London Graduate School, as a tertiary educational institution, was revoked on 26 April 2016.

As to part (d) (ii) of the question, Madam Speaker, I am also advised that since January 2015, five institutions have been granted registration to operate as Tertiary Education Institutions, and these are -

- (i) Greenwich University Pakistan;
- (ii) Atlantis Business School;
- (iii) African Leadership College;

- (iv) Amity Global Business School, and
- (v) The Ceridian Learning Centre Ltd.

Mr Sesungkur: Madam Speaker, can I know from the hon. Minister how many foreign students are currently studying in Mauritius and how are we progressing with the plan to make Mauritius a knowledge hub of reputation?

Mrs Dookun-Luchoomun: Madam Speaker, I am afraid I do not have this particular information as it is not related to the question.

Mr Uteem: Madam Speaker, with respect to education institutions which were offering courses and taking money from the public when, in fact, they did not have the necessary authorisation from India and elsewhere, can I know from the hon. Minister whether any legal action had been taken against these institutions by the TEC?

Mrs Dookun-Luchoomun: Madam Speaker, I would like to have exact information regarding which institution in particular the hon. Member is referring to because I do not have this particular information right now.

Mr Baloomoody: Some of these institutions have closed down. Have there been any students who have been penalised in the process or have they been transferred in other intuitions to carry on their course?

Mrs Dookun-Luchoomun: Madam Speaker, we do not have any such record at the TEC regarding students who have been penalised. Normally, when such things happen, the students are directed to other institutions.

FOOTBALL - PROMOTION

(No. B/698) Mr D. Sesungkur (First Member for Montagne Blanche & GRSE) asked the Minister of Youth and Sports whether, in regard to the Semi-professional Football Project, he will state the -

- (a) number of clubs currently benefitting from a subsidy thereunder, indicating the quantum thereof, and
- (b) actions taken by his Ministry to promote football and to raise the standard of our national football team.

Mr Sawmynaden: Madam Speaker, I wish to inform the House that there is no semi-professional football project. I presume that the hon. Member is referring to the Mauritius Professional Football League (MPFL) project. Ten professional football teams form part of the MPFL and each of them is benefitting an annual grant of Rs1.2 m.

As regards part (b) of the question, I would like to inform the House that my Ministry has taken a series of measures to further promote football and to raise the standard of our national football team.

First, Government is financially supporting the MPFL project to the tune of Rs26 m. annually.

Second, our Embassy in Berlin has approached the German authorities with a request for technical assistance.

Third, since I took office our *Écoles de Foot* which were not operational were reactivated. Action has already been initiated to increase the number of *Écoles de Foot*.

Fourth, we are upgrading the Centre National de Formation François Blaquart (CNFF) and working in close collaboration with the MFA and activities have already started.

Fifth, Government is providing financial support to the tune of Rs3 m. for the organisation of U17 COSAFA football competition from 21 to 31 July 2016.

Sixth, together with my colleague, the hon. Minister of Education, we will be introducing sports in schools including football and a yearly competition among schools, colleges and universities will be held.

Mr Sesungkur: Madam Speaker, the hon. Minister may agree with me that our national football team has not shined for quite a long time and there are many reasons for that. Can I know from the hon. Minister what concrete action his Ministry is taking to really put the national football team up to international standard?

Mr Sawmynaden: Actually, we have started to shine. Before 2015, we were ranked 209th internationally and now, we are ranked 140. So, we have gained places.

Secondly, we are putting everything in place, the *École de Foot*, so that we have the kids now who will be promoting. My Ministry has also been working on scholarships which will be offered to these kids for their education as well as to promote sports.

Mr Rughoobur: Can I ask the hon. Minister, since he mentions the collaboration of the Ministry of Education, whether the project of allowing inhabitants in villages to use compounds of secondary schools is on or is it still under discussion at the Ministry?

Mr Sawmynaden: The project has already started. The MoU has already been signed. All premises which are completely separate from the school compound have been opened. For those compounds which include the school compound, we are getting funds so that we can make the necessary amendments and open it to the public. So, it will be done in this financial year.

LE BATELAGE, SOUILLAC - LANDSLIDES - REMEDIAL WORKS

(No. B/699) Mr M. Gobin (First Member for Rivière des Anguilles & Souillac) asked the Minister of Civil Service and Administrative Reforms, Minister of Environment, Sustainable Development, and Disaster and Beach Management whether, in regard to the works which ought to be urgently carried out under the supervision of the National Disaster Risk Reduction Management Centre at place called “Batelage” in the village of Souillac following landslides about eight months ago, he will state where matters stand.

The Minister of Social Integration and Economic Empowerment (Mr P. Roopun): Madam Speaker, with your permission, I shall reply to this question.

Following a landslide which occurred on 23 December last at Le Batelage, Souillac, the Landslide Management Unit of the Ministry of Public Infrastructure and Land Transport in collaboration with the Road Development Authority, visited the site to take stock of the situation and carry out a preliminary risk assessment. The services of experts from the Japan International Cooperation Agency (JICA) and of Korea Expressway Corporation (KEC) were also solicited to advise on the way forward. The experts advised to conduct a geotechnical survey to determine the stability of the soil. The RDA, in consultation with the Landslide Management Unit, is preparing the bidding documents for the appointment of a consultant to conduct the survey. In the light of the findings and recommendations of the survey, adequate remedial works will be undertaken on the site.

Madam Speaker, in the meantime, on 01 June 2016, a site visit with all stakeholders was held at Le Batelage where a number of recommendations were made. In this connection, branches of the *la Fourche* tree have been trimmed down and an old building has been demolished. In addition, the RDA has awarded the contract for the erection of a retaining

wall at a cost of Rs7.1 m. The works have started on 28 June and expected to be completed by mid-September. Furthermore, in view of the sugar cane harvest, the Traffic Management and Road Safety Unit (TRMSU) has come up with a new temporary traffic scheme which now allows for two-way traffic at *Le Batelage* and the cancellation of the one-way scheme along La Fosse street. The speed limit has been reduced to 40 km/hr.

Dr. Joomaye: I would like to know from the hon. Minister whether the National Disaster Risk Reduction Management Centre has carried out a survey on the whole southern coast where similar events can happen in order to act preventively in the future?

Mr Roopun: I believe that this question should be addressed to the hon. Minister of Environment because it concerns the whole region. I am not aware of any such detail.

PUBLIC & PRIVATE HEALTH INSTITUTIONS – MEDICAL NEGLIGENCE

(No. B/700) Mr M. Gobin (First Member for Rivière des Anguilles & Souillac) asked the Minister of Health and Quality of Life whether, in regard to cases of alleged medical negligence in public and private health institutions, he will state if Government proposes to establish a full-fledged Medical Tribunal with jurisdiction to inquire thereinto and, if so, when and, if not, why not.

Mr Gayan: Madam Speaker, there is no Medical Tribunal set up for hearing alleged cases of medical negligence against public and private health institutions.

As at present, there have been no complaints against any public health institution. All complaints which are received at the Ministry were made against medical staff for alleged medical negligence. In such cases, an internal enquiry is carried and if shortcomings are established, the cases are referred to the Medical Council, the Dental Council or the Nursing Council for further enquiry and further actions as required.

Madam Speaker, with respect to private health institutions, four complaints have been received at the level of my Ministry over the last three years against them. Most of the other cases, around 30, over the last three years were against medical staff and the complainers were advised to refer the case to the Medical Council for further enquiry.

Madam Speaker, under the Private Health Institutions Act, my Ministry grants licences to private health institutions which are renewed every year on terms and conditions which are spelt out in the law. However, the Private Health Institutions Act is silent on the issue of alleged cases of medical negligence, but in cases of serious adverse reports against a

private health institution, my Ministry considers not renewing the licence of that particular institution. But we are also contemplating the need to legislate in order to set up a transparent system to investigate into alleged cases of medical negligence against health institutions. In this regard, the Medical Council Act and the Private Health Institutions Act will need to be amended. The amendments which are being contemplated would be inter alia to the effect that prior to a private health institution admitting a patient, the latter would be informed of the cost estimates of the treatment to be given to him. In addition, the schedule of fees charged for respective health services or treatment in private health institutions would have to be displayed in order to allow the patient to make an informed decision.

Madam Speaker: Hon. Gobin!

Mr Gobin: Thank you, Madam Speaker. The hon. Minister mentioned that the Ministry is looking into the possibility of bringing amendments. Can we know whether the consultations have already started with the office of the Attorney General or is it still at the Ministry of Health level?

Mr Gayan: Well, there is a process of internal consultations and when we are ready with whatever we want to do, then the matter goes to the State Law Office.

Madam Speaker: Hon. Dr. Joomaye!

Dr. Joomaye: Thank you, Madam. I would like to ask the hon. Minister if any case of medical negligence in any private institution has been reported and the license of that institution has been considered for non-renewal?

Mr Gayan: Well, I have mentioned that there have been over the last three years four complaints which have been received, but most of the complaints were against a college of dentistry and there is another one regarding a private clinic. But the matter is under investigation.

BAMBOUS VIRIEUX - FISHERMEN - GRIEVANCES

(No. B/701) **Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Minister of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands whether, in regard to the fishermen of Bambous Virieux, he will state if he is aware of the grievances thereof claiming that the activities of the Ferme Marine de Mahebourg have negatively impacted on the marine ecosystem and on the issue/renewal of

fishing cards thereto and, if so, indicate the actions taken by his Ministry, if any, in relation thereto.

Mr Koonjoo: Madam Speaker, with regard to the first part of the question, yes, I am aware of the grievances of the fishermen of Bambous Virieux. In fact, the *Regroupman Pêcheur Bambous Virieux* has made complaints to my Ministry in November 2015 to the fact that the activities related to the expansion of *Ferme Marine de Mahebourg* were having negative impacts on the marine ecosystem.

However, I wish to inform the House that the fish farming sites operated by the *Ferme Marine de Mahebourg* are monitored on a monthly basis by officers of my Ministry for water quality and marine ecosystem. I have to assure the House that, as at date, no adverse impacts have been observed.

Regarding the issuing or renewal of fishermen's cards, I am further informed that insofar as the *Ferme Marine de Mahebourg* is concerned, there is no problem regarding fishermen cards.

I also wish to inform the House that fishermen's cards that have already been issued need not be renewed. However, the fishermen have to report to the nearest Fisheries Post between the 01st and 08th of every month for signing and stamping of the same in order to benefit from the bad weather allowance.

Dr. Joomaye: Madam Speaker, I would like to ask the hon. Minister whether the representatives of the fishermen have claimed any compensation for loss of business.

Mr Koonjoo: Madam Speaker, as far as I know, I don't think that any fisherman has received any compensation for loss of business in Bambous Virieux.

Madam Speaker: Hon. Mohamed!

Mr Mohamed: Madam Speaker, the hon. Minister has said that regularly the water around the fish farm is tested. Could he tell us what are the standards by which those tests are carried out, whether those standards are provided for by any regulation or approved by any other international organisation and whether he could table the results of those tests, let us say for the past one year?

Mr Koonjoo: Madam Speaker, the samples are taken to Albion Research Centre where they are tested by officers who are working according to international norms, and this

is done every month. I said there is no adverse report so far the water and the eco-system are concerned.

Mr Ramful: I will go along the same line as hon. Mohamed. Has there been any research or any survey that has been carried out recently as regards the impact of the operation of the *Ferme Marine* and, if so, would the hon. Minister table a copy of the report?

Mr Koonjoo: Madam Speaker, *Ferme Marine* has got its license after the EIA Report has been given to that company, and as far as I know, there is no adverse report insofar the water and the eco-system are concerned. I know that people are complaining, they are looking for compensation, but the *Ferme Marine de Mahebourg* is working and we are looking after everything so that people don't suffer, especially the fishermen. It is my constituency, I am concerned about it, I give my word to the House that everything is done perfectly in transparency.

Mr Mohamed: My good friend hon. Ramful and myself have both asked, on two separate occasions now, to table the report or to table the test results. The hon. Minister has managed to swim around that particular part of the issues that we are trying to reach at. Could he, therefore, address his mind to this particular issue, Madam Speaker, whether he will consider, yes or no, to table those test results, as he says they are carried out monthly, and the report referred to by hon. Ramful?

Mr Koonjoo: I have no problem on that, Madam.

HOSPITALS - ACCIDENT & EMERGENCY DEPARTMENTS - SHIFT SYSTEM

(No. B/702) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac) asked the Minister of Health and Quality of Life whether, in regard to the recent implementation of the shift system in the accident and emergency departments of public hospitals, he will state if –

- (a) same would be extended to the other departments, and
- (b) negotiations have resumed with the medical practitioners with a view to compensating them for loss of income as a result thereof.

Mr Gayan: Madam Speaker, with regard to part (a) of the question, the answer is yes. The shift system which was introduced in April 2016 on a pilot basis in the Accident and

Emergency Departments of all regional hospitals will be extended to other departments in the near future.

The reply to part (b) of the question does not arise as there is no loss of income involved with the implementation of the shift system.

Dr. Joomaye: Regarding part (a), I would like to know from the hon. Minister whether the Consultant Physicians of the Medical Department and the Consultant Surgeons of the Surgical Department have been consulted and have they approved to move to the shift system in their respective departments?

Mr Gayan: Well, the shift system for that category of doctors has not been addressed and I do not think they are part of the picture at the present.

Dr. Joomaye: As far as loss of income is concerned, I would like to know from the hon. Minister about the doctors who are working 33 hours weekly in the Accident and Emergency Department and now they will have to work 38 hours weekly. So, is there any compensation that will be given to them for the additional hours of work?

Mr Gayan: Well, Madam Speaker, I think I need to set the record straight. Since the 1998 PRB report, the doctors have been considered to be shift workers and they were expected to work for 40 hours. Doctors all over the world, in India, France and in the European Union, work a minimum of 48 hours. It just happened that because of a shortage of doctors, that particular provision of the PRB could not be implemented. So, technically the doctors were earning more than they ought to have earned. Now that we have the new PRB and they have all opted for the 40-hour week, this is the system that we are implementing.

Madam Speaker: Dr. Joomaye!

Dr. Joomaye: Thank you, Madam. Grievances do not concern the amount of hours that are being worked because, as everybody knows, doctors work a lot in hospitals, may it be public or private, but they need to be paid according to the amount of hours that are being worked.

Mr Gayan: Of course, they will be required to work 40 hours a week and anything that they work extra will be paid according to the PRB rates. So, there is no question of loss of income or any doctor being deprived of his just earnings.

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

HOSPITALS - PAEDIATRIC SURGERY - SURGEONS

(No. B/703) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac) asked the Minister of Health and Quality of Life whether, in regard to the surgeons, he will state the number thereof on the permanent establishment of his Ministry who are specialized in paediatric surgery.

Mr Gayan: Madam Speaker, I am informed that presently there are five Consultants-in-Charge and 21 Specialists/Senior Specialists in the field of General Surgery on the permanent and pensionable establishment of the Ministry.

All general surgeons are trained in paediatric surgery during their medical studies. They, therefore, treat routine paediatric surgical cases in their respective regional hospitals. There is one Senior Specialist in General Surgery who followed a sub-speciality training in paediatric surgery for a period of one and a half years in 2006 in Australia. The surgeon is presently posted at Jawaharlal Nehru Hospital and deals with all complex paediatric surgical cases which are referred to him from all regional hospitals.

Madam Speaker: Hon. Dr. Joomaye!

Dr. Joomaye: Thank you, Madam Speaker. I would like to ask the hon. Minister if he is satisfied with the situation of having in the five regional hospitals only one paediatric surgeon in that sub-speciality, as he said, giving service for the whole island?

Mr Gayan: Madam Speaker, of course, ideally, we need to have more. In fact, there was another doctor, but despite having been given all the facilities that he was asking for, he decided to leave the service. So, it is out of our hands. But we have one paediatric surgeon who is looking after everything. We have also said that, with the system that has changed with the overseas treatment of patients, we are getting doctors from India and from other parts of the world to come and look after these cases.

Madam Speaker: Hon. Shakeel Mohamed!

Mr Mohamed: Thank you, Madam Speaker. The hon. Minister said that the ideal situation is not to have the situation, if I understand him correctly, that we have today, but to have what we had recently, another doctor or more specialised mainly in paediatric surgery. What has the hon. Minister done, therefore, since he has referred to what the ideal situation is like? What is he proposing to do or what is he doing in order to reach this ideal situation? Is

he at all proceeding to recruit internationally or locally and, if that is the case, when did the process start and when does the process normally end?

Mr Gayan: Madam Speaker, I have to say, again, that the legacy that I have inherited from the previous Government is very, very heavy, and what we are trying to do is to try to undo all the damage that was done in the past...

(Interruptions)

Madam Speaker: Hon. Rutnah, please!

Mr Gayan: This is why we have encouraged the doctors to go and specialise in these scarcity areas, and we have also advertised internationally to get paediatric surgeons. Unfortunately, despite the international advertisement, there was only one person who applied, and that person was not qualified.

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

Dr. Joomaye: Thank you, Madam Speaker. I am sure the hon. Minister would admit that running a paediatric surgery unit with one person is impossible. The main reason that the surgeon resigned - he is the only paediatric surgeon qualified recognised by the Medical Council of Mauritius - is because he was not able...

Madam Speaker: Ask your question! We are out of time!

Dr. Joomaye: ... to run a unit by himself and being on call for 365 days a year. So, is the hon. Minister contemplating to open a unit and to call for *un appel de candidatures international pour la chirurgie pédiatrique*?

Madam Speaker: This question has been asked!

Mr Gayan: Madam Speaker, the person to whom the hon. Member was referring was, in fact, employed in the Ministry as paediatric surgeon. He wanted to resign last year, and I wanted to know why he was resigning. I called him to my office and he explained that his problem was that he wanted one operating theatre all to himself and he did not want to work under any other Regional Health Director. I agreed to everything that he asked. We gave him an operating theatre at Jawaharlal Nehru Hospital. We improved that operating theatre by investing about Rs17 m., and then I heard that he was about to resign. I asked why, and I was told that he wanted to be considered as a consultant. But there are procedures before becoming a consultant. There are a number of years that you have to serve. The next I

heard is that he had resigned, he was working in a private clinic; and now he is writing to the Ministry, asking the Ministry to send him patients.

Madam Speaker: 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.

Mr Jugnauth rose and seconded.

Question put and agreed to

STATEMENT BY MINISTER

(4.17 p.m.)

PAILLES & CAMP CHAPELON - FOOTBALL GROUNDS – LIGHTING

The Minister of Local Government (Dr. A. Husnoo): Madam Speaker, I wish to refer to the issue raised upon adjournment by the hon. Third Member for GRNW and Port Louis West at the sitting of 28 June 2016 regarding the defective lighting at Pailles and Camp Chapelon football grounds.

I am informed by the Municipal City Council of Port Louis that the project for the lighting of these football grounds was undertaken by the NDU and handed over to the Council for maintenance. However, the floodlights have been fixed at such heights where the aerial platform for the street lighting vehicle of the Council cannot have access for repairs.

The Council, therefore, launched tenders for the hire of the lighting tower vehicles, so that the necessary maintenance of the lighting facilities at these football grounds could be carried out. Unfortunately, no offer was received. The Council then decided to seek the services of private contractors for these repairs. The bidding exercise has been completed and the contract will be awarded soon.

I wish to inform the House that the Council has also launched tenders for the purchase of a lorry with aerial platform of about 13 metres high, which could be used to carry out repairs for the floodlights in football grounds.

Thank you, Madam Speaker.

PUBLIC BILL*Second Reading***THE INDEPENDENT POLICE COMPLAINTS COMMISSION BILL****(No. XIV of 2016)***Order for Second Reading read.*

The Prime Minister: Madam Speaker, with your permission, I move that the Independent Police Complaints Commission Bill (No. XIV of 2016) be read a second time.

The main aim of the Bill is to provide a legal framework for the establishment of an Independent Police Complaints Commission to investigate into complaints made against Police Officers in the discharge of their duties, other than allegations of acts of corruption and money laundering offences.

I also wish to inform the House that the establishment of an Independent Police Complaints Commission was highlighted in the Government Programme 2015-2019, and I am happy that we are today debating on this Bill for the setting up of such an institution.

Madam Speaker, as the House may be aware, a Police Complaints Bureau was set up under the aegis of the Commissioner of Police in 1999, to investigate into cases of complaints against the Police, mainly from the general public. Prior to this, all cases of complaints against the Police were enquired into by the regular Police.

However, both systems were perceived as being unsatisfactory because of the inherent risk of bias which may exist when Police Officers are called upon to enquire on their own colleagues.

This perception was confirmed by the National Human Rights Commission as, in its Report of Year 2005, it stated that the system of Police enquiring on the Police has proved to be unsatisfactory and recommended that another mechanism, independent from the Police Department, be established to investigate into complaints made by the public against the Police with a view to removing any perception of partiality.

It is one of the main reasons why the Protection of Human Rights Act was amended in 2012.

The Amended Act created within the National Human Rights Commission, a Police Complaints Division to investigate into complaints against the Police; as well as two other Divisions, namely, the Human Rights Division and the National Preventive Mechanism Division. The other objective behind the creation of these three Divisions was to broaden the mandate and functions of the National Human Rights Commission in line with the international best practices.

Madam Speaker, since the setting up of the Police Complaints Division within the National Human Rights Commission in July 2013 the Commission has received a total of 1,741 complaints.

Out of these, 893 cases were transferred from the Complaints Investigation Bureau of the Police Department, which had ceased its operation in October 2013. As at 30 June 2016, 1,244 of these cases have been set aside as being unfounded or frivolous and 455 cases are still under investigation.

However, although I do commend the significant number of cases which have been dealt with by the Police Complaints Division, I am of the view that the investigation in such cases should have been conducted and completed in a more prompt and expeditious manner, as any undue delay in these situations may give rise to the impression that there is reluctance to investigate or there is connivance between investigators and Police Officers to conceal wrongdoings.

Moreover, any such delay could be construed as an abuse in the process, which may result in the failure to bringing the offender to justice despite the existence of evidence against him.

On the other hand, delays in dealing with these cases would be very much unfair to the officers against whom unjustified or frivolous complaints may have been made.

I am also of the view that the fact that three Divisions of the National Human Rights Commission are headed by a single Chairperson and share the same administrative staff is a major constraint in the early consideration and disposal of complaints that are channeled to each Division, including the Police Complaints Division. This has created a perception in the public opinion that the outcomes of cases of Police complaints which are reported to the National Human Rights Commission are not dealt with as expeditiously as they should have

been and that the outcomes of the complaints are not communicated to the complainants in a timely manner.

Madam Speaker, this is why the creation of an Independent Police Complaints Commission, separate from the National Human Rights Commission, is high on the agenda of my Government.

The Bill provides, therefore, for the replacement of the Police Complaints Division, as a Division of the National Human Rights Commission, by a full-fledged Independent Police Complaints Commission, separate from the National Human Rights Commission.

Madam Speaker, let me now highlight some of the provisions of the Bill -

Part II of the Bill provides for the establishment of the Commission which will be composed of a Chairperson and two other members with the relevant qualifications and experience.

The Chairperson shall be a person having served as a Judge of the Supreme Court or as Magistrate for not less than 10 years or having been a law practitioner for not less than 10 years or has been a Magistrate and a law practitioner for an aggregate period of not less than 10 years.

The Members other than the Chairperson shall be persons having knowledge and experience in, *inter alia*, the field of human rights, law, sociology, psychiatry, psychology, and medicine or prison management.

The Commission will also be served by a Secretary who shall be a public officer of the rank of a Deputy Permanent Secretary and such other administrative staff as may be required.

Part III of the Bill regulates the functions and powers of the Commission as well as the procedures regarding the conduct of investigations and hearings which are the same as that of the current Police Complaints Division.

Part IV of the Bill makes provisions for the Commission to operate as a body corporate. Specific clauses have accordingly been included, *inter alia*, as follows -

- (a) the protection of members and officers of the Commission from civil or criminal liability in the exercise of their powers or functions;

- (b) the non-disclosure by members or officers of the Commission to any unauthorised persons, of information related to the work of the Commission;
- (c) the setting up of a General Fund for the receipt and payment of funds by the Commission, and
- (d) the preparation and submission of annual reports and audited statement of accounts on the operations of the Commission, to be laid before the National Assembly.

Part IV also provides for the repeal of the Police Complaints Act; consequential amendments to the Protection of Human Rights Act; and the termination of the contract of the Deputy Chairperson and members of the current Police Complaints Division upon the Commencement of this Act.

Madam Speaker, I now commend the Independent Police Complaints Commission Bill to the House.

Thank you, Madam Speaker.

Madam Speaker: Hon. Baloomoody!

Mr Baloomoody: Mr Deputy Speaker, Sir, I move that the debate be now adjourned.

Mr Uteem rose and seconded.

Question put and agreed to.

Debate adjourned accordingly.

ADJOURNMENT

The Prime Minister: Madam Speaker, I beg to move that this Assembly do now adjourn to Tuesday 12 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.

MATTER RAISED

(4.28 p.m.)

CHAGOS ARCHIPELAGO – MAURITIUS SOVEREIGNTY

Mrs D. Selvon (Second Member for GRNW & Port Louis West): Madame la présidente, je vous remercie de m'accorder la parole sur nos îles Chagos, enlevées illégalement au peuple mauricien.

Je félicite aussi l'honorable Premier ministre, Sir Anerood Jugnauth et aussi le Leader de l'opposition, l'honorable Paul Bérenger, pour leur lutte courageuse, datant des années 70, pour le retour des Chagos au patrimoine territorial mauricien.

Je veux attirer l'attention du Premier ministre sur la nécessité :

Premièrement, de mobiliser tout le pays contre cette illégalité flagrante dans le droit international en contravention avec plusieurs conventions internationales aux Chagos.

Deuxièmement, de mobiliser les Chagossiens, à nos côtés, pour le retour à la légalité et à leur retour au Chagos sous le drapeau mauricien.

Troisièmement, de venir de l'avant avec un plan pour l'avenir des Chagos lorsque Maurice aura récupéré ses droits sur ces îles pour faire contrepoids au plan de Londres, préparé sans consultation avec Maurice pour le retour des Chagossiens.

L'Article 111 de notre Constitution définit l'Etat mauricien comme suit, et il faut que cela ne soit jamais oublié, car l'oubli, Madame la présidente, est le plus sûr moyen de perdre à jamais cet archipel. Je cite cette section de notre Constitution ici –

“Mauritius” includes –

- (a) the Island of Mauritius, Rodrigues, Agalega, Tromelin, Cargados Carajos and the Chagos Archipelago, including Diego Garcia and any other island comprised in the State of Mauritius;”*

La Constitution ajoute à cela –

- (b) le territoire marin et l'espace aérien de l'archipel ;
- (c) le plateau continental, et
- (d) tous les endroits ou régions désignés par des règlements faits par le Premier ministre sur lesquels Maurice aura ou pourra accueillir des droits.

En présentant la motion de remerciement au discours présidentiel, le 10 février 2015, j'avais préconisé, je cite –

« (...) une politique - oui, une politique - qui vise la récupération de nos îles illégalement occupées de Tromelin et des Chagos. »

Nous avons une coalition d'unité nationale de tous les partis dans cette Chambre sur la nécessité de convaincre les pays concernés qu'ils n'ont rien à perdre, mais tout à gagner s'ils respectent les nombreuses résolutions de l'ONU dans le droit international qui accorde la souveraineté à Maurice sur la totalité de son patrimoine territorial. Maurice n'a pas été totalement décolonisée et ne le sera que le jour où nos îles nous auront été rendues.

L'honorable Premier ministre, Sir Anerood Jugnauth, avait, dès qu'il avait pris le pouvoir pour la première fois en 1982, fait des Chagos une de ses grandes priorités. Il n'a jamais fléchi, il n'a jamais faibli. Il a derrière lui tous les partis politiques parlementaires sur une même plateforme pour continuer la lutte. Je fais appel à tous les partis dans et en dehors de cette Chambre et à toute la population de soutenir l'effort pour récupérer les Chagos et ne jamais oublier nos droits légaux de souveraineté.

Nous sommes à moins de six mois d'un accord entre Londres et Washington pour prolonger l'occupation étrangère de 20 ans après déjà un demi-siècle d'une telle occupation. Londres et Washington savent que Maurice et ses représentants qui sont dans cette Chambre ne sont pas contre la base militaire américaine aux Chagos.

Nous ne sommes pas hostiles, Madame la présidente, parce que la Grande Bretagne et les États-Unis sont des pays amis depuis des siècles et rien n'y changera. Nous voulons être inclus dans les discussions sur les conditions d'une nouvelle concession sur Diego Garcia à nos amis américains. Or, l'Angleterre nie notre souveraineté et nos droits qu'elle nous avait garantis dans un *undertaking* signé en 1965 sur l'archipel et la mer environnante. Notre souveraineté nous est niée alors que sur les sept atolls et une soixantaine d'îles que comptent les Chagos, seule Diego Garcia est jugée nécessaire et utilisée *for defence purposes*, le reste étant négligé et abandonné à des touristes de passage qui naviguent les mers et polluent les îles abandonnées.

Maurice a pourtant gagné! Maurice a pourtant gagné son procès intenté par l'ancien gouvernement, soutenu avec compétence par l'*ex-Attorney General* et le *DPP*, et cela à l'unanimité des juges du tribunal international du droit de la mer. Ces juges ont trouvé que

Londres ne respecte pas la *United Nations Convention of the Law of the Sea*. Il faut que cette Chambre se rappelle la conclusion suivante de ce jugement. Je cite ici le jugement prononcé le 18 juin 2015 où le Tribunal international du droit de la Mer (ITLOS), dans le procès intenté en 2010 par l'État mauricien aux Britanniques a trouvé –

- “(i) *That the United Kingdom’s undertaking to ensure that fishing rights in the Chagos Archipelago would remain available to Mauritius “as far as practicable” is legally binding insofar as it relates to the territorial sea;*
- (ii) *that the United Kingdom’s undertaking to return the Chagos Archipelago to Mauritius when no longer needed for defence purposes is legally binding, and*
- (iii) *that the United Kingdom’s undertaking to reserve the benefit of any minerals or oil discovered in or near the Chagos Archipelago for Mauritius is legally binding.*

Declares unanimously that in establishing the MPA surrounding the Chagos Archipelago, the United Kingdom breached its obligations under Articles 2 (3), 56 (2) and 194 of the Convention.”

Cela veut dire que l'Angleterre n'a pas respecté plusieurs *undertakings* qu'elle avait signés avec Maurice en 1965. Ce ne sont pas les seuls manquements. Comme l'a dit le Premier ministre le 17 mai dans cette même Chambre, il y a eu plusieurs infractions en droit international, notamment des quatre résolutions et d'une convention suivante votée par l'Assemblée générale des Nations Unies. La *United Nations Convention on the Law of the Sea* du 10 décembre 1982, résolutions numéro 1514 du 14 décembre 1960, numéro 2066 du 16 décembre 1965, numéro 2232 du 20 décembre 1966 et numéro 2537 du 19 décembre 1967. Ces résolutions et la Convention du droit de la mer, Madame la présidente, font partie du droit international.

J'attire l'attention du Premier ministre sur le fait que plusieurs autres conventions et lois internationales n'ont pas été respectées. Le grand juriste Britannique, Sir Geoffrey Robertson, QC, a écrit dans l'*University of Western Australia Review* et déclaré aux médias anglais et mauriciens qu'il n'y a aucun doute sur la souveraineté de Maurice et que les Chagos sont un trou noir d'inégalité. Il parle de *colonial dispossession, unlawful severance of the Chagos Islands* et de torture. Il explique que les faits indiquent '*that the UK's claim to sovereignty over the Chagos Islands is weaker than that of Mauritius*'. Il ajoute plusieurs

autres violations, *violations of international law* que Londres *has ratified but the US has not, for example*, la Convention de Bâle sur le contrôle des mouvements transfrontières de déchets dangereux et de leur élimination, la Convention sur l'accès à l'information, la participation du public au processus décisionnel et l'accès à la justice en matière d'environnement et la Convention sur la diversité biologique et le protocole de Kyoto.

Sir Geoffrey Robertson ajoute: '*such omissions suggest a determined policy to protect the Chagos Islands from the operation of international law.*' Des autorités internationales parlent d'autres infractions à des conventions suivantes signées par l'Angleterre et Maurice et non pas les États-Unis : *Dublin Convention on Cluster Munitions*, 30 mai 2008 ; *Ottawa Landmine Ban Convention*, 18 septembre 1997. Cela fait, en tout, une dizaine de conventions dans le droit international qui ne seraient pas respectées aux Chagos. C'est beaucoup ! Je suis donc confiante que Maurice gagnera devant la Cour internationale de justice.

Je conclus en rappelant au Premier ministre que les Chagossiens sont très divisés par rapport à la souveraineté mauricienne et à ce que ferait Maurice quand nous récupérerons notre souveraineté, parce qu'ils sont très peu informés, et certaines personnes, hostiles à la souveraineté mauricienne, en profitent. Il y a beaucoup de Chagossiens dans ma circonscription et ce sont des citoyens fidèles au drapeau national, mais ils pourraient être vulnérables à certaines pressions de l'étranger.

Ce que je conseillerais au Premier ministre et au Leader de l'Opposition ainsi qu'aux autres leaders au sein de cette Chambre, c'est de s'unir et de s'adresser directement aux Chagossiens, qu'on leur explique qu'ils pourront retourner dans leur île sous le drapeau mauricien, qu'on développera ces îles avec l'agro-industrie, des cocotiers, qu'ils exporteront leurs produits vers Maurice pour remplacer les importations mauriciennes de fibres de cocotiers et de l'huile de coco, qu'on développera la pêche et le tourisme écologique, que nous acceptons qu'ils travaillent à la base américaine, et que les Chagos auront une assemblée locale élue. Il nous faut un projet social et économique durable pour les Chagos. Nous convaincrions mieux la Cour internationale de justice que Maurice assumera ses responsabilités d'État souverain.

Je vous remercie, Madame la présidente et je remercie tous les parlementaires pour m'avoir écoutée.

Merci.

Madam Speaker: Hon. Prime Minister!

The Prime Minister: Madam Speaker, I thank the hon. Member for her concern on the Chagos Archipelago and the plight of the Chagossians.

I agree hundred per cent with her that all Mauritians, as a nation, should be united in this struggle to get our sovereignty of our territory so that our independence be completed. But she has raised so many points. As the issue she has raised has been addressed in the Private Notice Question this morning, I hope she has been reassured, and maybe I shall ask her to come and support me as a Legal Adviser...

(Interruptions)

... in the struggle.

Thank you, Madam Speaker.

At 4.43 p.m., the Assembly was, on its rising, adjourned to Tuesday 12 July 2016 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

VESSEL HSIN CHUN NO. 16 – MAURITIAN TERRITORY – AUTHORISATION TO LEAVE

(No. B/671) 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 vessel named Hsin Chun No. 16, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the circumstances in which it unlawfully left the Mauritian territory on or about 15 June 2016, indicating –

- (a) if the identity of the person who issued the authorisation thereto to leave, if any, has been established, and
- (b) the actions, if any, taken against the Coast Guards who were on duty at the material time.

Reply: I am informed by the Commissioner of Police that Fishing Vessel Hsin Chun No. 16 has never been in the custody of the National Coast Guard. According to information obtained from the Mauritius Ports Authority, the vessel, flying Taiwanese flag, called at Port Louis on 08 May 2014 with a crew of 30 persons for the purpose of unloading fish cargo and

loading bunker. After completion of the operation, the crew members left Mauritius and the vessel was abandoned in the Port.

I am further informed that on 16 June 2014, the vessel was subject to a “*Saisie Conservatoire*” issued by the Supreme Court, following an application made by Baharia Security System & Services. However, no action could be taken for the execution of the “*Saisie Conservatoire*” as the vessel was abandoned. The vessel thus remained idle in the Port.

In November 2015, the Mauritius Ports Authority issued a public Notice under Section 32 (3) (5) of the Ports Act 1998 informing that the Port Master was in the process of disposing the vessel, and inviting any person likely to be affected to make a written representation to the Mauritius Ports Authority. Subsequently, the local agent of the vessel, Messrs Mercor Shipping Ltd made a representation and informed that the owner intended to carry out repairs to the vessel.

In May this year, the owner of the vessel came back to Mauritius and effected repairs to the vessel. During the same period, on 13 May 2016, Bahria Security System & Services filed a fresh application for a “*Saisie Revendication*” to the Supreme Court, which was authorised. However, following the repair works, on 29 May 2016, the owner attempted to move the vessel out of the port without prior authorisation of the Mauritius Ports Authority. The National Coast Guard was informed thereof and a team managed to bring the vessel back to Port Louis Harbour. Thereafter, on 07 June 2016, the vessel Master was fined by the District Magistrate of Port Louis, for the following offences –

- (i) leaving Port without the direction of the Port Master;
- (ii) failing to stop upon being hailed by a vessel of the National Coast Guard, and
- (iii) failing to report to the Immigration Officer whilst leaving Mauritius.

On 14 June 2016, the Supreme Court waived the “*Saisie Revendication*”. On the same day, the Mauritius Revenue Authority issued Certificate of Clearance in respect of the fishing vessel and the owner also settled all his dues to the Mauritius Ports Authority amounting to Rs1.3 m.

In regard to part (a) of the question, I am informed by the Mauritius Ports Authority that on 15 June 2016, the owner of the vessel requested and obtained permission from the Port Master, for an engine trial. The National Coast Guard was informed accordingly. The

vessel left the port for the trial at about 17.05 hrs on that day, and was supposed to return to the port after a few hours. However, she failed to come back.

I am further informed that the matter has been referred to the CCID for enquiry as the ship's crew did not clear immigration formalities. The enquiry into the circumstances which led to the ship leaving the Mauritian territory is in progress.

In regard to part (b) of the question, I am informed that no action is being envisaged, so far, against any officer of the National Coast Guard as the vessel was not under the custody of the National Coast Guard.

ORIAN EDUCATIONAL CENTRE LTD - FREE TRAVEL SCHEME - ELIGIBILITY

(No. B/704) 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 students attending full time courses at the Orian Centre Ltd., she will, for the benefit of the House, obtain information as to the reasons why they are no longer entitled to free transport, indicating if remedial actions will be taken in relation thereto.

Reply (Minister of Public Infrastructure and Land Transport): I am informed that the eligibility criteria for free transport are as follows -

- (i) Institutions should be registered and their programmes accredited by the Tertiary Education Commission or the Mauritius Qualifications Authority;
- (ii) All primary, secondary, post-secondary and tertiary students are eligible for free transport;
- (iii) However, in the case of post-secondary and tertiary students, they should be enrolled on full-time accredited programmes of study of a duration of at least nine months, that is, full academic year and leading upon completion to -
 - (a) Certificate - 1 academic year; or
 - (b) Diploma - 2 academic years ; or
 - (c) Degree - 3 academic years; or
 - (d) Postgraduate degree or any other qualification recognised by the Tertiary Education Commission.

- (iv) Students should attend the institutions for about 20 hours per week, within the normal working hours, that is, from 09.00 hours to 17.00 hours;
- (v) Students should be of Mauritian nationality;
- (vi) Students should not be in employment, that is, they should not be on study leave from their employers;
- (vii) Students should not be beneficiary of a scholarship or study grant, and
- (viii) Subsequently this facility was extended to foreign students also.

In November 2015, the NTA requested the Mauritius Qualifications Authority (MQA) to provide confirmation as to whether registered institutions including the Orian Educational Centre Ltd, were offering accredited courses which satisfied the criteria approved by Government for students attending post-secondary institutions to benefit from the Free Travel Scheme.

I am informed that in January 2016, the MQA apprised the NTA that the Orian Educational Centre Ltd including five other institutions were not presently offering any courses satisfying the eligibility criteria required for free travel. Consequently, requests for student identity cards from students following courses at the said institutions are not presently being entertained by the NTA.

However, in the event that Orian Educational Centre Ltd resumes the provision of full time accredited courses which satisfy the eligibility criteria, the students would be issued with student identity cards to enable them to benefit from the Free Travel Scheme.

BANK OF MAURITIUS - BANK NOTES - ISSUE

(No. B/705) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Minister of Finance and Economic Development whether, in regard to the decision taken by the Bank of Mauritius to issue new bank notes, he will, for the benefit of the House, obtain therefrom, information as to the –

- (a) reasons therefor;
- (b) date on which the Board of Directors took the said decision, and
- (c) estimated cost of the project for the issue of new bank notes.

(Vide reply to PQ No. B/693)

NATIONAL COLLEGES - ACADEMIES

(No. B/706) 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 Continuous Schooling Programme, she will state the number of State Owned Colleges and Bureau d'Education Catholique Colleges respectively which will be converted into Academies.

Reply: Twelve National Colleges have been identified to become Academies, a number that we at the Ministry consider to be adequate. All other State-owned secondary schools will remain as Regional Secondary Schools for the purpose of admission to Grade 7.

As regards Colleges operating under the aegis of BEC, let me inform the House that, in the course of earlier consultations, the BEC and other private colleges were invited to express their interest in transforming one or two secondary schools into Academies.

BEC has indicated that it could possibly favourably consider doing that but in due time. Up to now, no proposal has as yet been received. Should they come forward with such a proposal, due consideration will be given by the Ministry.

SOUTH WEST COAST - PROTECTED MARINE AREA PROJECT

(No. B/707) Mr E. Jhuboo (Third Member for Savanne & Black River) asked the Minister of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands whether, in regard to the proposed Protected Marine Area Project proposed for implementation on the west coast by the Mauritius Marine Conservation Society, he will state the outcome of the feasibility study carried out in connection therewith.

Reply: I am informed that a feasibility study for the setting up of a Marine Protected Area in the South West Coast of Mauritius was carried out for the Mauritius Marine Conservation Society by an independent consultant from Reunion Island in 2010.

The study aimed at providing recommendations on the creation of the Marine Protected Area.

The outcome of the study showed that it was feasible to create the Marine Protected Area in the South West Coast of Mauritius.

However, the implementation of the project will have to be carefully looked into after taking into account the various possible implications in terms of social and economic impacts of the project on the coastal users, tourist operators, fishermen community and other stakeholders of the region.

Moreover, within this area of the south west coast, there are prescribed fish farming zones/sites for Aquaculture development under the Aquaculture Master Plan.

**GRSE, GRAND GAUBE AND TROU D'EAU DOUCE - MARINE
RANCHING PROGRAMME**

(No. B/708) Mr E. Jhuboo (Third Member for Savanne & Black River) asked the Minister of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands whether, in regard to the Marine Ranching Programme in Grande Rivière Sud Est, Grand Gaube and Trou d'Eau Douce, he will state the commercial success or failure thereof.

Reply: I am informed that the Marine Ranching Programme refers to the enhancement of fish stocks in the lagoon through the release of fingerlings or juveniles of different commercial species of fish with a view to increasing fish production.

My Ministry is successfully implementing this project and each year some one million fingerlings of *gueule pavée* and *cordonnier* are released at selected sites in the lagoon, including Grand Gaube, Trou d'Eau Douce, Grand River South East and Quatre Soeurs regions.

Moreover, with respect to aquaculture in floating cages, I wish to inform the House that floating fish cages were placed at Grand Gaube, Trou d'Eau Douce and Grand River South East and Quatre Soeurs regions on a pilot basis.

At Grand River South East and Quatre Soeurs, seven fish cages were placed and managed by fishermen cooperative societies whereby about 1.2 tonnes of fish have been harvested during the last two years and sold to members of the public at a low price.

At Grand Gaube and Trou d'Eau Douce, one floating fish cage was placed at each of the sites. However, after the first harvest of fish, the two fishermen cooperative societies ceased their operations and my Ministry has re-allocated both the floating cages to two other fishermen cooperative societies.

**GRNW & PORT LOUIS WEST - NHDC HOUSING ESTATES – SEIZED
HOUSING UNIT**

(No. B/709) Mr P. Armance (First Member for GRNW & Port Louis West) asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the NHDC Housing Estates in Constituency No. 1, he will, for the benefit of the House, obtain from the NHDC Company Ltd., information as to if seized houses are available thereat, indicating the prescribed procedure for the acquisition thereof.

Reply: I am informed by the National Housing Development Co. Ltd (NHDC) that there is presently no seized housing unit available for sale within the NHDC Housing Estates located in Constituency Number one.

I wish to inform the House that the procedures for seizure and sale of a NHDC Housing Unit are governed by the Sale of Immoveable Property Act.

The defaulters are given ample time and facilities to make the necessary arrangements to settle their arrears. It is only as a last recourse that the housing units are seized by the NHDC and referred to Court for sale by levy. The NHDC also participates in the bidding process in order to safeguard its financial interests.

Once the NHDC has repossessed the housing unit, it starts procedures for the resale of the unit to eligible applicants. The list of seized housing units is posted on the website of the NHDC and these houses are allocated according to the following criteria -

- (a) the applicant should not be owner of a house or of a residential plot of land;
- (b) the applicant should have the repayment capacity to service the mortgage debt for the purchase of the house, and
- (c) the applicant should be able to make a deposit of at least 10% of the selling price.

LA TOUR KOENIG - NHDC HOUSING ESTATE - RENOVATION

(No. B/710) Mr P. Armance (First Member for GRNW & Port Louis West) asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the NHDC Housing Estate in La Tour Koenig, he will, for the benefit of the House, obtain from the NHDC Ltd., information as to if consideration will be given for the –

- (a) realization of landscaping works thereat on completion of the renovation works being carried out of the building and structure thereof, indicating if a maintenance plan has been worked out therefor, and
- (b) renovation of the commercial complex found thereat.

Reply: I am informed that the National Housing Development Co. Ltd (NHDC) is presently undertaking rehabilitation works at La Tour Koenig Malaysian 1 Housing Estate, which include repairs to the structural elements of the housing blocks, repairs to cracks and spalled concrete externally, and painting and waterproofing treatment to external wall surfaces.

As regards part (a) of the question, I am informed by the NHDC that the contract for the rehabilitation works also includes the reinstatement of the green areas disturbed as a result of the execution of the works. However, the maintenance of the green areas and buildings rests with the Syndics of the Housing Estate. It is to be noted that Government contributes

Rs200 monthly per housing unit to all Syndics of the NHDC Housing Estates for the maintenance and upkeep of the common areas. This amounts to some Rs2.4 m. annually for the La Tour Koenig Malaysian I Housing Estate.

Notwithstanding the above, the beneficiaries of NHDC Housing Units who become full-fledged owners upon the signature of their deeds of sale should maintain their housing units as well as upkeep the common areas through their Syndics.

With regard to part (b) of the question, I am informed by the NHDC that the 73 shop owners at La Tour Koenig Commercial Complex have set up a '*Syndicat des Copropriétaires*', named *Syndicat des Copropriétaires de La Tour Koenig Center*, for the maintenance and renovation of the common areas of the complex. Thus, it is the responsibility of the '*Syndicat des Copropriétaires*' to carry out any renovation works thereat.

POINTE AUX SABLES - BEACHES – RENOVATION & MAINTENANCE

(No. B/711) Mr P. Armance (First Member for GRNW & Port Louis West) asked the Minister of Local Government whether, in regard to the Pointe aux Sables Public Beaches which do not fall within the purview of the Beach Authority, he will state if consideration will be given for -

- (a) projects for the renovation thereof to be budgeted for implementation during the next financial year, and
- (b) vesting thereof within the purview of the Ministry of Environment, Sustainable Development, and Disaster and Beach Management for the maintenance thereof.

Reply: As the House is aware, all proclaimed public beaches are managed and maintained by the Beach Authority whereas other beaches which consist of *Pas Géométriques* are under the control of the Ministry of Housing and Lands. However, there is no clarity as to which authority should be responsible for the cleaning and maintenance of these beaches.

I have taken note of the proposal of the hon. Member and shall invite my colleague the Vice Prime Minister, Minister of Housing and Lands to convene a meeting with all stakeholders concerned with a view to addressing this issue.

CENTRAL MARKET - UPGRADING

(No. A/27) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Local Government whether, in regard to the old building of the Central Market, in Port Louis, he will state if he is aware of the bad and derelict state thereof, of the unhygienic conditions prevailing thereat with the presence of stray dogs and cats and the proliferation of rats thereat and, if so, will he, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to if consideration will be given for a complete upgrading and refurbishment thereof and, if so, indicate when and, if not, why not.

Reply: I am informed by the Municipal City Council of Port Louis that –

- (i) the lower part of the building which houses the Meat and Fish Shop is old but not in a derelict state;
- (ii) the Poultry Section was completely renovated five years ago at the cost of Rs2 m.;
- (iii) painting and minor works have been carried out at the Beef and Pork Sections last year;
- (iv) the toilet blocks at the Beef and Fish/Goat Section have recently been completely renovated;
- (v) regular cleaning, washing of the floor and flushing of drains are carried out by a permanent team in order to maintain hygienic conditions;
- (vi) there are no stray dogs in the compound as well as in the market premises and cats found roaming are chased by the personnel posted thereat, and
- (vii) *dératisation* is carried out on a weekly basis by the contractor appointed by Council and pulverisation of insecticide is done by an in-house team in order to prevent infestation of insects.

I am further informed that the Council is in favour of the complete upgrading of the market, but funds have not yet been identified for this purpose.

SAINT FRANÇOIS XAVIER REGION – ROAD SAFETY

(No. A/28) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Public Infrastructure and Land Transport whether, in regard the Saint François Xavier region, in Port Louis, he will, for the benefit of the House, obtain from the Traffic Management and Road Safety Unit, information as to if it is in

presence of a letter dated 15 June 2016 sent by the Defenders Social and Welfare Association requesting for the conversion of several streets thereof into one-way streets due to their narrowness and, if so, indicate if consideration will be given thereto and, if not, why not.

Reply: The Traffic Management and Road Safety Unit (TMRSU) has in fact received a correspondence from “Defenders Social and Welfare Association” dated 15 June 2016 where a request has been made to convert a number of roads in the Saint Francois Xavier Region into one-way.

The “Defenders Social and Welfare Association” have requested that Velore Street, Little Bridge Street, Calicut Street and Maharatta Street be converted into one-way as these streets are actually relatively narrow. However, these streets are essentially residential access roads with low volume of traffic.

One-way street system is more suitable for roads carrying a significant volume of traffic with high proportion of vehicles passing through the road towards other destinations. It is worth pointing out that one- way roads in residential areas have certain inconveniences, amongst the following -

- (i) residents have to travel longer routes to and from their residences;
- (ii) vehicles will be compelled to use certain roads, which otherwise they would have avoided;
- (iii) traffic which would have been distributed on a number of roads, will henceforth be concentrated on the one-way roads. This increase in volume could result in other traffic problems; and
- (iv) vehicles tend to speed in one-way roads, giving rise to other road safety problems.

One of the problems mentioned in the letter from “Defenders Social and Welfare Association” is that when car owners park their vehicles in front of their residence, this renders access difficult for other vehicles. However, this problem will not be resolved with the one-way system, as vehicles will still have to pass parked vehicles. Normally the problem of obstruction caused by parked vehicles is addressed by parking prohibition, that is, by painting double yellow lines.

In view of the above implications, all factors will have to be carefully studied before recommending any sustainable measure taking into consideration the main aspect of road safety for all road users.

Meanwhile a preliminary survey has already been carried out for the proposed one-way scheme at the requested location. However, in order to provide a more effective network, the proposed one-way scheme has to be extended to other adjoining roads. The approval of the residents and the road users are required prior to implementation. The Defenders Social and Welfare Association will have to submit a signed petition from the inhabitants of the region concerning the proposed scheme.

The applicant will be accordingly informed.

ROUTE DES PAMPLEMOUSSES, MILITARY ROAD, BERNARDIN DE SAINT PIERRE STREET - TRAFFIC CONGESTIONS

(No. A/29) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the junctions at the Route des Pamplemousses and the Military Road and the Route des Pamplemousses and the Bernardin de Saint Pierre Street, in Port Louis, he will state if he is aware of acute traffic congestions occurring thereat during peak hours and, if so, indicate if

—

- (a) urgent remedial traffic measures will be taken in relation thereto, and
- (b) consideration will be given for the provision of a new second access road to Vallée des Prêtres having regard to the increasing number of vehicles in the regions and, if so, when and, if not, why not.

Reply: The congestion on Pamplemousses Road is a local congestion, but its main causes are external. It is a case where congestion is triggered at “micro level”, that is, on a local road and driven at the “macro level” by factors that contribute to the causation and severity of congestion.

The movement of people of all categories including schoolchildren, factory workers, office workers, private businesses and goods vehicles occur at the same time, resulting in an excessive travel demand from all categories of road users. This inevitably results in congested roads as road space becomes saturated.

Pamplemousses Road forms part of the classified road B32 and is a main route for traffic from the North entering and leaving Port Louis. Consequently, during peak hours, and especially during the morning peak hours, there is a high volume of traffic on this road, which causes traffic congestion.

Furthermore, Pamplemousses Road is a very densely built-up area with mixed commercial and residential buildings, but with a predominance of commercial activities. The dense commercial activities generate significant volume of local traffic, which adds up to the already high volume of passing traffic. This has the effect of worsening the traffic conditions thereat.

Part of the vehicles from the North also uses Military Road to accede and leave Port Louis. In addition, the Military Road has a high density of residential buildings and there is also a market fair along the road which is not far from its junction with the Pamplemousses Road. Consequently, the local traffic generated is relatively high. Resulting in the junction of Pamplemousses Road/Military Road operating at over capacity conditions.

The Bernardin de St Pierre Street which links with Pamplemousses Road is the main access to the Vallée des Prêtres region. Bernardin de St Pierre Street is a classified Road (B143) and the responsible highway authority is the Road Development Authority (RDA). As such, it carries a high volume of traffic which has to go through the junction with the Pamplemousses Road.

- (a) The following immediate measures are recommended with a view to reduce traffic congestion along Route des Pamplemousses near its junction with Bernardin de St Pierre Road -
 - (i) Setting up of a one-way scheme along part of Military Road and Sirdars Street at Cite Martial. This measure will reduce traffic conflicts at the busy cross junction of Route des Pamplemousses and Military Road.
 - (ii) Prohibiting vehicular traffic along Military Road to egress onto Route des Pamplemousses during both morning and afternoon peak hours from 07.00 to 09.30 hours and 14.30 to 19.00 hours. This measure will also reduce traffic conflicts at the above mentioned busy cross junction during rush hours.
 - (iii) Prohibition of on-street parking along A R Mohamed Street during peak hours from its junction with Cite Laval Street to its junction with Magon Street. This is essential to ensure a safe and smooth traffic flow along this busy street.
 - (iv) Provision of an additional lane along A R Mohamed Street from its junction with Military Road to its junction with Cite Laval Street with

a view to increase the capacity of A R Mohamed Street to moving traffic in the direction of Plaine Verte and vice versa during rush hours. On-street parking along both sites of A R Mohamed Street will have to be prohibited during rush hours to enable this traffic measure to be implemented.

A yellow box has been purposely provided to prevent the obstruction of the junction and of access to Bernardin de Saint Pierre Street by queuing vehicles. However, it has been observed that drivers tend to ignore the yellow box and as a result the junction of Bernardin de St Pierre remains obstructed.

Normally, at major junctions, traffic flow during peak hours is controlled by the Police. Both the junction of Pamplemousses Road/Bernardin de St Pierre Street and Pamplemousses Road/ Military Road can be considered as being major junctions, hence the need for Police control during peak hours. To ease the traffic flow during peak hours, two Police Officers regulate traffic at both junctions as from 07 30 hours to 09 15 hours in the morning and as from 16 00 hours to 17 30 hours in the afternoon.

- (b) Concerning the provision of a second access to Vallée des Prêtres, the Road Development Authority will investigate into the possibility of providing an additional lane along Route des Pamplemousses from its junction with Bernardin de St Pierre to its junction with Military Road. Surveys will have to be carried out.

ROCHES BOIS - QUARTIER SHELL - PEDESTRIAN FLYOVER & STREET LIGHTING

(No. A/30) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Quartier Shell region in Roche Bois, in Port Louis, he will state if he is aware of the inconveniences caused to the pedestrians due to the absence of a pedestrian flyover and street lighting on the motorway in the vicinity of the two bus stops found thereat and, if so, indicate if remedial measures will be taken in relation thereto and, if so, when and, if not, why not.

Reply: I am aware that inhabitants of Quartier Shell Region in Roche Bois have difficulty to cross the Motorway mainly in the region of the Mer Rouge Roundabout. It should be noted that road lighting is a critical infrastructure, especially with regard to road

safety. Actually, the absence of road lighting creates very hazardous conditions and is an aggravating factor in accident causation.

Concerning the provision of a pedestrian flyover, the exact location will depend more on site conditions, as these conditions will be a major influencing factor in the design, construction and cost. Prior to embarking on this project, a detailed survey has to be carried out by the highway authority (Road Development Authority) to ascertain that the construction of a footbridge in that region is technically feasible and that land is available.

Meetings have been held with the Central Electricity Board, the Municipal Council of Port Louis and the Road Development Authority. It has been decided to proceed with the lighting works. However, funds have not been made available to provide the necessary infrastructure in this budget. Upon provision of funds in next financial year, necessary arrangement will be made.

MAHEBOURG HOSPITAL - RENOVATION

(No. A/31) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Mahebourg Hospital, he will state if his Ministry has received any request from the Ministry of Health and Quality of Life for the carrying of a comprehensive survey of the building with a view to renovating/upgrading same and, if so, indicate if consideration will be given thereto.

Reply: I am informed that the Ministry of Health and Quality of Life is not contemplating the complete renovation/upgrading of the Mahebourg Hospital at this stage. Hence, there has been no request for complete survey of the building.

However, my Ministry is implementing several renovation works which are at different stages, as follows -

1. Waterproofing works at Casualty Department – works completed.
2. Renovation to Wards 1 & 2 – scope of works are being prepared.
3. Renovation to Ward 4 – confirmation of funds is awaited.
4. External painting of Buildings – scope of works is being prepared.
5. Renovation to Ex-Operation Theatre – scope of works is being prepared.
6. Renovation works at the Dental Clinic – works in progress.
7. Renovation of the Toilet Block – works in progress.

8. Renovation works at Police Post, Telephone Post and Gate keeper's Lodge – Works in progress.

Moreover, my Ministry has also advised the Ministry of Health and Quality of Life that the buildings housing Ward 3, Linen Department and Attendants' Mess are beyond economical repairs and should be pulled down.

**MAHEBOURG & PLAINE MAGNIEN - ROADS, PAVEMENTS & DRAINS
- UPGRADING**

(No. A/32) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the roads, pavements and drains on classified roads in Constituency No. 12, Mahebourg and Plaine Magnien, he will, for the benefit of the House, obtain from the Road Development Unit, information as to the measures that are being taken to upgrade the ones which are in bad state, indicating in each the –

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

Reply: According to information obtained from the RDA, the list of roads in Constituency No. 12, falls under the purview of the RDA and their present state are as follows –

Road Name	Road No.	Location	Approximate Length/Km	Condition
Motorway PLouis- Plaisance	1	From Cemetery R/About to Plaine Magnien R/About	1.0	Good
Phoenix- Plaisance Rd	10	From Mare D'Albert to Plaine Magnien	4.9	Fair
PlaineMagnien- Mahebourg Rd	12	From Plaine Magnien to Mahebourg	7.1	Fair

Deux Bras-Cent Gaulettes Rd	7	From R/About Grand Bel Air on South Eastern Highway to Ville Noire	3.1	Fair
La Baraque Rd	8	From Plaine Magnien to Plein Bois	8.9	Good
Flacq- Mahebourg Rd	28	From Steel bridge Riv des Creoles to Petit Bel Air	1.5	Fair. Frequent excavation by CWA for pipe repair.
Beau Vallon- Blue Bay Rd	67	From Beau Vallon to Blue Bay	3.8	Good
Gros Bois- L'Escalier Rd	79	From Gros Bois R/About M1 to L'Escalier	5.9	Good
New Le Chaland Rd	80	From junction with Mon Desert Rd to Shandrani Hotel	3.5	Good
New Grove Rd	82	From Mare Tabac to Riv du Poste	5.8	Fair
Mon Desert Rd	85	From junction La Baraque Rd, PlaineMagnien to Junction La Baraque Rd, Trois Boutique	9.6	Fair
PteD'Esny Rd	87	From Mahebourg to Blue Bay Beach	5.9	Stretch from Loretto Mahebourg to Cite La Chaux in poor condition. Works scheduled during the

				next financial year.
CarreauEsnouf Rd	132	From Trois Boutiques to Mon Desert Govt School	2.7	Approx 150m in poor condition because of frequent CWA pipe repair work. Forthcoming CWA pipe replacement project thereat.

As part of its upgrading works, the RDA carried out the following works from December 2014 to June 2016.

Work Description	Location	Approximate Length/Km	Status
Resurfacing M1	From Cemetery R/About to PlaineMagnien R/About	1.0	Completed Start date:10/09/14 Completion date: 21/10/14
Drain works along A10	From R/About PlaineMagnien to traffic light towards Trois Boutiques	0.7	Completed Start date:10/02/14 Completion date:09/05/14
Resurfacing A10	Chemin La Grotte, PlaineMagnien	0.5	Completed Start date:17/10/14 Completion date: 21/11/14
Resurfacing A12	From Solitude R/About to Beau Vallon Link Rd	2.5	Completed Start date:16/10/14 Completion date: 11/07/14
Drainwork along A12	Near SBM Mahebourg	0.3	Ongoing. Works will be completed by July 2016. Start date:06/04/16 Completion date: 27/05/16
Resurfacing B7	From Grand Bel Air to Ville Noire	2.5	Completed Start date:11/07/14 Completion date: 10/09/14
Rehabilitation of Gros Bois-L'Escalier Rd (B79)	Between Gros Bois R/About M1 and L'Escalier Village	2.9	Completed Start date:09/06/14 Completion date:06/08/14
Resurfacing B85	From Le Bouchon, Camp	3.7	Ongoing. Works will

	Carol, Kenya, Mon Tresor Mon Desert to Desplace Street and from Holiday Inn to Junction B8 at Plaine Magnien		completed by July 2016. Start date: 01/07/16 Completion date: 15/08/16
Rehabilitation of Pointe d'Esny Road (Phase I) B87 Rd	From Loretto Mahebourg to Cite La Chaux	0.9Km	Ongoing. Works will be completed by July 2016. Start date: 10/05/16 Completion date: 29/07/16

For the financial year 2016/2017, RDA is proposing to undertake the following projects -

- construction of cross drain across La Baraque Road at Trois Boutiques, and
- rehabilitation of Pointe D'Esny Road (B87) –Phase 2 (Project consists of the realignment of the road and the upgrading of footpath).

In addition, in line with the New National Road Safety Strategy, the RDA is proposing, subject to appropriate budgetary provision being made, to embark onto a Road Pavement Programme island-wide with a view to enhancing the safety of pedestrians.

MAHEBOURG & PLAINE MAGNIEN – ROADS - RESURFACING

(No. A/33) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien) asked the Minister of Local Government whether, in regard to roads which have been resurfaced in Constituency No. 12, Mahebourg and Plaine Magnien, since December 2014 to date by the District Council of Grand Port, he will, for the benefit of the House, obtain from the Council, a list thereof, indicating in each case the –

- length thereof;
- date of resurfacing thereof;
- cost thereof, and
- name of the contractor thereof.

Reply: The information requested at parts (a), (b), (c) and (d) of the question is given hereunder -

Name of Village	Road/ Location	Length (m)	Date Resurfaced	Cost/Rs incl. VAT	Contractor
Trois Boutiques	School Road	40.2	14.05.15	79,240	Transinvest Mauritius Ltd
Mare D'Albert	Baboolall Street	221.9	26.05.15 and 27.05.15	356,458	Transinvest Mauritius Ltd
Grand Bel Air	La Grotte Lane	28.8	02.06.15	27,124	Transinvest Mauritius Ltd
Grand Bel Air	Sunassee Lane	72.6	02.06.15	102,881	Transinvest Mauritius Ltd
Petit Bel Air	Indira Gandhi Street	54.6	03.06.15	77,564	Transinvest Mauritius Ltd
Beau Vallon	Allée des Saracas	49.1	03.06.15	73,492	Transinvest Mauritius Ltd
Mahebourg	Fabien Street	54.2	03.06.15	86,228	Transinvest Mauritius Ltd
Camp Carol	Chapelle Road, Le Bouchon	63.6	04.06.15	143,101	Transinvest Mauritius Ltd
Mare Tabac	Bhoyrub Street	32.5	15.06.15	55,678	Transinvest Mauritius Ltd
Trois Boutiques	School Road	30.2	27.07.15	74,757	Transinvest Mauritius Ltd

PLAINE MAGNIEN – MARKET FAIR - CONSTRUCTION

(No. A/34) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)

asked the Minister of Public Infrastructure and Land Transport whether, in regard to the proposed construction of a new and modern market fair at Plaine Magnien, he will state where matters stand, indicating the expected start and completion dates thereof.

Reply: The construction of market fairs falls under the purview of Local Authorities and the Ministry of Local Government. To date my Ministry has not received any request for the above mentioned project.

I am informed by the Ministry of Local Government that in January 2016, the District Council of Grand Port was requested to consider the upgrading of the Plaine Magnien Market Fair though funds to be provided by the National Development Unit during the financial year 2015-2016.

However, as the project could not be initiated, the National Development Unit has informed the District Council that funds are no longer available.

Consequently, the Ministry of Local Government has made a request to the Ministry of Finance and Economic Development for the necessary funds.

The project will be implemented once funds will be made available.