

Debate No. 25 of 18.07.06**ORAL ANSWERS TO QUESTIONS****PUBLIC SERVICE – CANDIDATES –
AGE LIMIT REQUIREMENT**

(No. B/1004) Mrs F. Labelle (Third Member for Vacoas and Floreal) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will state if Government proposes to change the age limit requirement of candidates wishing to join the public service as a result of the decision to raise the retirement age to 65 years old.

The Ag. Prime Minister: Mr Speaker, Sir, in general, candidates aged 18 to 35 years are eligible to join the Public Service provided they satisfy the qualification requirements laid down for the grade. The age limit for the Workmen's Class i.e. the manual grades is 45 years.

For professionals and in scarcity areas, the age limit of 35 years may be waived by the Ministry of Civil Service & Administrative Reforms, where the Public Service Commission is not able to attract candidates following public advertisements.

There is, however, no age limit for the employment of officers on contractual basis against established posts.

It is therefore not proposed to change the age limit for entry in the Public Service as a result of the decision to raise the retirement age to 65 years.

Mrs Labelle: Mr Speaker, Sir, the retirement age is 65 following Government decision and up to now it was said that someone cannot join the public service after 35. In view of the fact that the working years are longer now, does the Ag. Prime Minister not think it fit to raise the age limit as many people will be penalised? If someone is young enough to work up to 65, why can't he join the service after 35?

The Ag. Prime Minister: I know that the point has been raised.

Mr Cuttaree: Mr Speaker, Sir, can I ask the Ag. Prime Minister whether he is aware that the issue of 35 years of age was decided on the basis that the person would work for 25 years until he reaches the age of 60? Now that the age limit is being raised to 65, surely the Ag. Prime Minister would agree with me that there is a need to make a readjustment.

The Ag. Prime Minister: The point raised is valid and we will look into it. It is not happening now. We have some years to think ahead.

Mrs Labelle: Mr Speaker, Sir, I would like to suggest to the Ag. Prime Minister that we have also to take into consideration that now school leavers have longer studies before joining the service. Can we take this into consideration?

Mr Speaker: The point has been made.

MINORS - ALLEGED CASES OF RAPE

(No. B/1005) Mrs F. Jeewa-Daureeawoo (Third Member for Stanley & Rose Hill) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the alleged cases of rape and *attouchements sexuels* on minors, including children of tender age, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) the number thereof over the past six months, and
- (b) the number of cases in which inquiries have been completed and the outcome thereof.

The Ag. Prime Minister: Mr Speaker, Sir, I am informed that from the beginning of January 2006 to 12 July 2006, Police has registered eight (8) cases of alleged rape and 47 cases of alleged attempt upon chastity on minors, including children of tender age.

With regard to part (b) of the question, out of these 55 cases, inquiry in connection with 21 cases have been completed for submission to the Director of Public Prosecutions. The other cases are short of documentary evidence such as medico-legal reports.

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Mr Speaker, Sir, I wish to point out that inquiry into cases involving minors and children of tender age are delicate and sensitive, and are treated with utmost care and circumspection in order not to create any further damage to the psychological well-being of these young victims.

MANNA, MR SEEWOOSAGUR – ARREST ON 29.06.06

(No. B/1006) Mr Y. Varma (First Member for Mahebourg & Plaine Magnien) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if one Mr Seewoosagur Manna was recently arrested and, if so –

- (a) the reasons thereof, and
- (b) if the Police objected in the first instance to his release on bail and, if so, the reasons thereof.

The Ag. Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that following a case of alleged “Sequestration” and “Attempt upon chastity” on 27 June 2006 at 17.10 hours at FUEL in which one Mrs Marie Linley Savriacooty was concerned, an investigation was immediately initiated by Flacq CID and Rose Belle CID. As the name “DEV” was cited by Mrs Savriacooty in her statements and she stated that she was familiar to the voice, Mr Seewoosagur Manna also called “DEV” was arrested on 29 June 2006.

Mr Manna appeared before Flacq Court on 30 June 2006 on a provisional charge of “Sequestration” and “Attempt upon chastity”.

As regards part (b), Police objected to the release on bail of Mr Seewoosagur Manna before Flacq Court for the following reasons -

- (i) in view of the seriousness of the case at the time it was reported and the fact that a similar case had been registered by the victim against the same person;
- (ii) the alibi given by Mr Manna had yet to be verified and confirmed;

- (iii) the victim had mentioned the involvement of three accused parties in the case. Mr Manna might have hindered Police investigation if released immediately as the other two offenders were still at large;
- (iv) there was a high risk that the suspect could have interfered with other witnesses or tampered with evidence on his release;
- (v) the report of the Police Medical Officer and the Forensic Science Laboratory were still awaited, and
- (vi) the inquiry was not yet completed.

Upon receipt of the reports of the Police Medical Officer and Forensic Science Laboratory respectively on 03 July 2006, Police did not object to the release of Mr Manna on bail. Accordingly, he was released on 04 July 2006.

Mr Varma: Mr Speaker, Sir, could the Ag. Prime Minister inform the House who was the Police officer who actually ordered the arrest of Seewoosagur Manna?

The Ag. Prime Minister: I cannot answer this question at this stage.

Mr Varma: Mr Speaker, Sir, is the Ag. Prime Minister aware that the Counsel of the alleged victim requested the Police not to arrest anyone in this case?

The Ag. Prime Minister: I am not aware, Mr Speaker, Sir.

Mr Varma: Mr Speaker, Sir, is the Ag. Prime Minister aware that Superintendent of Police Ramchandur from Flacq CID was not agreeable to the arrest of the named Seewoosagur Manna ?

The Ag. Prime Minister: I'll find out.

Mr Varma: Mr Speaker, Sir, is the Ag. Prime Minister aware that the alibi given by the said Seewoosagur Manna was verified the very next day ; statements were taken from five persons, they confirmed that he was not at the place mentioned and yet the Police objected to his release on bail ?

The Ag. Prime Minister: What I would do is to transmit these observations to the Commissioner of Police.

Mr Speaker: This is a legal matter, it has to be raised in a court of law.

Mr Varma: Mr Speaker, Sir, is the Ag. Prime Minister aware that, in reply to PQ No. B/626, the Prime Minister stated that, only on a mere allegation, a person cannot be arrested; there should be some investigation? Is the Ag. Prime Minister aware of this ?

The Ag. Prime Minister: I certainly agree with that statement.

Mr Varma: Is the Ag. Prime Minister also aware, Mr Speaker, Sir, that actually the proper investigation was not completed before the arrest of the said Seewoosagur Manna?

The Ag. Prime Minister: I'll transmit the message to the Commissioner of Police.

BUSES - ROAD ACCIDENTS

(No. B/1007) Mr E. Guimbeau (First Member for Curepipe and Midlands) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if there is an increase in the number of road accidents caused by buses which do not make proper use of the lay-byes at bus stops and, if so, will he impress upon the Commissioner of Police the need to have Police officers posted thereat to ensure compliance.

The Ag. Prime Minister: Mr Speaker, Sir, according to available statistics there is no increase in the number of road accidents caused by buses which do not make proper use of lay-byes at bus stops.

At present, arrangements are already in place whereby Police officers are posted at bus stations to ensure the safety and security of the public. In addition, there are mobile patrols by the local Police, Emergency Response

Service and Traffic Branch throughout the island to ensure that the Road Traffic Regulations are being enforced, including the proper use of lay-byes.

Moreover, a *Police du Transport* was set up in May 2006. The main duties of the Unit are to ensure security and safety in the transport sector. It also provides regular patrol throughout the island and ensures good use of lay-byes.

Regular sensitisation programmes are carried out by the Police and the Road Safety Unit with a view to promoting road safety awareness. Police informs the public of preventive measures through its daily *info-route* radio programme. The personnel of the Road Safety Unit effects regular visits on bus companies to deliver talks on road safety and on good driving behaviour.

Mr Speaker, Sir, for practical reasons, it would not be advisable, at this stage, to have Police Officers posted at bus stop where there are lay-byes. However, Police will intensify the sensitisation programmes so as to ensure that bus drivers develop proper driving habits.

Mr Guimbeau: M. le président, il est connu de tous que la plupart des bus privés aussi bien que publics ne respectent ni les *speed limits*, ni les lignes blanches, ni les feux de signalisation ainsi que les *lay-byes* due à la compétition pour avoir le maximum de clients. Est-ce que l'honorable Premier Ministre par intérim pourrait venir de l'avant avec des mesures concrètes afin de contrôler ces bolides de la mort?

The Ag. Prime Minister: I'll look into that, but with regard to the problem which the hon. Member has raised, there is a regulation whereby buses, from lay-byes going to the main road, are given priority, but often they are not ; and this is where we have to sensitise the public.

EMPOWERMENT FUND COMMITTEE – CHAIRPERSON –APPOINTMENT

(No. B/1008) Mr M. Dowarkasing (Third Member for Curepipe and Midlands) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of

Rodrigues & Outer Islands whether, in regard to the Empowerment Fund Committee, he will state if the Chairperson has been appointed and, if so, will he state –

- (a) the conditions of his appointment, and
- (b) the allowances and other benefits attached to the post.

The Ag. Prime Minister: Mr Speaker, Sir, as already publicly announced, Mr Jean Claude de L'Estrac has been appointed Chairperson of the Steering Committee to implement the Empowerment Programme.

As regards part (b) of the question, Mr Jean Claude de L'Estrac has accepted to chair the Committee, but without any remuneration.

Mr Dowarkasing : Mr Speaker, Sir, may I know from the hon. Ag. Prime Minister whether there is a time frame that has been set for the production of the first report of this committee?

The Ag. Prime Minister: I am not aware, Mr Speaker, Sir.

METALLIC STRUCTURES – REPORTED THEFT

(No. B/1009) Mr P. Jhugroo (Third Member for Port Louis North & Montagne Longue) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if any cases of metallic structures, such as wastewater covers of manholes, entrance gates of religious places and cemeteries, rotating advertising billboards and football ground poles, have recently been reported missing and, if so, the measures that will be taken to prevent such recurrence.

The Ag. Prime Minister: Mr Speaker, Sir, there have been several cases of theft of metallic structures reported to the Police.

Police is still tracking to identify potential suspects. This is a fairly recent phenomenon, which tends to indicate the emergence of a new spate of organized crime. Police foot and mobile patrols are exercising more vigilance at the export outlets of scrap metals. Stop and search as well as crackdown operations are conducted on a regular basis.

I wish to inform the House that the attention of exporters of metal scrap is being drawn to the provisions of sections 40 and 41 of the Criminal Code Act, which provide that any person found in possession of property obtained unlawfully or bearing the mark of Government or a third party, is liable to prosecution.

Mr Lesjongard: Can the hon. Ag. Prime Minister confirm in the long list of scrap metals that have been stolen, whether the entrance gate of a cemetery or the goal post of a football ground are among the list of items?

The Ag. Prime Minister: The answer is in the affirmative.

FOREIGN AFFAIRS & TRADE POLICY – PARLIAMENTARY COMMITTEE

(No. B/1010) Mr S. Mohamed (Third Member for Rivière des Anguilles and Souillac) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will state if Government proposes to set up a Parliamentary Committee on Foreign Affairs and Trade Policy and if not, why not.

The Ag. Prime Minister: Mr Speaker, Sir, the proposal to set up a Parliamentary Committee to increase consensus building on foreign policy objectives and its accountability to the National Assembly was announced in the Government Programme 2005/2010.

I wish to inform the House that a Ministerial Committee has been set up under the Chairmanship of the hon. Minister of Foreign Affairs, International Trade and Cooperation and comprising the Minister of Local Government, the Minister of Agro Industry and Fisheries, the Attorney-General and the Clerk to the National Assembly. It is currently examining the objects, functioning and composition of the Parliamentary Committee on Foreign Affairs (PCFA). The Committee had two sittings on 14 February 2006 and 08 May 2006 respectively.

Mr Bérenger: May I ask the hon. Ag. Prime Minister whether that committee is considering what prevails elsewhere? In many countries, in the House of Commons and elsewhere, there are such committees and, in no case, is such a committee chaired by the Minister concerned himself because he will be called before the Committee and so on. Is this principle agreed that, when that committee is set up, it will not be chaired by the Minister directly concerned?

The Ag. Prime Minister: I agree with the hon. Member. As I have said, it has well defined objects, that is, to examine the objects, functioning and operation, and nothing else. When it comes up with proposals, we will take into account what the hon. Member is saying.

PRIMARY SCHOOLS – ADMISSION – FAKE CEB BILLS

(No. B/1011) Mr J. C. Barbier (Third Member for GRNW and Port Louis West) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the recent cases of false documents being submitted for the purposes of the admission of children in primary schools, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if these cases have been reported to the Police and if so,

- (a) obtain details as to the number of -
 - (i) schools involved;
 - (ii) parents involved, and
- (b) if the inquiry will be extended to the other schools.

The Ag. Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that, on 23 June 2006, the Central Electricity Board reported to the Police that suspected fake electricity bills had been used by some parents to seek admission for their children in January 2007 to standard I in Hugh Otter Barry Primary Government School at Curepipe.

In the process of the verification of the bills, the Central Electricity Board found that, in some instances, the names and addresses used on the bills were falsified; in other cases, the account numbers were simply invalid.

As at now, fifty fake bills have been submitted to the Police for inquiry. Out of the fifty parents involved, twenty have been arrested on a provisional charge of “making use of a forged document” and have been subsequently bailed out.

Inquiry in the other thirty cases is still being pursued.

I wish to inform the House that the Central Electricity Board has carried out an in-depth investigation with a view to identifying any internal weakness in its process flow linked to electricity bills. In a report, prepared on 12 July 2006, various weaknesses have been highlighted regarding the movement of bills, including blank bills and access to these bills. The Central Electricity Board has, therefore, tightened the process flow linked to electricity bills in order to provide more security and better auditing in its billing system.

Moreover, the Ministry of Education and Human Resources has requested all Heads of Schools to verify anew the documents submitted by parents and to report any case of suspected falsification to the Police.

Mr Bérenger: May I ask the hon. Ag. Prime Minister whether anybody at the CEB is involved in the inquiry at this stage?

The Ag. Prime Minister: At this stage, it is very suspicious. The answer is yes, but the inquiry is ongoing.

Mr Bérenger: May I ask the Ag. Prime Minister whether he will ascertain that, indeed, CEB bills are requested from anybody as far as entry to those schools are concerned and that no other documents, in particular, the so-called rent books are used?

The Ag. Prime Minister: We will look into that. I may be mistaken, but both are used, sometimes one or the other, and I think we will have to tighten the procedures.

Mr Barbier: M. le président, est-ce que le Premier ministre par intérim serait d'accord avec moi que l'action de ces parents est le résultat direct et les conséquences de la contre-réforme dans l'éducation qui encourage, encore une fois, les parents à essayer par tous les moyens d'obtenir le collège de leur choix. Étant donné la situation, est-ce que le

gouvernement propose-t-il de revoir certains aspects de la contre-réforme dans l'éducation?

The Ag. Prime Minister: Can the hon. Member repeat the question, please?

Mr Barbier: M. le président, est-ce que le Premier ministre par intérim serait d'accord avec moi que l'action de ces parents est le résultat direct et les conséquences de la contre-réforme dans l'éducation du gouvernement? Vu la situation, est-ce que le gouvernement va considérer la possibilité de revoir certains aspects de la contre-réforme?

The Ag. Prime Minister: Mr Speaker, Sir, it is difficult to sort out the question from the comments. I draw the attention of every Member in this House that this sort of operation, I am sure, has been going on for quite a while, in the previous Government as well as the present Government. It is thanks to the effort of this Government that we are putting order.

(Interruptions)

Mr Speaker: Order!

Mrs Labelle: I would like to ask the Ag. Prime Minister whether the director of a pre-primary school has been arrested in this particular case and whether any charges have been retained against her?

The Ag. Prime Minister: The answer is yes, and a provisional charge of conspiracy has been retained against her.

Mr Lesjongard: When a CEB bill is issued, is it not linked to the serial number of a meter? Does the hon. Ag. Prime Minister have the information?

The Ag. Prime Minister: Yes, it is.

Mr Lesjongard: If this is the case, then, it is a network within the CEB which is giving those fake CEB bills.

The Ag. Prime Minister: Mr Speaker, Sir, more than that, some of these numbers are fake.

Mr Naidu: May I ask the Ag. Prime Minister how far back into the past will the inquiry go?

The Ag. Prime Minister: We had a specific complaint and we are looking into it. We have asked the other schools to look into it as well. It would be difficult to go back in the past.

Mrs Dookun-Luchoomun: May I ask the Ag. Prime Minister whether measures are going to be taken to remedy the situation in view of ensuring that other students living in the immediate vicinity of the school and who have been disadvantaged by this malpractice, be taken on board?

The Ag. Prime Minister: We can only do this for this year and for admission of 2007, but it will certainly be completely relooked at.

RED COW POWDERED MILK- IMPORTATION - INVESTIGATION

(No. B/1012) Dr. R. Hawoldar (Second Member for La Caverne and Phoenix) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the inquiry carried out in the case of the importer of Red Cow milk, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the outcome thereof.

The Ag. Prime Minister: Mr Speaker, Sir, on 10 February 2006, the Independent Commission Against Corruption started an investigation on the importation of Red Cow powdered milk to ascertain whether a company was indulging in any corrupt practice. The inquiry revealed that there was no act of corruption but instead potential breaches of the Criminal Code Act, Fair-Trading Act and other legislation.

On 07 April 2006, ICAC referred the case to the Commissioner of Police for the latter to initiate appropriate inquiry.

On 13 April 2006 the advice of the Director of Public Prosecutions was sought as to the course of action to be taken.

Upon advice of the Director of Public Prosecutions, on 25 May 2006, an inquiry had been started by the Central CID and is still under way. On completion of the inquiry, the advice of the Director of Public Prosecutions will be sought as to the course of action to be taken.

Mr Bérenger: Will the Ag. Prime Minister agree with me that when the name of this or that firm has been thrown to the public with the allegations surrounding such cases, when the DPP finally concludes that there is no case for prosecution, or when provisional charges are withdrawn before the Court, there is need to communicate that to the public, out of fair play?

The Ag. Prime Minister: The point is taken.

Dr. Hawoldar: Mr Speaker, Sir, may I ask the Ag. Prime Minister whether the Police is also conducting an inquiry in Singapore where, apparently, there was a company which just increased the invoices by 16% before sending them over to Mauritius?

The Ag. Prime Minister: As I said, breaches of various sections are being looked into. The point mentioned by the hon. Member is being taken care of. There is the whole list of measures that we have to follow up,

Mr Mohamed: May I ask the hon. Ag. Prime Minister whether this case has anything to do specifically with the situation of over-invoicing and whether this has been established by any inquiry?

The Ag. Prime Minister: The ICAC has asked that the Police acts independently and opens its own inquiry and not to rely on any inquiry made by ICAC. Along that line, as I have said, there have been potential breaches of the Criminal Code Act, the Fair Trading Act and other legislation. But it is being taken care of.

Mr Mohamed: May I, in conclusion, ask the hon. Ag. Prime Minister whether it would not be appropriate for the Financial Intelligence Unit to look into the matter if there are potential cases of over-invoicing linked to situation of money laundering?

The Ag. Prime Minister: Let the Police do its inquiry and, then, we will take it from there.

**RODRIGUES - PUBLIC INFRASTRUCTURE DIVISION –
GENERAL WORKER – SALARY**

(No. B/1013) Mr J. Von-Mally (Fourth Member for Rodrigues) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he is aware of the cases of a few Government employees working in Rodrigues who have been receiving their salaries despite the fact that they were no longer attending work since several years and, if so, will he state if –

- (a) the number of such employees has been ascertained, and
- (b) an inquiry will be carried out thereinto.

The Ag. Prime Minister: Mr Speaker, Sir, I am informed that a General Worker of Public Infrastructure Division of the Deputy Chief Commissioner's Office in Rodrigues who has not been attending duty since September 2003 has been regularly paid his salary for the period September 2003 to June 2006.

A Departmental Committee is currently investigating into the case which will be referred to Police, in due course.

I am also informed that the Central Administration in Rodrigues has caused a thorough audit of staff to be carried out to ensure that all those on the payroll system are in fact working on their respective sites of work.

Mr Von-Mally: Mr Speaker, Sir, being given that this scandal of *emploi fictif* seems to be a regular feature in Rodrigues, am I to understand from the Ag. Prime Minister that he is contemplating the possibility of having an inquiry conducted in all the other departments in Rodrigues?

The Ag. Prime Minister: If I may point out to the hon. Member, it is not *un emploi fictif*, it is *un employé fictif*. He has been working and he

stopped and it was not recorded anywhere. There is need to tighten up the control.

Mr Speaker: Next question, hon, Dayal!

I am sorry, there is a supplementary question from hon. Spéville. I thought it was the end of the matter.

Mr Spéville: Mr Speaker, Sir, the Ag. Prime Minister just stated that there is only one case. Can I ask the Ag. Prime Minister whether this case has been lengthily published in one local newspaper prior to the ending of the inquiry in Rodrigues, if so, which newspaper?

The Ag. Prime Minister: I am sorry ...

(Interruptions)

Mr Speaker: First of all, I would like to remind the hon. Member that he cannot quote what newspapers have published. He cannot quote that in the House as the hon. Minister is not responsible for what the press has published.

Mr Spéville: Can I ask the hon. Ag. Prime Minister whether this information has been raised at a high level Management Committee and, if so, does he intend to look into the Official Secrets Act as to whether there has been any misappropriation of information?

The Ag. Prime Minister: It is difficult for me to reply to this question.

**CUSTOMS AND EXCISE DEPARTMENT - CONTAINER –
AMMUNITION**

(No. B/1015) Mrs S. Grenade (Second Member for GRNW and Port Louis West) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if a container of ammunition was recently seized by the Customs Department at Port Louis and, if so, will he state if an inquiry has been carried out thereinto.

The Deputy Prime Minister, Minister of Finance & Economic Development (Mr R. Sithanen): Mr Speaker, Sir, I am informed by the Director of Customs that no container of ammunition was recently seized by the Customs and Excise Department.

However, on 05 July 2006, whilst unclaimed luggage and parcels brought from the Airport were being examined at the Auction Sales Section of the Customs and Excise Department at Mer Rouge, Port Louis, an officer of the Department found a suitcase without an identification tag containing 70 bullets of calibre 12.

The Customs and Excise Department reported the case to the Police for enquiry on the same day. Police enquiry is still ongoing.

Mr Bérenger: Mr Speaker, Sir, can I ask the hon. Ag. Prime Minister whether the scanners that were purchased - and that would certainly help as far as containers, but also *les valises*, cases are concerned - are in operation?

The Ag. Prime Minister: I am informed that the scanners are in operation, but the problem here is that I have not been able to ascertain at what time this was unclaimed luggage. And I have also asked that unclaimed luggage be examined as fast as possible.

Mr Bodha: Mr Speaker, Sir, can I ask the Ag. Prime Minister at what point in time it was discovered that the container contained ammunitions? Was it in a suitcase?

The Ag. Prime Minister: On 05 July. And this is the point I am trying to make. There is no record of when it entered the country. And I have asked the Commissioner of Police to look into that.

HOLD-UPS – PERSONS ARRESTED

(No. B/1016) Mr S. Naidu (Third Member for Beau Bassin and Petite Rivière) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if, recently, three persons, having in their possession, material allegedly used for hold-ups have been arrested, and if so, obtain details thereof.

(Vide reply to PNQ)

PETRIN & GRAND BASSIN – POLICE OPERATION

(No. B/1017) Mr G. Gunness (Third Member for Montagne Blanche and GRSE) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if, on or about Friday 07 July 2006, any Police operation was carried out in the vicinity of Pétrin, Grand Bassin and, if so –

- (a) the objects seized as a result thereof, and
- (b) if an inquiry has been carried out thereinto and the outcome thereof.

(Vide reply to PNQ)

FLIC-EN-FLAC – RESTAURANT – POLICE RAID

(No. B/1018) Mr G. Gunness (Third Member for Montagne Blanche and GRSE) asked the Prime Minister, Minister of Defence &

Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if, on or about 03 July 2006, the Police carried out a raid in a restaurant in Flic-en-Flic and, if so, the reasons therefor.

The Deputy Prime Minister, Minister of Finance & Economic Development (Mr R. Sithanen): Mr. Speaker, Sir, I am informed by the Commissioner of Police that on Monday 03 July 2006 at 14:00 hours a team of ADSU Officers, by virtue of a search warrant, carried out an operation in a restaurant, situated at Flic en Flac.

The search was effected following information that arms and ammunition were concealed at the restaurant. Although nothing incriminating was found by the search team, Police acted promptly on the basis of the information received.

I wish to inform the House that in cases of arms and ammunition, an urgent search is carried out irrespective of the time with a view to ensuring public safety.

Mr Speaker: The Table has been informed that Question B/1025 has been withdrawn.

MRA – BANK ACCOUNTS

(No. B/1019) Mrs L. D. Dookun-Luchoomun (Third Member for La Caverne and Phoenix) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether he will state if it is proposed to amend the Banking Act with a view to allowing the Mauritius Revenue Authority to have access to the bank accounts of Mauritian citizens for taxation purposes.

The Deputy Prime Minister, Minister of Finance & Economic Development (Mr R. Sithanen): Mr Speaker, Sir, let me first make it clear to the House that, except for some exemptions, interest income, including on bank deposits, has always been and is currently taxable, under the Income Tax Act. Since interest has always been taxable, the Income Tax Act has

always provided to the tax authorities certain powers for access to information for proper enforcement of tax laws, including with banks.

Mr Speaker, Sir, Section 123 (4) of the Act - "Power to Require Information" – currently provides that and I quote –

“notwithstanding section 64 of the Banking Act (the section that deals with Confidentiality of Banking Information), Income Tax may require from any person information relating to any amount paid as interest to depositors. Moreover, it may require information relating to any account or deposit operated, made or opened by any client, customer or patron of that person, whether such account or deposit is in his own name, in a fictitious name or in the name of any other person, upon it stating in writing that he has reason to believe that person has been convicted of an offence relating to dangerous drugs or has been illicitly in possession or dealing in dangerous drugs or dangerous weapons, and he reasonably requires the information in order to prevent any evasion of income tax or any fraud on the public revenue.”

However, Mr Speaker, Sir, in spite of that longstanding derogation to bank confidentiality in the Income Tax Act, it has been very difficult for the tax authorities to obtain from banks the required information to deal with non-declaration of interest income. This is due mainly to some legal inconsistency between the Income Tax Act and the Banking Act. The previous Minister of Finance did recognize the need to address this issue. Let me read an extract of paragraph 303 of the 2004/05 Budget Speech, I quote –

“Under income tax law, interest income above specified exemption ceiling is taxable. This provision has been very hard to enforce because of the difficulty met by the Income Tax Department to obtain on a standing basis information from financial institutions. Those obstacles will be removed.”

Accordingly, when coming up with the new Banking Act in November 2004, the previous Government specified clearly at section 64 (16) that in the event of any conflict or inconsistency between the confidentiality

provisions of the Banking Act and the Powers of Commissioner of Income Tax to Require Information under section 123 of the Income Tax Act, the latter section shall prevail.

However, in spite of this amendment with the specific intention of clearly clarifying the power of the Commissioner of Income Tax (now DG of the MRA) to obtain the required information on individual taxpayers under investigation, the situation has hardly improved. The banking institutions, contrary to the intent of Government have misinterpreted Section 123 (4) of the Income Tax Act that reads “any amount paid to “depositors” (plural). At a meeting held at my Ministry, representatives from banking institutions stated that this allowed the Income Tax to ask a bank to submit only the aggregate amount of interest paid to all its depositors and not the interest payments to individual depositors. So much so that interest income has remained largely undeclared. In fact, the total amount declared in the tax returns of last September was a mere Rs55 m., with hardly any possibility for tax authorities to enforce compliance with tax laws.

That is why it is intended to include in the Finance Bill the necessary amendments to legislation to remove any ambiguity for enabling proper enforcement of tax laws. The hon. Member will thus have the opportunity to examine the matter in detail shortly. However, while the tax authorities have the power to obtain information on taxpayers who are under investigation, let me reassure the House that it is not the task of the MRA to investigate the source of funds, but only to ensure compliance in paying taxes that are lawfully due.

I would also like to take this opportunity to reaffirm that our main aim is to ensure tax compliance. We do not want to dig up the past and start investigations in respect of the income and source for preceding years. The prime objective behind the introduction of withholding for large depositors is to make sure that every taxpayer pays his fair share of taxes in compliance with the law. This is why the measure only covers a small minority of large depositors.

Let me point out that withholding tax on interest is routine in many countries including developing countries and has not been a burden on taxpayers.

Our intention certainly is not to probe into the source of funds of depositors. Let me allay any apprehension in the minds of depositors. No question will be asked; nor will any query be made on taxes not paid on interest income in the past. This is not the duty of the MRA. We are burying the past and starting afresh.

For this first year, Mr Speaker, Sir, while systems are being put in place to enable banks and other financial institutions to deduct tax on interest income at source, those institutions will make a payment of the tax withheld on interest to the MRA but without providing information on individual taxpayers.

However, by the end of this financial year, systems will be in place that will allow them to issue to every depositor a statement indicating the amount of interest paid during the financial year and the tax withheld, if any. Taxpayers will be expected to declare in their income tax returns any amount of interest received and can deduct the amount withheld.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, may I ask the hon. Minister whether he would confirm that previously the Income Tax law was related only to people who were convicted for drug trafficking and other major criminal cases and not for the ordinary taxpayers and whether the new amendment to be brought in the Banking Act would be to enable probing in anyone's account to get information as to the amount of interests earned by that particular person?

Mr Sithanen: No, Mr Speaker, Sir, the law is very clear on that. In fact, this is the reason why I quoted what the Minister of Finance in 2004/2005 Budget said. We have sought the advice on the State Law Office on the interpretation that should be given. The interpretation is very clear, otherwise it does not make sense for the Tax Authority to enforce the law of the country. Let me reassure the hon. Member, Mr Speaker, Sir, if the banks and the taxpayers play the game, there would be no requirement for the MRA to make use of that provision. But the provision exists both in the Banking Act and in the Income Tax Law, but it was subject of an ambiguity and this ambiguity is being removed in the forthcoming Finance Bill.

Mr Bérenger: But the hon. Minister of Finance did say that in the forthcoming Finance Bill banks will be made as clear as possible in relation to the powers of the Commissioner of Income Tax bearing in mind banking confidentiality. Does not the Minister agree - specially when he has said that there would be probably very few cases - that what is provided for elsewhere, that is, the Commissioner of Income Tax, like other public officials, to get the green light of a *Juge en Chambre* having made a *prima facie* case before going to the bank accounts of anybody? I am sure the Minister of Finance will agree with me that this is fundamental. It is not only a question of privacy, but investors also will be watching very carefully.

Mr Sithanen: This power exists in all countries that have withholding tax, Mr Speaker, Sir. Let me reassure hon. Bérenger as well as hon. Mrs Dookun-Luchoomun that the law as it is written today does give the power to the Commissioner of Income Tax. Let me read very clearly what the Banking Act says -

"Accordingly, when coming up with the new Banking Act in November 2004, the previous Government specified clearly at section 64 (16) that in the event of any conflict or inconsistency between the confidentiality provisions of the Banking Act and the Powers of Commissioner of Income Tax to require information under section 123 of the Income Tax Act, the latter section shall prevail."

Let me reassure the House again, Mr Speaker, Sir, it is not the task of the MRA to go and dig into the past and into the source of income. This is the responsibility of other institutions in case that there are problems with the source of fund. Let me also reassure the House that if the banking sector plays the game - like it is done in the UK and other countries - there would be no need for the Commissioner of Income Tax or the Director General of the MRA to avail himself of this provision of the law.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, may I ask the hon. Minister of Finance whether section 123 of the Income Tax Act, as quoted by the hon. Minister, does not deal with drug traffickers?

Mr Sithanen: It is also for normal cases, Mr Speaker, Sir.

Mr Ganoo: If I understand the hon. Minister of Finance the law gives the Commissioner the power to require information from the taxpayer, but this is a different thing to have access or to probe into his bank account. What the hon. Minister is saying is that there will be no possibility for the MRA to have access to the bank account, but there will be a duty imposed on the banks to deduct at source the interests.

Mr Sithanen: That is the way it is done and because we are in a transitional period, Mr Speaker, Sir, we have agreed with the banking sector that, in the first year, they will submit the interests on an aggregate amount and not in an individual amount. But, obviously, provision will be made later. Just like for the Pay As You Earn, you are going to get a slip from the bank, like it is done everywhere, and which you are going to submit to the Tax Authority when you fill your tax return.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, the Minister of Finance just mentioned that the interests will be cut at source for people with a certain amount of interests, but what for individuals having less than the stated amount of Rs150,000 yearly as interests?

Mr Sithanen: As I stated in my Budget Speech, they will submit their return when they fill in their tax return at the end of the year.

Mrs Dookun-Luchoomun: How will they then ensure implementation of the law?

Mr Sithanen: As I just stated, they will get a slip from the bank and they will file this with their return, like it is done in all countries of the world.

Mr Speaker: Hon. Members, when the Finance Bill will come, I think questions can be put.

Mr Bodha: Mr Speaker, Sir, the Minister of Finance informed the House that last year the revenue on this item was Rs55 m. Can I ask him what is the estimated revenue for the year 2006/2007 with the new system?

Mr Sithanen: It is difficult to say, Mr Speaker, Sir, because I do not want to make forecasts and then people will come and say: 'you know, you were off target. Mr Speaker, Sir, it is a new system and there will be two payments with respect to interests, those that would be levied, the withholding tax and those that will pay at the end of the year. So, it is quite tricky. I would request the hon. Leader of the Opposition to wait for the system to work and then we will see what are the results.

Mr Speaker: A last question!

Mrs Dookun-Luchoomun: Since he has mentioned aggregate amount of interest, may we know from the hon. Minister how he will ensure that people will not be opening accounts in different banks and each one giving a certain amount?

Mr Sithanen: Mr Speaker, Sir, there are ways and means, and this is used in the world to prevent fragmentation of accounts. This will be looked into.

FLYWELL TRAVEL AGENCY – HAJJ 2006

(No. B/1020) Mr S. Soodhun (Fifth Member for La Caverne and Phoenix) asked the Minister of Arts and Culture whether, in regard to the Flywell Travel Agency, a Hajj operator for the Hajj 2006, he will, for the benefit of the House, obtain from the Islamic Cultural Centre and table a copy of –

- (a) the letter issued by the Centre authorising a representative of the agency to proceed to Saudi Arabia to sign building contracts;
- (b) the building contracts in Mecca and Madina;
- (c) the transport contract signed with the General Car Syndicate of Mecca, and
- (d) the official letter of the Ministry of Hajj of Saudi Arabia, authorising the agency to act as Hajj operator.

Mr Gowressoo: Mr Speaker, Sir, with regard to part (a) of the question, I am informed by the Islamic Cultural Centre that no letter had been issued to the Flywell Travel Agency to proceed to Saudi Arabia to sign building contracts.

I wish to inform the House that the building contract is, in fact, an accommodation contract. However, Flywell Travel Agency had been issued a Pilgrim Operating Licence on 18 November 2005 for Hajj 2006. I am tabling a copy of the Licence.

With regard to part (b), I am informed that there is an agreement between the Saudi Arabian Authorities and Flywell Travel Agency to organise *Umrah*. Therefore, for the building contract in Mecca and Madina, the representative of Flywell Travel agency makes its own arrangement for accommodating pilgrims during Hajj well.

I am also tabling copies of contracts between the hotel in Mecca and Madina and Flywell Travel Agency, confirming bookings made for Hajj by the agency.

With regard to part (c), Flywell Travel Agency had 24 pilgrims. I am informed that the number of pilgrims required for one bus is 50 for each trip. An agreement was made with the Al Murtuza Islamic Welfare Association, a Mauritian Hajj group for the conveyance of the pilgrims in the bus provided to the Association.

I am tabling copy of the agreement that the Al Murtuza Islamic Welfare Association made with the General Car Syndicate, as well as a copy of the agreement between Flywell Travel Agency and Mr Bengah for the conveyance of the 24 pilgrims.

As regards part (d), I am advised that there is no such letter provided by the Saudi Authorities for Hajj 2006. Instead, special stickers were pasted on the passport of each and every pilgrim. I am tabling copy of such stickers.

Mr Soodhun: Mr Speaker, Sir, I know that it is a very complicate issue and that I cannot place the blame on the hon. Minister, because it is above politics...

(Interruptions)

Mr Speaker: Order!

Mr Soodhun: Mr Speaker, Sir, I would like to ask the hon. Minister how is it that Flywell Travel Agency has received a Certificate from the ICC, as we know that the Agency has not followed the procedure according to the Saudi Authority?

Mr Gowressoo: Mr Speaker, Sir, as per the ICC Regulations, an applicant shall produce an undertaking that he shall furnish to the ICC Board, at least 30 days, prior to departure, the first batch to Saudi Arabia, together with the name, address and ID of at least 50 persons duly registered with the ICC as prospective pilgrims to whom he shall be providing services.

However, as per Section 6, the ICC may grant the application on such terms and conditions as it thinks fit.

I am aware that Flywell Travel Agency had only 24 pilgrims registered for Hajj 2006. The Agency could not leave them behind and had to make appropriate arrangements for them.

Flywell Travel Agency gave a bank guarantee to ICC, as stipulated in the Hajj Regulations.

An arrangement was, therefore, made with the Al Murtuza Islamic Welfare Association, which had only 73 pilgrims, to enable them to travel together in Saudi Arabia.

(Interruptions)

The ICC has the moral obligation...

Mr Speaker: Order!

Mr Gowressoo:.... to see that all prospective Hadjis are given the opportunity to perform their hajj in the best possible conditions.

The ICC took an agreement between Flywell and Al Murtuza Islamic Welfare Association into consideration. It would have been unfair on the part of the ICC not to allow the is to go. It is a journey of a lifetime to which people have prepared themselves and it has to be completed. ICC gave them the opportunity to accomplish their religious duties.

Mr Soodhun: Mr Speaker, Sir, I would just like to inform the House that Flywell agency has failed to comply with the procedures established by ICC and he was not eligible to organise as Hajj organisor.

(Interruptions)

Mr Speaker: Order! Order, please!

Mr Soodhun: Mr Speaker, Sir, I would like to know whether the Minister is aware that Flywell Travel Agency has been blacklisted by the Saudi Authority, due to the fact that it has not complied with all the conditions set out by the Saudi Authority?

Mr Gowressoo: Mr Speaker, Sir, I have already answered the question. As per Section 6, the ICC may grant the application on such terms and conditions as it thinks fit.

Mr Soodhun: Mr Speaker, Sir, Farewell Travel Agency has been blacklisted and our image has been tarnished in Saudi Arabia.

(Interruptions)

The hon. Minister did not answer my question. Mr Speaker, Sir, due to the recent scandal at the ICC level ...

Mr Speaker: Yes, but the hon. Minister answered the question.

Mr Soodhun: I would like to know whether the hon. Minister is ready to consider reviewing the existing members of the Board, due to the fact that they have not deemed it fit to set up an inquiry about what is happening?

Mr Gowressoo: Mr Speaker, Sir, I am not aware that Flywell Travel Agency was blacklisted.

(Interruptions)

It is not hon. Soodhun who will tell me to review the ICC Board....

(Interruptions)

Mr Speaker: Can I remind the hon. Minister that it is the legitimate right of a Member of Parliament to put questions, as it is the right for the Minister to answer questions or not to answer.

Mr Lauthan: Mr Speaker, Sir, I thank you for this intervention. I am flabbergasted to hear cheap remarks being made on such a fundamental pillar of Islam.

(Interruptions)

Mr Speaker: Order! Put your question, please!

(Interruptions)

Mr Lauthan: This is very cheap! Be careful!

Mr Speaker: Order! Order!

Mr Lauthan: The hon. Minister has mentioned some facts submitted by Flywell Travel Agency, but at no time had he mentioned that the Mouassassa approved buildings rented. Because, Mr Speaker, Sir, in the past, the Mauritian delegation was warned that sometimes people go and rent cheap buildings in Saudi Arabia to make profits on the heads of the pilgrims...

(Interruptions)

The fact is that there is no security in these buildings.

Mr Gowressoo: Mr Speaker, Sir, I am aware that organisers sometimes tend to do business regarding accommodation arrangements. Insofar as Flywell Travel Agency is concerned, it made arrangements with hotels in Saudi Arabia.

Mr Lauthan: Mr Speaker, Sir, arrangements may have been made, but the fact is that there are all types of hotels; hotels are approved by the Saudi Authority, but there are also hotels which have been condemned.

There may be cases where the buildings rented were those that have been condemned by the Saudi authority...

(Interruptions)

Mr Speaker, Sir, what I would like to know from the hon. Minister is whether the buildings which were rented there, were those which were approved or condemned by the authority in Saudi Arabia?

Mr Speaker: Is the hon. Minister aware of this fact?

Mr Gowressoo: Mr Speaker, Sir, I am not aware.

(Interruptions)

Mr Speaker: Order, please!

(Interruptions)

Mr Jhugroo: Can I know from the hon. Minister who are the Directors of the Flywell Travel Agency?

Mr Speaker: Is it an agency or a company limited? If it is an agency...

Mr Jhugroo: It is an agency.

Mr Speaker: Registered with the Registrar of Companies? If it is not registered...

(Interruptions)

The hon. Member said "directors", it must be of a company.

Mr Gowressoo: I have the name of Mr Asif Seetulbosseea.

**INTERNATIONAL CONVENTION AGAINST DOPING IN SPORTS -
RATIFICATION**

(No. B/1021) Mrs F. Labelle (Third Member for Vacoas and Floreal) asked the Minister of Youth and Sports whether he will state if Government has ratified the International Convention Against Doping in Sports and, if so, when and, if not, why not.

Mr Tang Wah Hing: Mr Speaker, Sir, I would like to inform the House that the Republic of Mauritius has ratified the International Convention Against Doping in Sports on 29 June 2006. The Instrument of Ratification of the Convention was deposited with the Director General of UNESCO in July 2006.

Mrs Labelle: Mr Speaker, Sir, I am sorry, but I have not heard the date on which the Convention has been ratified. May I ask the Minister the date?

Mr Speaker: The date on which the Convention has been ratified.

Mr Tang Wah Hing: 29 June 2006.

Mrs Labelle: Mr Speaker, Sir, may I know from the hon. Minister what measures his Ministry has taken to abide by the obligation of this Convention?

Mr Tang Wah Hing: Mr Speaker, Sir, an Anti-Doping Unit is operational under the aegis of my Ministry and works in close collaboration with the Ministry of Health and Quality of Life and the National Olympic Committee.

Mrs Labelle: Mr Speaker, Sir, may I know from the Minister whether a particular funding has been provided to support the National Testing Programme?

Mr Tang Wah Hing: I need notice of this question, Mr Speaker, Sir.

Mr Bérenger: Can I ask the hon. Minister whether he has information as to the number of countries that have to date ratified the Convention?

Mr Tang Wah Hing: I don't have this information for the time being, Mr Speaker, Sir.

LATE HELENA HAREL - DEATH ON 12.03.04 - INQUIRY

(No. B/1022) Mrs F. Labelle (Third Member for Vacoas and Floreal) asked the Minister of Health and Quality of Life whether in regard to late Helena Harel who passed away on 12 March 2004, he will state if his Ministry has received the report of the inquiry carried out by the Medical Council and, if so, if the family has been informed of the outcome thereof.

Mr Faugoo: Mr Speaker, Sir, I am informed that following the death of late patient Helena Harel on 12 March 2004, a departmental inquiry was carried out by the Ministry and subsequently, the case was referred to the Medical Council on 23 March 2004 for an independent and in-depth investigation.

Furthermore, I am informed that on 07 April 2004, the "*Comité Amélioration de la Santé*" (CAS) wrote to the Medical Council requesting for an independent inquiry in the case of late Helena Harel.

I am advised that on 22 December 2004, my Ministry was informed of the outcome of the inquiry. This is the common practice for all cases referred to the Medical Council for investigation with regard to public officers.

I am further informed that the Medical Council apprised a responsible party of late Helena Harel that the outcome of the inquiry conducted by it was referred to the Ministry.

Mrs Labelle: Mr Speaker, Sir, may I ask the hon. Minister whether the family of late Helena Harel has been informed of the outcome of the inquiry and, if so, when?

Mr Faugoo: Mr Speaker, Sir, it is not the policy of the Ministry to inform the victims or any aggrieved person unless there is a request at the Ministry, Mr Speaker, Sir.

Mr Bérenger: I am sure if the Minister looks at the file, there have been numerous requests from the family. They have lost a member of their family. There is an inquiry, it is only fair play, it is only normal that the

Ministry - I understand that the Medical Council refers the results of the inquiry to the Ministry - should inform the families concerned and not left there.

Mr Faugoo: If this is normal today, it should have been normal three years ago.

(Interruptions)

What I am saying, Mr Speaker, Sir, is that what was not normal in the past, cannot become normal today.

(Interruptions)

Mr Speaker: Let the Minister answer! Order!

Mr Faugoo: Can I explain, Mr Speaker, Sir? It is the standard policy of the Ministry that unless and until there is an application or a request to the Ministry for some information, we can't go and write to x, y and z. We understand there was a problem. In this particular case,...

(Interruptions)

Mr Speaker: Order!

Mr Faugoo: The hon. Member is saying "shame". They didn't depart from those standing principles, Mr Speaker, Sir. In this particular case, I mean in the case of late Harel Helena, there was a Cabinet decision just for one case, I don't know for what reason. Why didn't the previous Government change the policy and apply it to everybody in this country? In this particular case, they took a decision in Cabinet. Apparently, there was a manifestation by the *Société Protectrice des Malades contre la Négligence Médicale*. Following the demonstration by this institution, Cabinet decided, in this particular case, to inform the relatives and also that particular institution. So, this was the standard practice. There is no exception to this. If this was the case, if what the hon. Member is saying is true, then why didn't they inform the relatives back in 2004? It was in November 2004 that they got the results from the Medical Council.

(Interruptions)

Mr Speaker: Now, please...

(Interruptions)

Mrs Labelle: Mr Speaker, Sir, I have a very simple question. Since the family requested for an inquiry and now that the Ministry has the outcome of the inquiry, will the Minister be agreeable to send to the family the outcome of this inquiry?

Mr Speaker: Hon. Minister, please! The question is very simple.

Mr Faugoo: Mr Speaker, Sir, as I said, the request was not made to the Ministry. The request was made to the Medical Council directly by the relatives of late Helena. If there is a request made to the Ministry, I have no problem to do that. This is what I am saying.

Mr Guinness: Mr Speaker, Sir, I am sure the Minister must have heard what the newly appointed Chairman of the Cardiac Centre said the last time, he said that there is a bottleneck at the level of the Ministry.

Mr Speaker: I am sorry, this is not related to the question. The hon. Member should come with a specific question..

(Interruptions)

Mr Guinness: Mr Speaker, Sir, my question is related to cases where the Medical Council carries out an inquiry which causes a lot of delay, because reports from the Ministry takes a lot of time...

Mr Speaker: The Minister has said that the request was made to the Medical Council and not to the Ministry. I would request hon. Mrs Labelle to ask the family to make the request to the Ministry.

Mrs Labelle: Mr Speaker, Sir, may I ask the hon. Minister whether he is aware that following a request from the family to his Ministry the family was informed that the case has been referred to the Medical Council? This is the reason why they wrote to the Medical Council. Is he aware that they wrote to the...

Mr Speaker: There is no need to take...

Mrs Labelle: Is the hon. Minister aware that...

Mr Speaker: Can the hon. Member just ask the family to write to the Ministry of Health? Then she will come to know about it.

(Interruptions)

Mrs Labelle: I am sorry! I expected the answer from the Minister and not from the Chair.

Mr Speaker: Yes, but the hon. Minister has said that it is not the policy.

Mr Bérenger: What is the position? Parents go to the Medical Council, which carries out an inquiry. Either the Medical Council writes to the parents and informs them. But I suppose that the Medical Council goes through the Ministry. I mean, we are playing with lives and so on. Will this be sorted out?

Mr Speaker: I do not understand why there is such a big fuss about a simple question like this. It was so easy for the Minister who has stated that it was not the policy of his Ministry to do so. If there is a request now, he is going to write to the family. That would have been so simple.

Mr Faugoo: This is exactly what I said, Mr Speaker, Sir. I am not going to depart from a standing principle which was there even in 2004.

Mr Speaker: Yes, the hon. Minister is not willing to depart from that. That's the answer.

Mr Faugoo: If they write.

Answering the question of hon. Bérenger, we don't get the report from the Medical Council.

(Interruptions)

No, I never said that. The hon. Member must hear properly. He didn't hear properly.

Mr Speaker: The hon. Minister must address the Chair, please.

Mr Faugoo: I never said that we got the report, I said we were apprised by the Medical Council of the outcome, we don't get any report.

(Interruptions)

Mr Speaker: Order!

Mr Faugoo: We don't get any report as such from the Medical Council, Mr Speaker, Sir, and the Medical Council is under no legal duty to impart any report to any Tom, Dick and Harry, even the Ministry, even a Government department. What they do, they apprise us of the outcome, meaning whether the doctor was negligent or not negligent and what course of action to follow. This is what they do.

Mr Bérenger: Mr Speaker, there has been no request from anybody that a full copy of the report should be sent to the family or whoever, what we simply say is that either the Medical Council or the Ministry must inform the family of the outcome of the inquiry.

Mr Speaker: The question relates to the outcome, not to the full report.

Mr Faugoo: Mr Speaker, Sir, again, I repeat for the third time, there is a principle and I am going to abide by the principle, a principle based on technicalities with legal implications. If there is a request by the person or the legal representative, I have no problem. I am not stopping them from going to the Courts of Law, Mr Speaker, Sir.

Mr Cuttaree: I have one question, Mr Speaker, Sir. The hon. Minister - if I heard him rightly - said that the complaint was made to the Ministry. If I complain to somebody about something, I expect that person to tell me what comes out of it.

Mr Faugoo: Mr Speaker, Sir, I never said this. What I said is that, after the death of Helena Harel, the Ministry, on its own – without anybody writing to the Ministry - wrote to the Medical Council for an indepth inquiry. At that time, they were in Government. The parents of the

deceased, on their own, independently, wrote to the Medical Council, asking for an inquiry. So, where is the problem? There is no correspondence between the relatives of the victim and the Ministry. If there is a request, I have no problem to communicate to the parents or relatives.

Mr Guimbeau: Mr Speaker, Sir, the Minister is talking about a request. In 2004, I wrote to the Ministry with regard to a report concerning my late father. I would like to know whether the Minister is going to give me the report.

Mr Speaker: The Minister has not got the information with him right now. The hon. Member should put a substantive question.

At 1.00 p.m the sitting was suspended.

On resuming at 2.30 p.m. with Mr Speaker in the Chair.

**SOUILLAC, RIVIERE DES ANGUILLES, L'ESCALIER
& CHEMIN GRENIER MARKETS –
OPERATION COSTS & SANITARY PROBLEMS**

(No. B/1023) Mrs F. Jeewa-Daureeawoo (Third Member for Stanley & Rose Hill) asked the Minister of Local Government whether he is aware that the Grand Port-Savanne District Council can no longer cover the operation costs of the markets in Souillac, Rivière des Anguilles, l'Escalier and Chemin Grenier and that these markets are faced with sanitary problems and, if so, will he state the remedial measures he proposes to take.

Dr. David: Mr Speaker, Sir, I am informed by the Grand-Port Savanne District Council that they have the necessary funds to cover the operation costs of the markets in Souillac, Rivière des Anguilles, l'Escalier and Chemin Grenier. With regard to sanitary problems, I wish to inform the House that the health authorities have requested the Council to attend to them.

However, I am also informed that the Public Health Committee of the Council has, at its sitting held on 29 June 2006, taken cognizance of the statement of income and expenditure of the markets of Souillac and l'Escalier and noted that the annual income derived from Souillac market is merely Rs10,800, whilst the annual expenditure is Rs625,780. As regards the market at l'Escalier, the annual income is Rs100,260, whereas the annual expenditure is Rs639,600.

In the light of this state of affairs, the Council has planned to hold consultations with all the stakeholders, including Members of the National Assembly of that constituency and respective village councils, to decide on the way forward.

CEB – HAND READERS – DAMAGE

(No. B/1024) Mrs F. Jeewa-Daureeawoo (Third Member for Stanley & Rose Hill) asked the Minister of Public Utilities whether he is

aware that a number of clocking machines at the offices of the CEB have been voluntarily damaged and, if so, will he state –

- (a) the number thereof;
- (b) the costs of the repairs or the replacement thereof, and
- (c) if inquiries have been carried out thereinto and, if so, the outcome thereof.

Dr. Kasenally: Mr Speaker, Sir, I am informed by the CEB that 18 hand readers were installed to monitor the attendance of its employees covering the Head Office and its main regional offices.

I am also informed that –

- (a) twelve of the hand readers have been tampered with and damaged through suspected acts of vandalism;
- (b) necessary repairs have been effected by the supplier, Harel Mallac & Co. Ltd, and the cost of repairs amount to Rs193,895.66, and
- (c) all cases of tampering have been reported to the Police and the findings are awaited. Departmental inquiries have been instituted and the culprits have not yet been identified.

Mr Varma: Mr Speaker, Sir, could the hon. Minister kindly inform the House why these hand readers were damaged?

Dr. Kasenally: Mr Speaker, Sir, the answer is obvious. With a view to promoting and enforcing discipline relating to regularity and punctuality in attendance at work, the CEB had implemented an automatic hand-based geometry attendance system, known as the hand reader, at its Head Office and main regional offices. In this context, a tender exercise was launched. It also needs to be pointed out that, before implementing the project, consultation and discussions were held with all parties, including three unions of the CEB. The purpose and benefits to be derived from the project were clearly explained to all stakeholders. Initially, they all accepted. But, since these hand readers have been in use, overtime has obviously been

reduced drastically. This is exactly what we planned to do, that is, rationalise the overtime and put an end to the excessive amount of overtime claimed by certain workers, as these machines would record the exact amount of overtime performed. Apprehending that the amount of overtime would be drastically reduced – as it happens to be – some rogue elements have proceeded to a systematic damage of these machines.

I want to assure the House and all the workers of the CEB that any worker doing genuinely any overtime will be fully paid for every single extra minute they are working. I equally want to express the full determination of the CEB not to yield to a handful of rogue elements who want to continue receiving money for hours they are not working. Mr Speaker, Sir, there will be no retreat, no surrender, on this issue.

INDIA/MAURITIUS - DOUBLE TAXATION AVOIDANCE AGREEMENT

(No. B/1025) Mr Y. Varma (First Member for Mahebourg and Plaine Magnien) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether he will state if the Government of the Republic of India has decided to renegotiate the Double Taxation Avoidance Agreement with Mauritius and, if so, will he state –

- (a) the reasons thereof, and
- (b) the diplomatic initiatives currently being taken to this end.

(Withdrawn)

FABIEN ROAD, VILLE NOIRE, MAHEBOURG – SOIL EROSION

(No. B/1026) Mr Y. Varma (First Member for Mahebourg and Plaine Magnien) asked the Minister of Environment and National Development Unit whether he is aware of a soil erosion along Fabien Road more particularly near Delices Stream in Ville Noire, Mahebourg and, if so, will be state the remedial measures that will be taken.

Mr Bachoo: Mr Speaker, Sir, I have been informed by the Grand Port – Savanne District Council of the soil erosion problem. A joint site-visit

will be organised with the relevant authorities with a view to finding solutions. The hon. Member is welcome to join in.

Mr Varma: Can the hon. Minister kindly inform the House when the joint visit will take place?

Mr Bachoo: Mr Speaker, Sir, it maybe within a fortnight.

Mr Speaker: Next Question. The Minister of Housing is not here. I'll call the question when the Minister comes.

MAURITIUS DUTY FREE PARADISE LTD. – WAREHOUSE – CONSTRUCTION

(No. B/1028) Mr M. Dowarkasing (Third Member for Curepipe and Midlands) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether he will, for the benefit of the House, obtain from the Mauritius Duty Free Paradise Ltd, information as to if the construction of a warehouse is being envisaged and, if so, obtain details of –

- (a) the cost of the project;
- (b) the proposed location of the warehouse, and
- (c) if any tender exercise has been carried out.

The Deputy Prime Minister, Minister of Finance and Economic Development (Mr R. Sithanen): Mr Speaker, Sir, the issue raised relates to the day to day management of a company incorporated under the Companies Act. As such it would not be appropriate for me, as a matter of principle, to disclose information relating thereto.

I would, however, wish to inform the House that I have been assured by Mauritius Duty Free Paradise that all basic administrative and procurement procedures have been adhered to by the company with respect to this tender exercise.

THE LOCAL GOVERNMENT SERVICE COMMISSION – RECRUITMENTS

(No. B/1029) Mr M. Dowarkasing (Third Member for Curepipe and Midlands) asked the Minister of Local Government whether he will, for the benefit of the House, obtain from the Grand Port-Savanne District Council, information as to if any recruitment exercise has been carried out since June 2006 to date and, if so, with regard to the recruits, obtain details of –

- (a) the date of their recruitment,
- (b) their addresses, and
- (c) the duties assigned to them.

Dr. David: Mr Speaker, Sir, I am informed, that following the request of the Grand Port/Savanne District Council, the Local Government Service Commission has carried out recruitments in different grades since June 2006 to date.

However, with your permission, Mr Speaker, Sir, I would like to refer the hon. Member to the reply I made PQ No. B/796 where I informed the House that since appointments and promotions in the Local Government Service fall under the sole responsibility of the Local Government Service Commission which is an independent Body, it would not be proper to give the particulars requested for.

MAURITIUS & RODRIGUES - BAD WEATHER ALLOWANCE – REGISTERED PROFESSIONAL FISHERMEN

(No. B/1030) Mr J. R. Spéville (Second Member for Rodrigues) asked the Minister of Agro Industry and Fisheries whether he will state if there has been any change in the process of assessing the payment of a bad weather allowance to registered professional fishermen, in and off the lagoon, in mainland Mauritius and in Rodrigues.

Dr. Boolell: Mr Speaker, Sir, with your permission, Sir, I will reply to both Parliamentary Questions B/1030 and B/1058.

Mr Speaker, Sir, as regards PQ B/1030, there have been new criteria in the assessment of the payment of bad weather allowance to registered professional fishermen, in and off the lagoon, in mainland Mauritius and Rodrigues.

Payment of bad weather allowance was, prior to these changes, based on the following criteria approved in November 1996 -

- (i) a bad weather day is determined on either rough sea or speed of the wind (19.2 km/hr or above) or both;
- (ii) computation for payment of bad weather allowance is done on a daily basis instead of three consecutive days, excluding Sundays and public holidays, and
- (iii) payment is effected every month. The fisherman should, however, have his fisherman's card duly stamped for at least one month immediately preceding the month of payment.

I wish to inform the hon. Members that the Director of Audit, in his report for the year ending June 2000, had pointed out various weaknesses inherent in the system for payment of bad weather allowance, particularly in Rodrigues. It was observed that the allowance is paid even on days when fishermen go out fishing. This stems from the fact that even if the sea outside the lagoon is rough, the sea inside the lagoon may not be so and fishermen do carry out fishing activities. The method of monitoring attendance as well as the genuineness of registered fishermen were questioned.

The Director of Audit's Report and the Team of Officials who carried out a review of the fisheries sector in Rodrigues in 2001 had highlighted the need for reviewing the criteria for payment of bad weather allowance. In December 2001, the then Minister for Rodrigues apprised the then Government of the recommendations of the Team of Officials and proposed that a committee under the chairmanship of the then Ministry of Fisheries be set up to look into the implementation of the recommendations. In April 2002, following a proposal of the then Ministry of Fisheries that the existing criteria to determine a bad weather day be maintained and that the recommendations of the team of officials and the observations of the Director of Audit in regard to bad weather allowance be set aside, be disregarded, the then Government agreed that the payment of bad weather allowance be effected on the existing terms and conditions, pending a review exercise.

A recent meeting was held under the chairmanship of the Financial Secretary and comprising representatives of my Ministry, the Ministry of Social Security, National Solidarity and Senior Citizens Welfare & Reform Institutions, the Meteorological Services and Rodrigues Regional Assembly (RRA). Following discussions at the meeting, it was agreed that the existing scheme would need to be reviewed to ensure a rational and judicious use of public funds. The representative of Rodrigues Regional Assembly reported that there was a need to review the criteria in view of over exploitation of marine resources in the lagoon.

It is to be noted that the Ministry of Rodrigues & Outer Islands has also indicated that there is a need in Rodrigues to reduce the number of lagoon fishers as this is leading to serious depletion of the lagoon resources and other environmental problems.

The Director of Meteorological Services indicated that only the state of the sea should be taken into account for payment of bad weather allowance.

The criteria for payment of bad weather allowance has therefore been reviewed as follows -

- (i) a bad weather day will be defined as a day when the sea is rough, rough to moderate or moderate to rough;
- (ii) computation for payment of bad weather allowance be done on a daily basis excluding Sundays and public holidays;
- (iii) payment to be effected every month. The fisher should, however, have his card duly stamped for at least one month immediately preceding the month of payment, and
- (iv) the newly registered fishers would be eligible to bad weather allowance only up to retirement age.

And the same criteria will apply to fishers in Rodrigues.

As regards the state of the sea in off lagoon, it would be assessed in two areas for Mauritius, namely -

- (i) Cap Malheureux through Pointe aux Sables to Le Morne; and
- (ii) Le Morne through Blue Bay to Cap Malheureux.

For Rodrigues, as the island is small, the state of the open sea would be the same everywhere.

It was also decided that for the purpose of payment of bad weather allowance both Mauritius and Rodrigues be divided into four zones for assessment of the state of the sea in the lagoon, information which I can circulate at a later stage.

Mr Speaker, Sir, as regards PQ B/1058, the payment of bad weather allowance to fishers in Rodrigues for the month of June 2006, will be effected at the end of July 2006 according to the new criteria. The number of days for which bad weather allowance will be paid is as follows:

The region -

(i)	From Baie Pistache to Pointe au Sel (lagoon)	-	
	Nil		
(ii)	From Pointe au Sel to Petit Graviers (lagoon)	-	1
(iii)	From Petit Graviers to Baie Topaze (lagoon)	-	3
(iv)	From Baie Topaze to Baie Pistache (lagoon)	-	3
(v)	Off-Lagoon	-	16

Mr Spéville: Mr Speaker, Sir, I heard the hon. Minister say that it has been agreed to redeploy fishermen in lagoon due to the number of fishermen actually in the activities. Can I ask the hon. Minister whether he is considering to redeploy and to pay an off package compensation to these fishermen?

Dr. Boolell: Mr Speaker, Sir, I highlighted in very clear terms as to the criteria established and since it is the policy of the Government to adhere strictly to these criteria, we have been pressed upon to see that these are the criteria and Government will stick strictly to the criteria established.

Mr Bérenger: Can I ask the hon. Minister the date on which decision was taken by Government to change the way that bad weather allowance is paid and whether stakeholders both in Mauritius and in Rodrigues have been informed of that?

Dr. Boolell: Mr Speaker, Sir, as hon. Bérenger is fully aware the discussions started way back in 2001. In fact, if I refer to the Director of Audit's comments made by the then Committee, unfortunately, no decision was taken. When there were discussions in respect of budget measures to be taken, matter was discussed very forcefully and all the members concerned were present. It was in the light of the decision taken with all members concerned that Government agreed to review the criteria. As to when the decision was taken, as to the specific date, I cannot say so.

Mr Bérenger: Can I ask the hon. Minister whether he has the figures as to the number of fishermen enjoying bad weather allowance in Mauritius and in Rodrigues before the change in criteria and what are the estimates, how many should be paid according to the new criteria?

Dr. Boolell: Well, as to the bad weather allowance paid in year 2000/2001, I can circulate for 2000/2001, 2002/2003...

Mr Bérenger: What are the latest figures?

Dr. Boolell: The latest dates back to 2005 and the amount paid was Rs41,595,895. Up to date already from January to May the figure is Rs17,222,630 m. The criteria will come into force soon.

Mr Von-Mally: Mr Speaker, Sir, can I know whether the fishermen have been made to express their views prior to the change in policy? And secondly, can I know whether it is normal and judicious to have Rodrigues, which is such a small island, be divided into four regions as in Mauritius? Because, it is such a small island.

Dr. Boolell: Mr Speaker, Sir, the matter was discussed and there was a representative from Rodrigues Regional Assembly. The decision was not taken lightly and as I have stated earlier, there was a consensus. In fact, the representative from the Rodrigues Regional Assembly went as far as to say that some of the fishermen or fisherwomen should be redeployed because of the impact upon the marine environment. And we know that, for example, there are 700 *piqueuses ourite* and we know the deleterious effect that this ongoing activity is having upon marine ecology.

Mr Spéville: Mr Speaker, Sir, from my information at the meeting the representative of the RRA never talked about zoning process, because they said that the island is too small. Can I ask the Minister whether he will consider reviewing the process of zoning for Rodrigues?

Dr. Boolell: Mr Speaker, Sir, I am going to pay heed to the problem, but that does not mean that I am going to entertain it.

Mr Bérenger: Sir, can we know who was the Financial Secretary when that decision was taken?

Dr. Boolell: I can't recall, but I can certainly give the name at a later stage.

Mr Ganoo: Can the hon. Minister inform the House as to the sum which has been allotted in this Budget for the compensation of bad weather allowance?

Dr. Boolell: I can't say offhand. I can say for certain that there will be savings made, which will, of course, go into the Empowerment Fund, precisely to empower those who are weak and vulnerable.

(Interruptions)

Mr Von-Mally: Mr Speaker, Sir, am I to understand from the hon. Minister that for the month of June, one group of fishermen is going to have 16 days of bad weather allowance and another group will have zero cent?

Dr. Boolell: We know there are specific criteria for off lagoon. In fact, in Rodrigues, in respect of off lagoon, there is only one criteria contrary to Mauritius where there are two. We know that these fishermen can have their fishermen cards which enable them to fish in lagoon as well as off lagoon. The number of days of bad weather is 16 for off lagoon and it is seven (7) for in lagoon. Of course, I am referring to the month of June.

Mr Von-Mally: Can we know who were the representatives of the Rodrigues Regional Assembly at that meeting prior to the change of policy?

Dr. Boolell: I will find out...

(Interruptions)

It is not fair just to drop names, I will certainly give the name to the hon. gentleman.

RODRIGUES – CO-OPERATIVE SECTOR

(No. B/1031) Mrs S. Hanoomanjee (Second Member for Savanne & Black River) asked the Minister of Industry, Small & Medium Enterprises, Commerce & Co-operatives whether he will state the number of visits he has effected to Rodrigues since July 2005 to date and the outcome thereof in regard to the co-operative sector specifically.

Dr. Jeetah: Mr Speaker, Sir, I wish to inform the House that with regard to co-operatives in Rodrigues, I directed a senior officer of my Ministry to visit Rodrigues in September last year. His report is being considered and recommendations are being implemented.

I thank the hon. Member for showing concern for the co-operative sector in Rodrigues and I am glad to inform her that I would be making an official visit to Rodrigues very soon. The hon. Member may also wish to note that I made a private visit to Rodrigues last year and during my stay there, I made it a point to consult officials of the Departments falling within the purview of my Ministry.

Mrs Hanoomanjee: Sir, can the Minister state how many youngsters have been trained in the co-operative sector in Rodrigues since July last?

Dr. Jeetah: Sir, if the hon. Member comes with a substantive question, I will gladly answer.

RIVIERE DES GALETS - EDC HOUSES

(No. B/1032) Mrs S. Hanoomanjee (Second Member for Savanne & Black River) asked the Minister of Housing & Lands whether he is aware of the deplorable state of the EDC houses at Rivière des Galets and, if so, will he state the remedial measures he proposes to take.

Mr Dulull: Mr Speaker, Sir, with your permission, before I answer this question, I would like to apologise for my absence when the previous PQ addressed to me was called as I had to attend to a medical visit...

(Interruptions)

Mr Speaker: Order!

Mr Dulull: Mr Speaker, Sir, I am advised that 59 EDC houses were constructed by the ex-CHA at Rivière des Galets/Petit Bien Housing Estate in the 1960s to re-house victims of cyclones Carol and Alix. Out of these 59 units, 17 have been dismantled and replaced by new concrete ones. As these houses are found near the sea and the corrugated iron sheet roofs are exposed to the salt-water, the remaining housing units are in a deplorable state. It must be pointed out that the occupants are owners of the houses.

I also wish to refer the House to my reply to PQ No. B/734 wherein I indicated that the owners of EDC houses will be included in the 19,300 owners of ex-CHA houses to whom Government is proposing to sell the land on which stand the houses. For those owners who wish to pull down their existing building and to reconstruct new houses, they are advised to apply to the Mauritius Housing Corporation Ltd. to avail themselves of loan facilities and apply to the NHDC for a grant under the casting of roof slab scheme.

In line with this decision, the question of Government pulling down the houses and building new ones free of charge does not arise.

Mrs Hanoomanjee: Mr Speaker, Sir, in view of the fact that there are around 150 families involved and that they are very poor people, can I ask the Minister whether he can consider taking up the matter under the Empowerment Fund Programme?

Mr Dulull: We will look into it and should the need arise, we will give due consideration to it.

Mr Mohamed: Mr Speaker, Sir, may I ask the hon. Minister whether those EDC houses at Rivière des Galets have the problem of asbestos?

Mr Dulull: I will look into it, Sir.

FLIC-EN-FLAC BEACH – ROAD SAFETY MEASURES

(No. B/1033) Mrs S. Hanoomanjee (Second Member for Savanne & Black River) asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping whether he is aware of the increasing number of members of the public using the Flic-en-Flac public beach and, if so, will he state if he will consider the advisability of constructing humps along the main road as from the Flic-en-Flac Police station leading to the public beach.

The Ag. Prime Minister: Mr Speaker, Sir, the stretch of the road along Flic-en-Flac beach referred to by the hon. Member, being a classified road, it is not the policy of my Ministry to put up humps along such roads.

However, with a view to enhancing the safety of pedestrians, the Traffic Management and Road Safety Unit will carry out a proper survey to evaluate the situation and come up with proposals for implementation of other different traffic calming and road safety measures.

Mr Speaker, Sir, I would like to add that in view of the numerous requests for humps, I'll make a statement on the policy regarding humps to the House.

Mrs Hanoomanjee: Mr Speaker, Sir, with regard to remedial actions being proposed by the Ag. Prime Minister, can we have an indication of the time limit for such measures?

The Ag. Prime Minister: I have asked the TMRSU to proceed to Flic en Flac as soon as we got the question. We will look into it quickly.

VERDUN - SAINT LÉON KINDERGARTEN – RENOVATION WORKS

(No. B/1034) Mr S. Dayal (Second Member for Quartier Militaire and Moka) asked the Minister of Local Government whether, in regard to drain works being carried out at the rear of the Saint Léon Kindergarten at Verdun, he will state –

(a) when works started;

- (b) the proposed date of completion, and
- (c) the cost thereof.

Dr. David: Mr Speaker, Sir, I am informed by the Moka/Flacq District Council that no drain works are currently being carried out at the rear of the Saint Léon Kindergarten at Verdun. In fact, the Council has planned to construct retaining walls all along the existing trenches from the Kindergarten to the river and cover same with slabs. These works are scheduled to start by the end of this month and will be completed in three months time. The cost of these works is estimated at Rs750,000 .

DAGOTIÈRE HEALTH CENTRE – DENTAL CARE SERVICES

(No. B/1035) Mr S. Dayal (Second Member for Quartier Militaire and Moka) asked the Minister of Health and Quality of Life whether he will state if Government proposes to provide dental care services at the Health Centre of Dagotière.

Mr Faugoo: Mr Speaker, Sir, dental services are usually provided in medi-clinics and area health centres. Inhabitants of Dagotière have access to dental care services at Dr. Quenum Area Health Centre, St. Pierre and Quartier Militaire Area Health Centre. These two area health centres are both located within a radius of four kilometres from Dagotière with easy access as adequate transport facilities are available. In fact, for administrative purposes, Dagotière Community Health Centre is attached to St. Pierre Area Health Centre.

I am informed that an average of 400 patients attend Dr. Quenum Area Health Centre and 350 attend Quartier Militaire Area Health Centre for dental treatment monthly. 25 per cent of patients attending Dr. Quenum Area Health Centre come from Dagotière.

It would not be cost effective to provide dental services at Dagotière Community Health Centre.

DAGOTIÈRE POST OFFICE - CWA BILLS - PAYMENT

(No. B/1036) Mr S. Dayal (Second Member for Quartier Militaire and Moka) asked the Minister of Public Utilities whether he will consider

extending the facilities to the public for the payment of the Central Water Authority bills to be effected at the Post Office of Dagotièrè.

Dr. Kasenally: Mr Speaker, Sir, I am informed by the Central Water Authority that it should be possible to extend facilities to the public for the payment of their water bills at Dagotièrè as soon as the Mauritius Post Limited will be able to computerise its services thereat.

CAMPEMENT SITE LEASES – PREMIUMS & RENT PAYABLE

(No. B/1037) Mr E. Guimbeau (First Member for Curepipe and Midlands) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether, he will state the criteria laid down to determine the new proposed premium and the rental amount payable on *campement* site leases.

The Deputy Prime Minister, Minister of Finance and Economic Development (Mr R. Sithanen): Mr Speaker, Sir, I stated in the Budget Speech that the premium and the rental amount for the proposed fresh 60-year lease of a *campement* site will depend in which of the five zones defined in the Fifth Schedule of the Land (Duties and Taxes) Act it is located. I also indicated the values between which they will range.

More precisely, the premium will be Rs5 m. per arpent and the annual rental Rs250,000 per arpent in Zone A which includes such areas as the Trou aux Biches - Grand Baie - Anse la Raie coastal strip and the Flic-en-Flac-Wolmar-Tamarin- Grande Riviere Noire stretch;

For Zone B, it will be Rs4 m. and Rs200,000 per arpent, respectively;

For Zone C, Rs3.5 m. and Rs175,000 per arpent;

For Zone D, Rs3 m. and Rs150,000 per arpent, and

For Zone E, Rs2.5 m. and Rs125,000 per arpent.

These figures will be laid down in the Finance Bill.

The figures I have just mentioned are based on the average market value of campement site leases with sea frontage for each zone, as evaluated by the Chief Government Valuer. In fact, the premium represents approximately 25% of that value. As to the annual rental, it is equivalent to 1.25% of the market value, i.e., rental over the 60-year lease period will represent approximately the remaining 75% of that value.

This formula for determining the quantum for both the premium and the annual rental had been worked out in October 2004 by a Working Committee of officials, further to the budget announcement made by the previous Government on a new policy for renewal of *campement* site leases, which however was never implemented. The same Committee, Mr Speaker, Sir, also recommended a 25 per cent reduction for sites that do not have a sea frontage.

The precise figures had even been computed at that time and the quantum for both the premium and annual rental I indicated in the Budget Speech and on which I have elaborated, are those 2004 figures, adjusted for market changes intervened since then.

Thus, the premium and rental amount payable by a lessee who opts for a fresh lease are based on current market values and the amounts will depend –

- (i) on the zone in which the *campement* site is located;
- (ii) on whether it has a sea frontage or not, and
- (iii) of course, on the size of the campement site.

I am informed that the price is fair given that the rental amounts proposed are below the market rental.

I also wish to add that lessees will be given 6 months after issue of the letter of offer by the Ministry of Housing and Lands to indicate whether they accept the offer or not.

Mr Guimbeau: Is the hon. Minister conscious that, with the new taxes, all the low and medium income families will, therefore, lose their house, *symbole de sérénité et de réussite comme l'a dit le ministre des terres et du logement lors d'une remise de cheque pour maison hier*? Once the lease is over, all the low and medium income families won't be able to afford to pay the new lease tax and will, therefore, lose their house?

Mr Sithanen: Let me be very candid about it, Mr Speaker, Sir. The lease agreement, as it exists today, contains clauses that are advantageous to the lessee and protect also the lessor. As the lease actually exists, once the third lap of 20-years is completed, it comes back to Government. That is what it is today. In fact, what this policy does is basically to give some security to people over and above that period, Mr Speaker, Sir.

Mr Guimbeau: Just to clear out things, can the hon. Minister confirm to the House whether the National Residential Property Tax will also apply to the *campement* sites?

Mr Sithanen: Mr Speaker, Sir, when people will opt for the option where they will have more security over longer period of time, obviously they will not pay for the *campement* site tax which will be collapsed. The idea of having introduced these taxes is basically to get some additional income because the rental on these *campements* was very low.

Mrs Perrier: Est-ce que le ministre peut nous dire quelle est la compensation payée par rapport au contrat actuel du bail, lorsque le bail se termine et que le gouvernement décide de reprendre le bâtiment?

Mr Sithanen: *Il n'y a rien.* Again, Mr Speaker, Sir, I know it is a very sensitive issue. I am not the expert who worked on it, as I have said in the answer that I have provided to this august House. This has been worked out in detail in 2004. What we have done is just to update the value of the figures. I have looked obviously at the lease agreement and nothing is provided in the agreement once the third lap of 20-years, which is basically 60-years, is completed. There is nothing. I mean it is worse or better, it depends on where you stand. There is a provision that. after a certain amount of time, you have to remove the structure that has been erected. This is how it is today, hon. Perrier. In fact, Mr Speaker, Sir, the way the lease is written today, it is possible to give three months' notice. Because the rental is low, in the lease agreement, you are provided for one, two, three, four but there is a proviso that the maximum compensation is only Rs20,000.

Mr Guinness: In complexes for which people have paid commercial value, can we know from the Minister whether these people will pay this tax?

Mr Sithanen: As I said, it is a tricky one, Mr Speaker, Sir. In fact, in its initial stage itself, probably, this would not have been allowed. But

obviously it has been allowed, *c'est un fait accompli*. The problem would arise if some people move to the new regime while others stay with the old regime. It is a tricky one and I have requested the officers of the Ministry of Finance to liaise with the officers of the Ministry of Housing and Lands to see what is the best solution that will give some protection to these people.

Mr Guimbeau: Mr Speaker, Sir, can the hon. Deputy Prime Minister say whether there will be an income exemption threshold as far as the National Residential Property tax for *campement* site is concerned?

Mr Sithanen: The same threshold will apply to everybody with respect to the National Residential Property Tax.

Mr Ganoo: Can the hon. Minister inform the House whether it is not a contradiction to levy the National Residential Property Tax on somebody who is a lessee and is not the bare owner of a plot of land?

Mr Sithanen: It depends on how you look at it, Mr Speaker, Sir. As I have said, at the time being, obviously, these lands are being leased at exceptionally low prices.

(Interruptions)

Let me clarify this point on the National Residential Property Tax. There has been a lot of criticisms on it and many people have said that it has to be dependent on the value of the property. I cannot agree more, but we do not have a land data base – *un cadastre* – to do that particular job. I have stated that this is a transition and that in the long term it would be fairer to levy a property tax on the value of a particular property. But the data base to do that does not exist today.

Let me go further and inform my friends in the House that, even in towns, where the *cadastre* exists, it is behind schedule by about seven years. I have checked it in my own constituency, Mr Speaker, Sir.

Mr Bérenger: More!

Mr Sithanen: If not more, as hon. Bérenger is saying. We have a problem and many Members on the other side have asked questions, just like my friend who has asked this question. But it is impossible to levy a tax that

is based on the value of a particular building or a property when we do not have a data base on the value of this property itself.

Mr Guimbeau: Mr Speaker, Sir, to conclude the *campement* site will be subjected to a tax of Rs5 m. per *arpent*, a rental tax of Rs250,000 per *arpent* to be increased every three years, and a National Residential Property Tax. Does the Minister consider these measures to be fair?

Mr Sithanen: Mr Speaker, Sir, everybody in this House can discuss what is fairness in taxation. We can discuss whether A, B, or C is fair. I am not an expert in property evaluation. We know how many people have disposed of properties at extraordinary prices and the figures that I have is that rental is about 4% of the market value. The figures that I have been given by my officers and officers of the Ministry of Housing are that the market rent would be about 1.5% of the value of the property. Of course, Mr Speaker, Sir, all of us can dispute whether this particular property is worth A, B or C. Each of us can discuss whether this particular property should have been in Zone A, Zone B, Zone C and Zone D. It is precisely to avoid this type of criticisms that we opted for a flat rate as far as the National Residential Property Tax is concerned. Otherwise, we would have had 50 regions in Mauritius.

Mrs Labelle: Mr Speaker, Sir, may I know from the hon. Minister whether the same tax will be applied, let us say, in region like Camp Pécheur in Grand'Baie where the fishermen live?

Mr Sithanen: If the hon. Member would come with a substantive question, I will give the answer. But I do not think that what she is saying is right, Mr Speaker, Sir.

MEDICAL PRODUCTS (FAKE) – INTERNATIONAL MARKET - SALE

(No. B/1038) Dr. A. Husnoo (Second Member for Port Louis Maritime and Port Louis East) asked the Minister of Health and Quality of Life whether he is aware that fake medical products are being widely sold on the international market and, if so, will he state the measures taken by his Ministry to ensure that such products are not issued to patients in Government and private pharmacies.

Mr Faugoo: Mr Speaker, Sir, I am informed that fake pharmaceutical products are being sold in many countries where the pharmacy sector is not well regulated.

In Mauritius, fake medicines have not found their way as we have a well structured and vigorous system of control in medicines administration. In fact, appropriate legislation exists to regulate and control the importation and sale of medicines through –

- (i) the registration of all new medicines with the Pharmacy Board;
- (ii) the restriction on import of pharmaceutical products to wholesale pharmacies only;
- (iii) the control of all invoices by my Ministry, prior to customs clearance, and
- (iv) the obtention of an import permit from the Ministry of Industry, Small & Medium Enterprises, Commerce and Cooperatives for each consignment prior to the placing of orders in respect of medicines.

Furthermore, Mr Speaker, Sir, the organisational set-up of the private pharmacy sector is such that it strengthens the control of the importation of medicines as most of the drugs imported are effected directly from reputable international manufacturers by local wholesale pharmacies. The latter act as the business representatives of the international agencies in Mauritius. With this practice, the risks of counterfeiting are drastically reduced.

As regards procurement of drugs by Government, these are made directly from manufacturers and from long-established international wholesale dealers. Imports are covered by Certificates of Pharmaceutical Products moving into international commerce which indicate that the supplier complies with good manufacturing practice and is subjected to regular inspections by the health authorities of the country of origin.

So far, no case of ‘fake medicine’ has been reported to my Ministry or to the Pharmacy Board.

Mr Sayed-Hossen: Mr Speaker, Sir, with regard to the measures taken or planned to be taken by the Ministry of Health to ensure the quality of medical products circulated and issued to pharmacies, may I ask the hon.

Minister whether he is planning to set up a laboratory to ensure the quality of the contents of these products?

Mr Faugoo: As at now, Mr Speaker, Sir, there is no quality control lab in Mauritius. However, sometimes on a random basis, we do send medicines to a laboratory in South Africa to be checked as to its quality and the genuineness of the medicine. However, I must inform the House that a couple of months ago, we had some experts who came from India and made a study with a view to setting up a medical lab for Mauritius. We are working on the implementation of this project; and there has been provision made in the current budget for the provision of a quality lab for Mauritius.

Dr. Mungur: Mr Speaker, Sir, can I ask the hon. Minister when was the last batch of medications sent for quality assurance?

Mr Faugoo: If the hon. Member comes with a substantive question, I will give the answer.

PLAINE WILHEMS SEWERAGE PROJECT – CONTRACT

(No. B/1039) Dr. R. Hawoldar (Second Member for La Caverne and Phoenix) asked the Minister of Public Utilities whether, in regard to the Plaine Wilhems Sewerage Project contract WW67X between the Montgomery Watson Harza/Gibb (Mtius) Ltd and the Wastewater Management Authority, he will, for the benefit of the House, obtain from the Wastewater Management Authority, information as to –

- (a) if all the requirements as detailed in the terms of reference have been fulfilled;
- (b) if the detailed engineering/designs covered by the Montgomery Watson Harza/Gibb (Mtius) Ltd have been approved by the Authority, and
- (c) the consultancy fees and the amount paid out as at to date.

Dr. Kasenally: Mr Speaker, Sir, as for part (a), I am informed that in accordance with the terms of reference, the contractor is required to carry out the following –

- (i) review of available data;

- (ii) execution of additional investigations/studies;
- (iii) updating the pre-feasibility study;
- (iv) detailed design of trunk sewers, reticulation systems and house connections;
- (v) preparation of tender documents and prequalification documents (including evaluation), and
- (vi) submission of Evaluation Report.

The consultant has fulfilled all the requirements for the trunk sewer. As regards the reticulation network, the tender documents are being finalised;

As regards part (b), as mentioned in my reply to part (a), the draft tender documents are being cleared at the level of the WMA and are expected to be approved by the WMA shortly.

As regards part (c), the contract sum for the consultancy services is MUR 17,879,788 (excluding VAT) and to date only an amount of MUR 11,672,786 has already been paid.

The contract WW67X between the Ministry of Public Utilities and the Wastewater Authority, now the WMA, was awarded on 05 June 2000 by the Ministry of Public Utilities to the consultant Montgomery Watson Harza/Gibb (Mtius) Ltd. The consultancy services included the upgrading of plants existing sewage system and thereafter providing a system of a new trans-sewerage system to relieve the existing overloaded system in the Plaine Wilhems area.

The consultancy services also included the provision of additional capacity for the expansion of the sewerage reticulation system to the unsewered area in the Plaine Wilhems district, including the regions of Stanley, Roches Brunes, Rose Hill, Quatre Bornes and Palma.

Dr. Hawoldar: Mr Speaker, Sir, may I ask the hon. Minister whether he has the information if the Wastewater Management Authority is recommissioning another study, part of which had been done before in the other contract, and the reason for that?

Dr. Kasenally: Actually, Mr Speaker, Sir, there is a contract for consultancy services for the supervision of the reticulation system which is

going to be awarded, but there have been some legal problems which has delayed it considerably. The object of this new exercise is to review the design, if at all, to ensure that there is proper drainage. There has always been the question of whether there was any defect, and if there is any defect, it has to be corrected. And, naturally, there are penalties which have to be applied in these circumstances.

AIR MAURITIUS – CHAIRPERSON - OFFICE

(No. B/1040) Mr P. Jhugroo (Third Member for Port Louis North and Montagne Longue) asked the Deputy Prime Minister, Minister of Tourism, Leisure and External Communications whether, in regard to the office of the Chairperson of the Air Mauritius Ltd., he will, for the benefit of the House, obtain therefrom information as to –

- (a) total area thereof in the Air Mauritius Building;
- (b) the costs incurred for the renovation thereof, and
- (c) if it is equipped with a plasma television set and, if so, the cost thereof.

The Deputy Prime Minister, Minister of Tourism, Leisure & External Communications (Mr X. L. Duval): Mr Speaker, Sir, in reply to previous Parliamentary Questions at Air Mauritius Ltd, over the past few weeks, I have quite clearly indicated to the House that as a matter of Government policy, I am not in a position to disclose information pertaining to the day to day operations of the company.

Mr Speaker, Sir, I presume the hon. Member is aware that the previous MMM/MSM Government had also systematically refused to reply to questions on Air Mauritius Ltd and other such companies. There is, therefore, nothing new in the present policy.

Mr Jhugroo: Mr Speaker, Sir, if I may ask the hon. Deputy Prime Minister

(Interruptions)

Mr Speaker: No further supplementary questions are allowed. The Minister has refused to answer the main question. I gave a ruling. The hon.

Member is not allowed to put any supplementary question. Next question, hon. Jhugroo!

**HUGH OTTER BARRY GOVERNMENT SCHOOL –
ADMISSION –
FORGED CEB BILLS**

(No. B/1041) Mr P. Jhugroo (Third Member for Port Louis North and Montagne Longue) asked the Minister of Education and Human Resources whether he is aware that some parents have submitted forged bills of Central Electricity Board and of other parastatal bodies to obtain admission of their wards in Standard 1 at the Hugh Otter Barry Government School and, if so, will he state –

- (a) if these cases have been reported to the Police, and
- (b) the measures he proposes to take to prevent such practice.

Mr Gokhool: Mr Speaker, Sir, the answer is in the positive. I wish to inform the House that on the first days of registration of pupils for admission to Standard I students for the intake of January 2007, the Head teacher of Hugh Otter Barry Government School had doubts on the authenticity of the utility bills submitted by some parents and some parents had drawn the attention of the Head teacher on the fake CEB bills on 22 June 2007.

As regards part (a) of the question, on 23 June 2006, the Head teacher reported the case to the General Manager of the CEB.

On the same day, the General Manager of the C.E.B who checked the database kept in his office, found the bills to be fake. He subsequently referred the case to the Police, and the Ag. Prime Minister, answering Parliamentary Question B/1011 has given the details.

As regards part (b) of the question, the measures proposed to be taken to prevent such practice are as follows -

- (i) all Heads of schools have been directed to re-verify documents and to report any cases of suspected falsified documents to the Ministry and the Police;

- (ii) I wish to draw the attention of the House that all parents are required to fill in and sign a declaration form at the time of registration with a clause which stipulates, I quote –

“I understand that this is a criminal offence to willfully furnish to the Minister of Education, or any officer of this Ministry, false or misleading information in connection with an application for the admission of a pupil to a Government, or aided primary school.”

Furthermore, for admission to Standard I for future intakes (2008 onwards), the press communiqué which the Ministry issues annually prior to the registration exercise will also include the *proviso* stating the legal implications in case of fake documents.

It is hoped that all parents will draw the lessons from the case in point and refrain from resorting to illegal practices.

In the medium and long term, the objective of my Ministry is to improve the quality of education in all schools so that there is no need for parents to resort to such practices.

Mr Bérenger: Mr Speaker, Sir, I put the same question to the hon. Minister that I put to the Ag. Prime Minister. From the reply we have just heard, it seems that it is a standing request that parents, when they make their application, that it be accompanied by a genuine CEB bill. Have there been many cases where instead of using the CEB bill, rent books or so-called rent books have been used?

Mr Gokhool: Mr Speaker, Sir, as per the requirements, they have to provide documents which are CEB bills and CWA bills. There is no requirement to submit rent books.

(Interruptions)

But that is for secondary schools.

(Interruptions)

Mr Speaker, Sir, these are specific to the primary schools.

Mr Bérenger: Mr Speaker, Sir, can I ask the hon. Minister, therefore, whether for secondary schools, rent books or so-called rent books are acceptable to the Ministry?

Mr Gokhool: I think this is what I said in my reply to which the hon. Member is referring. But these regulations which I am citing refer to primary schools.

Mrs Hanoomanjee: Mr Speaker, Sir, given the special circumstances of Hugh Otter Barry Government School, can I ask the Minister whether he considers it fit to have a pre-primary unit based at Hugh Otter Barry Government School?

Mr Gokhool: I take note of this suggestion.

Mr Speaker: This does not arise from this question.

**SUNNI SURTEE MUSLIM SOCIETY CEMETERY, RICHE
TERRE –
STREET LIGHTING SYSTEM**

(No. B/1042) Mr P. Jhugroo (Third Member for Port Louis North and Montagne Longue) asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport and Shipping whether he is aware that the lighting system found on the road, adjacent to the Sunni Surtee Muslim Society cemetery at Riche Terre is defective and that it has functioned only once since its installation and, if so, will he state if he proposes to take remedial measures and when.

The Ag. Prime Minister: Mr Speaker, Sir, I am informed by the Road Development Authority that street lighting works were substantially completed before the road was opened to the public on 02 November 2005.

The street lighting system found on the road was operational on the day of inauguration. Soon after, it was reported by the contractor that some electrical cables were missing.

The contractor replaced the missing cables and remedial works were carried out to restore the street lighting system.

On 16 March 2006, the contractor reported that on two more occasions the electrical cables were stolen on almost the whole stretch. The matter was reported to the Terre Rouge Police Station, and a report is being awaited from the Police. Appropriate remedial action is being considered.

EMPOWERMENT PROGRAMME – STEERING COMMITTEE

(No. B/1043) Mr G. Lesjongard (Second Member for Port Louis North and Montagne Longue) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether he will state if a representative of the Small and Medium Enterprises sector has been appointed to sit on the Empowerment Fund Committee and, if so, will he state if the said appointment was made after prior consultations with the Association of the Small and Medium Enterprises.

The Deputy Prime Minister, Minister of Finance & Economic Development (Mr R. Sithanen): Mr Speaker, Sir, I presume the hon. Member is referring to the Steering Committee which has been constituted to implement the Empowerment Programme announced in the Budget.

The composition of the Committee has been determined on the basis of the capabilities of the individuals to steer the Empowerment Programme. It comprises persons involved in a cross section of activities both in the public and private sector including persons having wide experience in respect of activities related to small enterprises and women empowerment.

Mr Lesjongard: Mr Speaker, Sir, may I ask the hon. Deputy Prime Minister and Minister of Finance whether there is a formal request from the Association of Small and Medium Enterprises so that they have a representative to sit on that committee?

Mr Sithanen: Mr Speaker, Sir, there are requests from a couple of organisations, Mr Speaker, Sir. But since we decided to have only 12 members, what I have suggested to the Steering Committee is that we can

co-opt these members who are willing to share their experience or their knowledge to the Empowerment Committee.

Mr Lesjongard: Mr Speaker, Sir, may I ask the hon. Minister whether this would not have been a good signal to the Small and Medium Enterprises Community that there is somebody from the community sitting on that committee?

Mr Sithanen: Mr Speaker, Sir, if we go through the list of the members, you would see there are many members who have knowledge about Small and Medium Enterprises. And if we have started to appoint people that represent institutions, then the number of people would have been very, very high.

FISHERS (LOCAL) – SEAFOOD SECTOR

(No. B/1044) Mr G. Lesjongard (Second Member for Port Louis North and Montagne Longue) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether he will state the specific measures he proposes to take to empower local fishers in view of the emerging seafood hub sector.

The Minister of Agro Industry & Fisheries (Dr. A. Boolell): Mr Speaker, Sir. The reply being rather lengthy, I am circulating it.(Appendix1).

CITE LUMIERE, GRAND' BAIE - SQUATTING

(No. B/1045) Mr N. Guttee (Third Member for Grand'Baie and Poudre d'Or) asked the Minister of Housing and Lands whether he is aware that the number of people squatting the marshy land of Grand' Baie, commonly known as *Cité Lumière*, is increasing daily and, if so, will he state the remedial measures he proposes to take.

Mr Dulull: Mr Speaker, Sir, I wish to inform the House that the '*Police des Terres*' of my Ministry is actively monitoring the squatting situation throughout the island including the situation at Grand' Baie. The number of squatters in Grand' Baie has remained static in the wake of this monitoring exercise.

My Ministry has compulsorily acquired two portions of land at Sottise of the respective extents of 2764 m² and 7765 m² in June 2005 to relocate the 46 families squatting at *Cité Lumière*, Grand Baie.

The Ministry of Public Utilities and the Ministry of Environment and National Development Unit have been requested to provide the necessary amenities on sites. However, the sites are still under sugarcane and the former owners have been requested since 07 July 2006 to vacate same within a delay of 15 days. After that date, my Ministry will proceed with the pegging exercise to indicate the different lots to be allocated to the 46 families.

Mr Lesjongard: Mr Speaker, Sir, may I ask the hon. Minister when the two plots of land were acquired?

Mr Dulull: I mentioned in my answer in June 2005.

Mr Mohamed: Mr Speaker, Sir, the hon. Minister says that amenities will be provided for on those plots of land. What type of amenities exactly will be provided for to those families on those two plots of land?

Mr Dulull: The Ministry of Public Utilities will provide for electricity and water.

FOND DU SAC - CREMATION GROUND

(No. B/1046) **Mr N. Guttee (Third Member for Grand'Baie and Poudre d'Or)** asked the Minister of Environment and National Development Unit whether, following the site visit he effected at the cremation ground at Fond du Sac, he will state where matters stand as regards its upgrading.

Mr Bachoo: Mr Speaker, Sir, I am informed that the scope of works for upgrading of the cremation ground at Fond du Sac has already been prepared and a quotation was sought and obtained from Development Works Corporation.

An initial quotation amounting to Rs6.3 m. and a revised quotation of Rs4.5 m. were considered by the Consultant to be on the high side. The DWC did not agree to further review this quotation with the result that the project was put on hold. A tender exercise for the appointment of Annual District Contractors is currently being conducted. Consideration to the implementation of the upgrading works at Fond du Sac cremation ground will be given once the contractor for that region is appointed.

CIVIL AND CRIMINAL CASES - DELAYS

(No. B/1047) Mr S. Mohamed (Third Member for Rivière des Anguilles and Souillac) asked the Attorney-General, Minister of Justice & Human Rights whether he is aware that it takes a long time for civil and criminal cases to be heard by the courts and, if so, will he state if Government proposes to amend the law with a view to reducing the delays.

Mr Valayden: Mr Speaker, Sir, as a former practitioner and as Attorney-General, I am very much aware of the length of time taken by the Courts to hear and dispose of civil and criminal cases. The reasons for this delay are manifold and are largely due to the fact that our Courts have had, in recent years, to cope with a backlog of cases as well as with a steady increase in the number of cases being lodged.

It would not be appropriate, at this stage, to amend the law with a view to reducing delays within the Court system. Government is confident that the hon. Chief Justice and the Judiciary will take the robust measures that are called for to ensure that, in the interests of justice, cases are heard and disposed of expeditiously.

Moreover, we are also requesting Lord Mackay to look into what has been labelled as judicial delay and systemic delay when he will be in Mauritius as from September 2006.

Mr Mohamed: Mr Speaker, Sir, may I ask the hon. Attorney-General whether he would consider amending the law that dictates the procedure, for instance, in a criminal matter whereby a Police officer obligatorily has to go to Court in order to read the statement that he has recorded, so as the Police officer as a resource does not have to be wasted in Court the whole day

whereas the statement can be put in as evidence? Those are amendments that can be brought in to make things go faster during proceedings. Would that be considered?

Mr Valayden: This suggestion has already been taken care of by Lord Mackay in the last report and, therefore, obviously, we will try to implement it as soon as possible.

Mr Mohamed: Will the hon. Attorney General also consider the situation of not necessarily having Lord Mackay be called in to look into this matter since I am sure that there are lots of local brains who can look into this local matter? A local matter, I am sure, can be tackled by local people since there are local brains. Why asking a foreigner?

Mr Valayden: To answer hon. Mohamed, first of all, the suggestion put forward by my learned friend has already been taken care of by Lord Mackay; and, secondly, we are looking at systemic and judicial delay. Therefore, we will not limit ourselves in looking only at one aspect. Lord Mackay is the former Lord Chancellor of the United Kingdom. I agree with my friend that we have good and powerful brains in Mauritius, but we need, at least, to be open to other suggestions coming worldwide in order to have the best system.

Mr Mohamed: One last question on this issue, Mr Speaker, Sir. I thank the Attorney General for those excellent measures that are being proposed. Could we, therefore, also look into the possibility of having specific time line by which things have to be done and not have the situation where it is protracted for *une durée indéterminée*.

Mr Valayden: Mr Speaker, Sir, what we are doing at the moment is trying to come by February next year with a series of reform that will encapsulate all reforms that we are going to have within the Judiciary.

COMMUNITY HEALTH CENTRES - 24-HOUR SERVICE

(No. B/1048) Mr S. Mohamed (Third Member for Rivière des Anguilles and Souillac) asked the Minister of Health and Quality of Life whether he will consider the advisability of having Community Health Centres open on a 24-hour basis with a full medical staff.

Mr Faugoo: Mr Speaker, Sir, my Ministry provides a 24-hour service to the population island-wide through five regional hospitals, two community hospitals, two district hospitals and three specialised hospitals.

Moreover, my Ministry provides primary health care services to the population through a network of 24 area health centres, 112 community health centres and 2 medi-clinics.

It is not feasible to offer a 24-hour service in community health centres due to the following constraints -

- (i) existing infrastructure;
- (ii) costs;
- (iii) personnel,
- (iv) equipment, and the last one
- (v) the nature of services provided at the area health centres.

The purpose of health care centres is to provide primary health care services and these centres are not meant for secondary health care. They have been so designed that facilities do not exist to deal with such cases as inpatient maternity or acute cardiac services. In cases of emergency, however, there are ambulances and the SAMU which provide a 24-hour service covering the whole of Mauritius.

The normal working hours of these health centres are from 8 00 hrs to 16 00 hrs on weekdays and from 8 00 hrs to noon on Saturdays. However, when I assumed office in July 2005, I decided to extend the opening hours of all the area health centres and seven community health centres with a view to enabling more people to have access to these centres after working hours. Since then, these centres are opened from 16 00 hrs to 18 00 hrs on weekdays and from 9 00 hrs to noon on Sundays and public holidays. This measure has gone a long way towards meeting the needs of the population.

I am informed that expenses to the tune of around Rs1.5 m. monthly are being incurred to cater for overtime costs in respect of the extended hours of service in health centres. My Ministry is carrying out an evaluation exercise to assess the cost effectiveness and cost benefit of this measure and in the light of which other decisions may be taken by my Ministry.

Mr Mohamed: May I ask the hon. Minister pending the time that it would take to make Souillac hospital become a hospital and a surgical operation can be carried out there? Is it not therefore important to see to it that the area health centres, the community health centres in that area, are put to the service of the people of that area because precisely of that defective situation in Souillac whereby the hospital is not working?

Mr Faugoo: I cannot reconcile the one proposition to the other, Mr Speaker, Sir. Souillac hospital has already been reduced to an area health centre by the previous Government. No surgery is being carried out. On the even of the elections, they went in without proper handing over being done. I cannot but agree with the hon. Member that it has been reduced to an area health centre. Opening another health centre overnight will not change anything. People who are already going to the area health centre are directed to the Rose Belle hospital, Mr Speaker, Sir.

CONSTITUENCY NO. 13 - SOCIAL SECURITY OFFICES

(No. B/1049) Mr S. Mohamed (Third Member for Rivière des Anguilles and Souillac) asked the Minister of Social Security, National Solidarity and Senior Citizens Welfare & Reform Institutions whether she is aware of the poor state of the infrastructure of the social security offices in Constituency No. 13 and if so, will she state the remedial measures that she proposes to take.

Mrs Bappoo: Mr Speaker, Sir, there are presently four social security offices in Constituency No. 13. They are located at -

- (a) L'Escalier;
- (b) Rivière des Anguilles;
- (c) Souillac, and
- (d) Grand Bois, which is itself a sub-office.

The L'Escalier Social Security Office is housed in a Government-owned building and according to reports available at my office, there has been no request for infrastructural improvement to be brought to the building. No complaint has been received so far from members of the public or officers posted there.

As regards the Rivière des Anguilles Social Security Office which is also a Government-owned building, needful has been done for renovation works to be carried out. The request has already been sent to the Ministry of Public Infrastructure. A survey of the building has been carried out and a cost estimate will be shortly submitted.

The Souillac Social Security Office is housed in a rented building. The owner of the property has erected a shelter and has carried out some minor renovation works to the satisfaction of the officers posted there and these were completed in May this year.

The Grand Bois sub-office, which is a one-room office, operates on a two half-day per week basis. Recently tenders were launched, that is, in February 2006, for renting office space to house a full-time office. Site visits were carried out in April 2006 and a decision will soon be taken at the level of the Departmental Tender Committee of my Ministry.

I wish to inform the House that regular monthly meeting is held at the level of the Ministry with the Assistant Commissioners responsible for the various local social security offices around the island. The main objective of the meeting is to discuss problems related to the infrastructure of the social security offices and to monitor building works carried out by my Ministry. Requests in terms of furniture, equipment for these offices are also attended in that same committee.

Mr Mohamed: Mr Speaker, Sir, first of all, I would like to thank the hon. Minister for the excellent work of which she has given details. I would like to know whether she could also look into the possibility of making sure that, at each and every of those social security offices, there is a proper shelter for all the old people and the inhabitants of the localities. When they go there, they have to wait sometimes for many hours in the rain or in the sun. Such is the case at the moment in Rivière des Anguilles, where people have had to wait there without any shelter, benches or chairs. This has led to people having to be admitted to the area health centre of Souillac. Could the hon. Minister look into this situation so as to help those people in that area?

Mrs Bappoo: Mr Speaker, Sir, we will certainly do it. The question of shelter has been taken care of at Souillac and we will try to do the same for the others.

NATIONAL ROAD SAFETY STRATEGY

(No. B/1050) Dr. R. Mungur (Second Member for Flacq and Bon Accueil) asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport and Shipping whether he will state if Government proposes to come up with a National Road Safety Strategy and an Action Plan and, if so, when.

The Ag. Prime Minister: Mr Speaker, Sir, I am informed that in August 2005, my Ministry issued a National Road Safety Action Plan 2005-2008, based on the National Road Safety Strategy, which was prepared in 2001 with the assistance of Halcrow Fox.

The National Road Safety Strategy is being revised in the light of new developments and also amendments brought to the Road Traffic Act. It is proposed to release its Strategy Paper by the end of this year, after consultation with all the stakeholders.

A copy of the National Road Safety Action Plan (2005-2008) is being placed in the Library.

Dr. Mungur: Mr Speaker, Sir, may I ask the Acting Prime Minister whether in the Action Plan, there is a section on research?

The Ag. Prime Minister: Mr Speaker, Sir, it is not only in the Action Plan, but in the Strategy as well.

MEDICAL AND PARAMEDICAL STAFF – PROTOCOL

(No. B/1051) Dr. R. Mungur (Second Member for Flacq and Bon Accueil) asked the Minister of Health and Quality of Life whether he will state if Government proposes to amend the law with a view to providing assistance to medical and paramedical staff who are infected in the performance of their duties.

Mr Faugoo: Mr Speaker, Sir, there is no such law and the question of amending any law does not arise.

Dr. Mungur: Mr Speaker, Sir, being given the nature of the work, I know that, at least, doctors, nursing officers and health care assistants are

now currently struck with tuberculosis. Can I ask the hon. Minister if some sort of scheme could be devised, for example, an insurance cover, so that members of staff, who have given their time devotedly, don't spend all their sick leave and vacation leave?

Mr Faugoo: These have already been taken care of, Mr Speaker, Sir, in the regulations of the PRB Report of 2003, at paragraph 15.16.10. A new Occupational Safety and Health Act has been passed in the National Assembly in September of last year by the Ministry of Labour and Industrial Relations. This Act will bind the State, which means that doctors and health personnel are covered under this Act. However, this falls under the purview of the Ministry of Labour and Industrial Relations; and there is also a protocol which has been issued by the Ministry to all the personnel of the health sector.

ALLMATIE - MISSION CROSS ROAD – RESURFACING

(No. B/1052) Dr. R. Mungur (Second Member for Flacq and Bon Accueil) asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport and Shipping whether he is aware of the bad state of the Mission Cross Road at Lallmatie and if so, will he state the remedial measures that will be taken.

The Ag. Prime Minister: Mr Speaker, Sir, I am informed that the Mission Cross Road (B98) has been classified since January 2004.

The Central Water Authority (CWA) has carried out several road crossings for house service connections during recent years and this is the main cause for the deterioration of the road.

The CWA has been requested to finalise all its house service connections by the end of August 2006, following which the resurfacing works will be carried out.

The cost of resurfacing is estimated at Rs6.5 m. and the project will be implemented by the RDA during this financial year.

GEORGES V STADIUM – FOOTBALL PITCH

(No. B/1053) Mr L. Bundhoo (Second Member for Montagne Blanche and GRSE) asked the Minister of Youth and Sports whether, in regard to the football pitch of the Georges V Stadium, he will state if measures have been taken to reinstate same and, if not, why not.

Mr Tang Wah Hing: Mr Speaker, Sir, when I assumed Office, in July 2005, a Condition Audit was commissioned and the football pitch of Georges V Stadium was investigated with a view to identifying the problems relating to flooding. In parallel, my Ministry also requested the National Development Unit to investigate the links, which the football pitch drains have with Canal Barry.

The investigation revealed that the football pitch drain outlet is of the same level as the water in Canal Barry and during heavy rainfall the football pitch water outlet is covered, thus preventing the drain water from flowing freely in Canal Barry.

In order to remedy the problem, the Engineering Division of the Ministry of Public Infrastructure, the MFA and my Ministry had, during a meeting, held on Friday 14 July, and after having considered all the factors, decided to request the National Development Unit and the Ministry of Local Government to address the problem of Canal Barry in the first instance.

In this context, I am informed that a meeting will be held with the Ministry of Public Infrastructure, the National Development Unit, the Ministry of Local Government, the Municipal Council of Curepipe and the MFA to devise an integrated approach for the upgrading of Canal Barry.

Thereafter, regular survey will be carried out during heavy rainfall to note the changes that occur in regard to the football pitch of the New Georges V Stadium, in the light of which remedial measures will be proposed.

Mr Bundhoo: May I ask the hon. Minister to confirm to the House whether the drainage system was damaged when construction work was ongoing to the new Georges V Stadium?

Mr Tang Wah Hing: Mr Speaker, Sir, I am not aware about it. We came to know that the problem was from outside and not inside the stadium.

CYBERVILLAGE, EBÈNE – HOUSING UNITS

(No. B/1054) Mr L. Bundhoo (Second Member for Montagne Blanche and GRSE) asked the Minister of Housing & Lands whether, in regard to the *Village des Jeux* at Ebène, he will state –

- (a) the costs incurred for its construction, and
- (b) the number of units that have been sold.

The Deputy Prime Minister, Minister of Finance and Economic Development (Mr R. Sithanen): Mr Speaker, Sir, the construction cost of the 210 housing units of the Cybervillage totaled Rs534.4 m. Of these 210 units, only 45 have already been sold and 18 have been rented out to companies operating in the Cyber Tower.

Mr Varma: Mr Speaker, Sir, can the Deputy Prime Minister, Minister of Finance confirm to the House what happened to the 38 housing units that were reserved at the Cybervillage?

Mr Sithanen: The information I have is that 45 units have already been sold; I don't know whether the 38 units which the hon. Member is mentioning are included in the 45, unless he can elaborate on the question.

Mr Varma: Mr Speaker, in reply to PQ No. B/364, the hon. Deputy Prime Minister and Minister of Finance stated that 48 units had so far been reserved and 38 clients having made down payments.

Mr Sithanen: Mr Speaker, Sir, the figures I have are as follows: (sold) deeds signed – 15; reserved with deposits – 30; reserved without deposits – 5; units rented – 18.

Mr Bundhoo: Mr Speaker, Sir, may I ask the hon. the Deputy Prime Minister and Minister of Finance to inform the House what is the difference between the initial cost of construction and the final cost?

Mr Sithanen: Mr Speaker, Sir, I don't have the figures, but from what I understand, the initial project cost was Rs475 m. I don't have the breakdown. The actual cost turned out to be Rs534.4 m., which is about 15% higher than the estimates.

Mr Bundhoo: Mr Speaker, Sir, can I ask the hon. Deputy Prime Minister and Minister of Finance if he could liaise with his colleague, the Minister of Education - as a Government policy - to purchase the remaining housing estates in order to enable Government to create an education hub to have an Academic campus housed in this region?

Mr Sithanen: Well, it depends, Mr Speaker, Sir. I think we'll have to take an overall decision about what to do with these housing units which are empty. It is costing lots of money not only to BPML which is financially in distress and which is imposing a high burden on the MHC also. Because not only there has been a financial impairment in the asset, but the MHC and the BPML have to incur the operating and the maintenance costs on a monthly basis. So, we'll have to look at what is the best ways of filling these empty spaces.

Mr Bundhoo: Mr Speaker, Sir, I am making a request again to the hon. Deputy Prime Minister and Minister of Finance if he could seriously consider the possibility of vesting all the remaining housing estates to the Ministry of Education.

Mr Sithanen: Mr Speaker, Sir, I don't have this power, it costs money because the MHC has incurred cost, the BPML has incurred cost and, in fact, the BPML is in financial distress. So, I don't know, I am quite open on what should be done, but we have got the responsibility also to make sure that they recover part of the money that has been spent by BPML and MHC.

Mr Bérenger: The hon. Deputy Prime Minister made reference to Business Parks of Mauritius Ltd. Can I ask him whether it is not a fact that BPML is a company registered under the Companies Act like Air Mauritius and many others?

(Interruptions)

Mr Sithanen: Mr Speaker, Sir, the hon. Member...

Mr Speaker: Perhaps the hon. Minister has got a different policy.

(Interruptions)

Order! Order, please!

Mrs Perrier: M. le président, le ministre du logement et des terres avait annoncé pompeusement il y a quelques mois que pour rentabiliser ces appartements, le gouvernement prendrait la décision de reloger certains ministères dans ces appartements de la NHDC à Ebène. Peut-on savoir où en est avec le projet?

Mr Sithanen: Mr Speaker, Sir, the fundamental problem with these units is that they should not have been constructed there in the first place. There is a problem of geography, of pricing; and there was a problem of what was expected, probably in good intention, that was never materialised. Initially, they were expecting to get high network individuals to occupy these bungalows or these housing units. They were expecting expatriates in the IT sector to stay there. They were expecting non-resident Mauritians also to buy and none of these has materialised. So, we still have to look into ways of doing it. But it does not make sense to give it away free also because the MHC and the BPML have spent money; and we have to make sure that they get back most of the money that they have spent on this project.

Mr Varma: Mr Speaker, Sir, could the hon. Deputy Prime Minister inform the House what was the initial price of the housing units and what is now the revised price of the housing units?

Mr Sithanen: Mr Speaker, Sir, I think I have the information. Initially, there were different lots -

- Individual house type 1 : Rs3.7 m.
- Individual house type 2 : Rs3.8 m.
- Three-bedroom apartment : Rs2.8 m.
- Two-bedroom apartment : Rs2.4 m.

There was about 20% discount on it, but in spite of this, they were not sold.

The prices of units will be revised as follows -

- Two-bedroom from Rs2.4 m. to Rs2 m.
- Three-bedroom from Rs2.8 m. to Rs2.5 m., and

- The house prices reduced by Rs420,000 per unit.

So, in spite of this, they have not been selling like hot cakes.

Mr Varma: Mr Speaker, Sir, can the hon. Deputy Prime Minister inform the House as to which company was the building work entrusted?

Mr Sithanen: Mr Speaker, Sir, given that the project had to be completed by July 2003, it was fast track. It was decided that it would be executed as a turnkey project. Public tenders were invited from Grade A contractors in February 2002 and by the closing date, only two bids were received. The Cybervillage Consortium, General Construction, Rehm Grinaker, Gamma Civic and Allied Builders, and second, Chang Cheng Esquares Co. Ltd. The contract was finally awarded to the Cybervillage Consortium for Rs495,000 m.

Mr Bérenger: The hon. Minister himself said that part of the problem was the pricing policy decided upon by BPML and they had to climb down on, I don't know, two or three occasions. Can I know from the Minister whether he has looked into the case of somebody who purchases at the original price let's say and then, with time, BPML brings it down? What happens to the original buyer?

Mr Sithanen: The hon. Member knows. This is like you travel abroad, I mean either in Champs-Élysées, Paris or in Oxford Street. The day before the sale, you don't get the advantage of the sale, but the next day, obviously, you get the advantage of the sale.

Mr Mohamed: Mr Speaker, Sir, can I ask the hon. Deputy Prime Minister and Minister of Finance whether, before the decision was made to go ahead with such a massive project, there was, at any stage, a marketing survey carried out in order to assess the viability or feasibility? And if it was not carried out, who is responsible for this nonsensical decision?

Mr Sithanen: Mr Speaker, Sir, as I said, I think the basic mistake was that there was no business plan and there was no market study to ascertain whether the location, the pricing and the niche that was being targeted would fit into the geography. In fact, as I said in my earlier reply, they were targeting at three niches -

- (i) the high network individual;
- (ii) the expatriates that would come and work in the Cyber City, and
- (iii) the non-resident Mauritians

And not a single one of these has materialised; and we have been forced to bring down the price of this property in order to attract Mauritians to buy.

**TRUST FUND FOR THE INTEGRATION OF THE VULNERABLE
GROUPS –
SOCIAL FACILITATORS - RECRUITMENT**

(No. B/1055) Mr L. Bundhoo (Second Member for Montagne Blanche and GRSE) asked the Deputy Prime Minister, Minister of Finance & Economic Development whether he will, for the benefit of the House, obtain from the Trust Fund for the Integration of the Vulnerable Groups, the number of social facilitators recruited for the period 1995 to 2000 and the reasons as to why they have been laid off afterwards.

The Deputy Prime Minister, Minister of Finance & Economic Development (Mr R. Sithanen): Mr Speaker, Sir, I am informed that the Trust Fund for the Social Integration of Vulnerable Groups had, on 01 December 1999 appointed 17 Social Facilitators on a contract basis for a period of one year. These Social Facilitators stayed in office until 31 December 2000 after which their contract of employment was not renewed, i.e. on the eve of the new year.

(Interruptions)

The Management Committee of the Trust Fund, under a new chairmanship in October 2000, had decided that the number of Social Facilitators should be decreased and recruitment of Field Workers be effected to work at grassroot level, hence the non-renewal of the contract of employment of the Social Facilitators on the eve of the new year.

NOTRE DAME GOVERNMENT SCHOOL - FENCING

(No. B/1056) **Mrs B. Juggoo (First Member for Port Louis North and Montagne Longue)** asked the Minister of Education and Human Resources whether in regard to the fencing structure of the Notre Dame RCA Government School, he will state if he has received any complaints from the Parent Teachers Association of the school and of the inhabitants of Notre Dame and, if so, will he state the remedial measures that will be taken.

Mr Gokhool: Mr Speaker, Sir, I assume that by Notre Dame “RCA” Government School, the hon. Member is, in fact, referring to the Notre Dame Government School. My Ministry has indeed received letters from the Head Teacher in May 2005 in connection with the fencing of the school. Moreover, during a visit effected on 05 July 2006 at the school by the hon. Member with officers of my Ministry and the National Development Unit, the importance of the project was confirmed.

The project was placed in the priority list of works to be implemented during year 2005/2006. However, owing to lack of funds during that year, it was not implemented. It has now been earmarked for this financial year 2006/2007.

As is done in similar cases, the Ministry of Housing & Lands was requested to carry out a survey of the school, with a view to demarcating the boundaries of the premises. To that effect, a letter was sent by my Ministry to the Ministry of Housing & Lands on 06 July 2006.

Once the survey plan obtained from the Ministry of Housing & Lands, clearances will be sought from the Traffic Management & Road Safety Unit and the District Council of Pamplemousses/Rivière du Rempart. Replies from these two organisations would then permit the scope of works to be put up. Owing to the magnitude of the project, my Ministry has written to the Ministry of Public Infrastructure, Land Transport & Shipping to undertake the construction. On the assumption that all the necessary clearances are obtained on time, the block wall would be completed around the end of February 2007.

Mr Speaker: Time is over.

