

ORAL ANSWERS TO QUESTIONS

NEW GROVE – INCIDENT – 29.01.06

(No. B/1) Mr G. Guinness (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, in regard to the incident which occurred on or about 29 January last at New Grove during the course of which a lady was allegedly sexually assaulted in public, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to whether an inquiry was carried out in the matter and, if so, the outcome thereof.

The Prime Minister: Mr Speaker, Sir, a Police inquiry has been initiated in this case and it has not yet been completed. The lady was not examined by a Police Medical Officer as soon as she reported to Jawaharlal Nehru Hospital on 29 January 2006, as neither the lady nor her husband made any statement that she had been sexually assaulted at the time. They only stated that they have been assaulted by some 25 persons with blows and kicks. At around 2230 hours on the same day, Police visited her at the hospital on an alleged information that she had been sexually assaulted. But she refused to give any statement.

It was only on the next day, that is, on 30 January at 1215 hrs when she was still in hospital, that she gave a written statement to the effect that she had been sexually assaulted on the previous day. Thereafter, she was conveyed to Victoria Hospital to be examined by a Police Medical Officer and I am informed that this is the established procedure. You have to have a written statement, you have to have the consent of the person before you do any examination.

Mr Guinness: Mr Speaker, Sir, can the hon. Prime Minister inform the House as to when the suspect was arrested and when was he released?

The Prime Minister: I must tell the House that, in fact - from the question you don't realise it - there was a series of incidents starting on 28 January. The Police had been investigating a series of incidents concerning the same protagonist, if I may say so, culminating eventually in this specific allegation. As I said there were lots of incidents. And on 15 March 2006 at 2200 hours, after cocktail molotov and all these were found in the house and after the lady herself made the statement, then the suspect was arrested and then released after providing sureties.

Mr Guinness: After the lady made the written statement, according to the PMO report, it was found that she was sexually assaulted. Then when was the suspect arrested and released, whether on bail or not?

The Prime Minister: He was arrested on the 07 on a charge of attempt upon chastity. He was bailed out on the same day after having furnished a surety of Rs5,000 and a cognizance of Rs10,000.

Mr Guinness: In such circumstances, is it normal for a suspect to be released on the same day? Because a report has to be submitted and photographs taken. As far as the security of the victim himself is concerned, how is it that the suspect was released on the same day?

The Prime Minister: As the hon. Member knows, it is for the Judiciary.

(Interruptions)

Yes, the Police, but also the Judiciary. As I say - I do not want to go into the details - there were lots of incidents before and it is on that basis that this had happened.

Mr Bérenger: I heard the hon. Prime Minister say that it is the Judiciary that decided to allow the suspect out on bail on the same day. Will he agree with me that this is not the case at all? It is how the stand taken by the Police before the Court will largely decide what the attitude of the Magistrate will be. Can I ask the hon. Prime Minister whether he is aware that there have been very serious allegations of bias by the Police in this affair? Can I ask him whether he has looked at it, whether he has discussed those allegations with the Commissioner of Police and, if not, whether he will do so? Because very serious allegations of bias from the Police have been made and should be dealt with.

The Prime Minister: Just to clarify, Mr Speaker, Sir, actually the Police can decide whether they will object to bail or not object to bail. But, as I said, there were lots of incidents. If I go to the start of the incident, in fact, it was on the 28 that the person accused with his wife, called at the Police and requested Police assistance as they were having problems. Some panes have been broken and a warning was given to the person who was accused. Then, later on, on the same day, an unknown person, informed the Police that there was trouble at the house again. And again, the Police went on the spot and have seen that there was damage to the glass pane of the entrance door and several persons have turned the kitchen upside down. Then the Police were looking for the accused at the time and they were informed that there was a problem at another place. They went there and the victim and her husband stated that they have been assaulted with blows and kicks by about 25 people.

(Interruptions)

No, there were lots of incidents before - previous incidents connected to the same thing eventually and the lady herself made no declaration on the day, neither the wife nor the husband. It was only afterwards

(Interruptions)

Yes, but I do not want to go into the thing, but I am saying that there were series of incidents and, therefore, I must rely on what the Police decided to do.

Mr Bérenger: My point, if you allow me, is that there have been public and very serious allegations of Police bias in a very serious case. Can I ask the Prime Minister whether he has taken it up with the Commissioner of Police and, if not, whether he will do so? Because it is a very serious affair.

The Prime Minister: No, I did not specifically ask the Commissioner of Police whether there was any bias; but I can look into it, but I can see that there were a series of incidents.

Mr Cuttaree: Mr Speaker, Sir, can I draw the attention of the hon. Prime Minister to the fact that when we are dealing - forget about the previous incident - with a sexual assault, there was an examination by the doctor which confirmed that this lady was sexually interfered with. Normally - any barrister who is around here would know - there are a series of procedures like reconstitution, photographs taking, examination by doctors, all these things are done before the suspect can be released and,

under normal circumstances, this does not happen before two or three days. Therefore, this is why the question which is being asked, namely whether in this particular case, when the Police decided not to object to the person being released on bail, whether this was not a case for bias?

The Prime Minister: I do not want to go into the report of the doctor because the case is in front of the Court, as you know. I do not want to say what the doctor has actually said, but the Police decided on the facts that they were not going to oppose bail. That is what I understand.

Mr Bhagwan: Mr Speaker, Sir, our attention has been drawn to the fact that there has been severe interference from Members of Government. I am not mentioning names. Members of Government have threatened Senior Police Officers as far as this particular case is concerned and this has become a regular feature these days. Can the hon. Prime Minister inquire from the Commissioner of Police?

The Prime Minister: Mr Speaker, Sir, I hear this being said. I would like the hon. Member to give the names of the hon. Members who were interfering and then I will take action.

Mr Bhagwan: I will do so.

Mr Gunness: Mr Speaker, Sir, from what I understand, when the suspect was released the inquiry was not yet completed. So, how can it be that he was released on bail?

Mr Speaker: The Prime Minister has already answered this question.

SMF - POLICE OFFICER - SUICIDE

(No. B/2) 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, in regard to the suicide on 22 February 2006 of PC R.C. posted at the Special Mobile Force -

- (a) he will state if he has taken cognizance of the letter written by the deceased before his death, and
- (b) he will, for the benefit of the House, obtain from the Commissioner of Police, information as to whether an inquiry has been carried out in the matter and, if so, the outcome thereof.

The Prime Minister: Mr Speaker, Sir, as regards part (a) of the question, I am informed by the Commissioner of Police that following the death of PC R.C., his mother produced a photocopy of a hand-written letter dated 23 February 2006 purported to have been written and signed by the late Police Officer in which he related the hardship and harassment he had undergone at the SMF.

An inquiry has been instituted to shed light on the allegations contained in the letter. The inquiry is still in progress.

Mr Guinness: Mr Speaker, Sir, as we know this is a very sad case. I would like to lay on the Table of the Assembly copies of the Police notebook whereby the gentleman on several occasions has been called to work 24 hours service repeatedly. The Prime Minister can have a look at it and this can be taken into account when the report of the inquiry comes to him. According to the family it is because of stress that he committed suicide.

The Prime Minister: Here is the case of a Member getting a photocopy of the Police inquiry book and laying it on the Table. Here is a case!

Mr Guinness: Mr Speaker, Sir, just for clarification, it is the family who gave me the photocopy of the notebook to lay it on the Table so that the Prime Minister can take cognizance of same.

The Prime Minister: The way he is concerned with the case.

CRIMES (RESULTING IN DEATH) - NUMBER, INQUIRY, ETC

(No. B/3) Mr G. Guinness (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 the number of crimes resulting in death recorded since July 2005 and the outcome of the inquiry in each of the cases.

The Prime Minister: Mr Speaker Sir, I am informed by the Commissioner of Police that the number of crimes resulting in death recorded during period July 2005 to 15 March 2006 is 32.

Out of the 32 cases, 26 have been detected and 6 are still under inquiry.

Mr Dayal: Mr Speaker, Sir, can I ask the hon. Prime Minister whether the majority of these crimes have been committed by drug addicts?

The Prime Minister: Lots of cases involve drugs, but I do not want to go into the details.

Mr Dowarkasing: Will the hon. Prime Minister admit, due to the number of cases, since July 2005, that there is a complete breakdown of law and order in this country?

(Interruptions)

The Prime Minister: The hon. Member seems to forget that this is a relatively new Government, only nine months we have been in Government. But he will be surprised to know - because I checked - perhaps if what he is saying is true, that last year, for the same period, July 2004 to March 2005, there were exactly the same number of cases: 32.

(Interruptions)

Mr Speaker: Next question. Hon. Bhagwan, next question.

CONSTITUENCY NO. 12 - CONSTITUENCY CLERK

(No. B/4) Mr R. Bhagwan (First 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 state if the Constituency Clerk of a Honourable Member of the National Assembly for Constituency No. 12 has been arrested recently and, if so, will he give -

- (a) his name, and
- (b) the reasons for his arrest.

The Prime Minister: Sir, I am informed by the Commissioner of Police that the Constituency Clerk of the First Member of the Constituency No. 12 was arrested on 08 March 2006. A provisional charge of “sending indecent articles by post” was lodged against him on 09 March 2006.

The person was thereafter released on bail on 13 March 2006 after furnishing a surety of Rs5,000.

(Interruptions)

Mr Speaker: Hon Bhagwan, put your question, please.

Mr Bhagwan: Sir, can I know from the hon. Prime Minister whether the Constituency Clerk is still in office?

The Prime Minister: He has just been released and he is not working for the hon. Member.

(Interruptions)

Mr Speaker: Order! Order!

Mr Bhagwan: Mr Speaker, Sir, would the hon. Prime Minister give the assurance to the House that there won't be any cover up at the level of the Police, as far as the Police inquiry is concerned in order not to screen the culprit or culprits?

The Prime Minister: Mr Speaker, Sir, the very fact that a person has been arrested gives you an indication that there will be, and we certainly will not allow or even encourage anything. I must tell you that several persons were questioned and their houses and premises were searched and it was later on that this person was arrested. I can assure you that this is the kind of thing that I will not tolerate.

Mr Speaker: A last question!

Mr Cuttaree: Can I ask the hon. Prime Minister whether he doesn't find it strange that in the case of a person who is accused of sexual assault, that person is released on the same day, but in the case of a person who has been accused of indecent publication the Police kept that person five days in custody?

(Interruptions)

The Prime Minister: As I said earlier, the circumstance of each case must be looked at. In the first case, there was no declaration at all at the beginning. It was only on the next day that a declaration was made.

(Interruptions)

Mr Speaker: Next question! Hon. Bhagwan!

Mr Bhagwan: Mr Speaker, Sir, I have one last question.

Mr Speaker: No, I have said that was the last question.

Mr Bhagwan: Mr Speaker, Sir, I have one last question.

Mr Speaker: No, this is my ruling. I am sorry! Next Question!

Mr Bhagwan: One last? I beg your indulgence, Mr Speaker, Sir.

Mr Speaker: I have already ruled out. This is my decision.

Mr Bhagwan: It is in the public interest. One last question, Mr Speaker, Sir.

Mr Speaker: Put your question then.

(Interruptions)

Mr Bhagwan: There is too much noise going on. Would the hon. Prime Minister give the undertaking to the House, because I was a victim too.

Mr Speaker: No! Put your question, please!

Mr Bhagwan: Can the hon. Prime Minister give the undertaking to the House that should the culprit be found, severe legal action or otherwise...

Mr Speaker: This is a matter for the DPP to decide, not the Prime Minister.

(Interruptions)

Please, sit down! My ruling is that this is a matter for the DPP to decide and the DPP is constitutionally independent. Next Question! Hon. Bhagwan!

ISMAEL, MR JEAN PIERRE – CENTRAL PRISONS – DEATH

(No. B/5) Mr R. Bhagwan (First 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 competent authorities, information as to the circumstances surrounding the death, on or about 09 March 2006 of the detainee J. P. I at the Central Prisons, Beau Bassin.

The Prime Minister: Mr Speaker, Sir, with your permission, I propose to answer to PQ Nos. B/5, B/7, B/8 and B/12 together as they concern the same subject.

I am informed by the Commissioner of Police that the late Jean Pierre Ismaël was arrested by ADSU on 26 February 2006, on a charge of bearing offensive weapon. He appeared at Port Louis District Court on 27 February 2006 and was remanded to prison.

On Thursday 09 March 2006, at about 1725 hours when the lock-up of detainees was going on, detainees complained of a foul smell coming from the archives room, situated in Block A at Beau Bassin Central Prison. Following a search by Prison Officers, a corpse was found leaning against the door of the archives room with a ligature around the neck and in a state of advanced decomposition. The body, identified was that of detainee Jean Pierre Ismaël, was taken over by the Police for autopsy. According to the post mortem report, the cause of death was ‘asphyxia due to hanging’ and the death most probably occurred on 04 March 2006 – according to the autopsy report.

His absence from his cell was not noted nor discovered and the prison roll was recorded as correct every evening from 04 to 09 March 2006.

A Departmental inquiry was immediately instituted by the Commissioner of Prisons. A second inquiry was instituted at the level of the Central CID. Both the Prisons Authorities and the Central CID have submitted an interim report. The reports indicate that there was gross negligence of duty on the basis of the preliminary findings, and therefore six

officers have been interdicted on 14 March 2006. Police inquiry is still in progress.

Mr Bérenger: Following that incident, we learnt that there were at least two other incidents. One, when a headcount was taken it was found that there were one or two prisoners in excess this time, and then a prisoner was released on his family name only and, therefore, the wrong prisoner was released. When this kind of chaotic situation is prevailing in the Central Prisons, can I ask the hon. Prime Minister what measures are being taken?

The Prime Minister: I also read the paper. But when I asked, I am told that the question of excess prisoners is not actually true. That's what I have been told. But, in spite of that, the Leader of the Opposition is right to say that even one incident is too many, as we have seen. This is quite unacceptable and it raises serious questions as to the effectiveness and procedures in our prisons. As you know, the prison authorities have to ensure that the standing orders are followed. There are lock up and unlock procedures, etc., but the system has to be applied and monitored.

The Commissioner of Prisons has informed me that he has started taking the following immediate remedial actions. First, for example, the staff parade is held at the end as well as the beginning of shifts to prevent any staff from going home earlier or whatever. A staff structure which clearly sets out the responsibility and accountability is being introduced, starting at the Central Prisons of Beau Bassin.

The procedure for identification of detainees is being tightened up. A senior member of the staff is on the field now in the Central Prisons for the purpose of lock-up and all senior members up to the rank of Assistant Commissioner of Police are on this roster.

The new wing of the Central Prisons, which is now being refurbished, will be reopened by the end of April, that is, next month, after the installation of CCTV camera. Thus, a majority of remands would be removed from the Central Prisons and they will be located in the new wing. Otherwise, a High-Powered Committee also, under the Chairmanship of the Senior Chief Executive of my Office, is meeting regularly to monitor the situation.

Following the incident at GRNW Prison in July, some of the decisions of the Committee have already been implemented - it is a very long answer, Mr Speaker, Sir. There is also the training of prisons' staff, a system of rewards, introduction of a bonus scheme, increase in the number of Prison Security Squad to reinforce the security in the prisons; upgrading and infrastructural works in all penal institutions.

Mr Bérenger: The present Commissioner of Prisons was recruited under the previous Government – quite some time before the last general election. Now, general elections are nine months behind us. It is a good thing, if I can say so, that the new Government decided to use the services of this gentleman. But, does the hon. Prime Minister agree that we need results? This kind of situation shows that results are not coming in, as they should. Can I ask the hon. Prime Minister whether there are any allegations of sabotage by some officers in the service and, if yes, whether such allegations will be seriously investigated into and, if no allegations have been made, whether he will take it up with the Commissioner of Prisons and others, because that might be part of the problem?

The Prime Minister: Earlier on, I have talked to the Commissioner of Prisons and I am well aware of the differences. It always happens. The same thing happened too when I had taken an adviser at the Police Department. Whenever you have somebody from outside who comes in, there are '*clans*' which are made and you have difficulties in putting everything in order. We are looking at that. And, I totally agree with the Leader of the Opposition that what we are interested in are results. We can't say that everything is o.k when we don't get the results. We are, in fact, looking at that to see how we can find out a way so that there is no rivalry between different sides, because then things can happen that are beyond your control.

Mr Bhagwan: Has the attention of the Prime Minister been drawn to the use of cellular phones in prisons? The other day, my attention was drawn – I hope that I have not been misinformed – to the fact that the Attorney-General has spoken to somebody live on a cellular phone and has even asked the prisoner to phone him in his office.

Mr Speaker: No, I am sorry. This is an allegation, which is being made against an hon. Member of the House.

(Interruptions)

Mr Bhagwan: I just want the Prime Minister to inquire on what has been said and written in the press.

(Interruptions)

Mr Speaker: Order!

(Interruptions)

Last question!

(Interruptions)

This is at the discretion of the Speaker. I'm sorry! Last question hon. Ganoo!

Mr Ganoo: Mr Speaker, Sir, I understand that an inquiry is being conducted by the prison authorities themselves as a result of that serious incident. May I ask the hon. Prime Minister whether in that case in view of this unprecedented event in the prison, would it not be better for somebody else to conduct this inquiry so that the prison authorities are not seen to be judge and party at the same time? To be able to know what has exactly taken place, isn't it better to have a third party or judge or somebody else to conduct inquiries into what has happened?

The Prime Minister: If third parties come into it, we don't know whether they will get cooperation or not, but I can look into that matter.

Mr Speaker: Next question, hon. Bundhoo!

DRUG ASSETS FORFEITURE - COMMISSIONER - DUTY FREE CAR FACILITIES

(No. B/6) Mr L. Bundhoo (Second 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 in regard to duty free car facilities to which the Commissioner, appointed under the Dangerous Drugs Act, was

entitled during the period October 2000 to October 2005, he will state whether such facilities are granted once every five years as per the established practice and, if not, why not.

The Prime Minister: Sir, I am informed that the previous Commissioner of Drug Assets Forfeiture was appointed on an initial contract of three years with effect from 07 January 2002.

According to the terms and conditions of his contract, he was entitled to the exclusive use of a chauffeur-driven Government car of up to 2000cc renewed every three years, both for official duties and for private use in accordance with regulations. He also had the option of buying the official car allocated at the expiry of the contract.

In this case the Commissioner of Drugs Assets Forfeiture was allowed to purchase the official car allocated to him at the end of his initial three-year contract while his contract was renewed for a period of one year at the same time.

**CENTRAL PRISON, BEAU BASSIN - DETAINEE –
DEATH ON 09.03.06**

(No. B/7) Mrs L. Dookun-Luchoomun (Third 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 death on or about 09 March 2006 of a detainee at the Central Prison, Beau Bassin, he will, for the benefit of the House, obtain from the Commissioner of Prisons, information as to whether the absence of the detainee from his cell was noted by the Prisons Officers and, if so, what measures were taken by the Prisons' Authorities in relation thereto.

(Vide reply to PQ B/5)

MR J. P. I. - DEATH IN PRISON CELL

(No. B/8) 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 he will, for the benefit of the House, obtain from the Commissioner of Police, information as to whether -

- (a) one Mr J. P. I. was recently arrested and remanded to Police cell and, if so, the reasons thereof, and
- (b) he died in Police custody or whilst in prison and, if so, when and the cause of his death.

(Vide reply to PQ B/5)

DCP REESAUL - TRANSFER FROM SMF

(No. B/9) Mr P. Jhugroo (Third Member for Port Louis North and 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 whether DCP Reesaul has been transferred from the SMF.

The Prime Minister: Mr Speaker, Sir, the recent change in postings at the level of Deputy Commissioners were made by the Commissioner of Police in the interest of the service and based on his appraisal of the need to enhance organisational effectiveness and efficiency of the Force, particularly in the wake of a serious security lapsus which occurred at the main entrance of the State House, Le Réduit during the early hours of Sunday 04 March 2006.

Mr Jhugroo: Mr Speaker, Sir, can I ask the hon. Prime Minister why in the case of Ramlugun, the Officer-in-Charge has not been transferred?

The Prime Minister: There is an inquiry going on, but we need to make sure. As the Leader of the Opposition has said, we want results from people. Those who are in charge have to take their responsibilities.

PRIME MINISTER - VISIT TO WASHINGTON – DELEGATION, EXPENDITURE, ETC.

(No. B/10) Mr P. Jhugroo (Third Member for Port Louis North and Montagne Longue) 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 his recent trip to Washington, he will -

- (a) give the names of the members of the delegation who accompanied him;
- (b) the total expenditure incurred, and
- (c) the outcome thereof.

The Prime Minister: Mr Speaker, Sir, with your permission, I am tabling a statement giving all the information required.

GOVERNMENT HOUSE - FIRE OUTBREAK - INQUIRY, SECURITY MEASURES, ETC.

(No. B/11) Mr P. Jhugroo (Third Member for Port Louis North and Montagne Longue) 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 fire outbreak which occurred at Government House on 17 February 2006, he will state -

- (a) what action was taken by the Police when the fire broke out;
- (b) whether an inquiry has been carried out thereon and, if so, its outcome, and
- (c) the security measures being taken.

The Prime Minister: Mr Speaker, Sir, I am informed that on Thursday 16 February 2006, at about 23 55 hrs, one Police Officer who was on duty at pedestrian gate, as well as some members of the public, noticed dark smokes coming out from the roof of the old complex of the right wing of the Government House. He promptly informed the Station Orderly on duty at the Police Post of the Government House who then informed all personnel on duty. The Government House Police, the Duty Officer of Port Louis Division, the Sergeant-at-Arms, the Central Electricity Board, the Energy Services Division, as well as the Forensic Science Laboratory were informed.

The Port Louis Fire Brigade was informed at 23 55 hours and the Fire Brigade team called on spot at 00 05 hours. The area was cordoned and fixed point duties were placed at Jules Koenig and Esplanade Bissoondoyal Square.

The fire was subdued at about 02 15 hours. The case was also reported at the Pope Hennessy Police Station.

The inquiry is ongoing and the case is being handled by the Central CID.

As regards part (c), Mr Speaker, Sir, the following security measures have been taken -

- (i) electricity supply has already been cut off at the front and right wings;
- (ii) burnt debris have been removed by the Ministry of Public Infrastructure and the SMF personnel;
- (iii) all the offices, except the office occupied by the Sergeant-at-Arms, have been vacated, and
- (iv) SMF patrol along the compound of Government House at night.

Mr Jhugroo: Mr Speaker, Sir, can I ask the Prime Minister at what time he was informed about this fire at the Government House?

The Prime Minister: In fact, I was informed early in the morning.

Mr Bérenger: Can I ask the hon. Prime Minister whether he has been made aware that any items or articles of historical value have been destroyed and, if yes, whether due precaution has been taken, until the whole building is repaired, that this should not recur?

The Prime Minister: Yes, unfortunately, some items of historical value have been destroyed, but precautions have been taken now.

Mr Bérenger: Can I ask the hon. Prime Minister whether he can confirm that amongst, unfortunately, the items that have been burnt, are *la toque et la robe* of the first Speaker and the others?

The Prime Minister: That is the case, Mr Speaker, Sir.

Mr Speaker: Time is over! Questions addressed to hon. Ministers! I have to inform the House that PQs B/45 and B/46 have been withdrawn.

ISMAEL, MR J. P. - DEATH IN PRISON CELL - INQUIRY

(No. B/12) Mr N. Bodha (First 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, for the benefit of the House, obtain from the competent authorities, information as to the circumstances in which one Mr J. P. I was found dead in his prison cell, indicating whether an inquiry has been carried out in the matter.

(Vide reply to PQ B/5)

MRS M. L. S. - ALLEGED SEXUAL ASSAULT - INQUIRY

(No. B/13) Mrs S. Hanoomanjee (Second Member for Savanne and Black River) 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 whether an inquiry has been made in the case of an alleged sexual assault on Mrs M. L. S., on or about 29 January 2006, to establish the reasons as to why she was not examined by a Police Medical Officer as soon as she reported to the Jawaharlal Nehru Hospital and, if so, the outcome thereof.

(Withdrawn)

**DPP/ATTORNEY-GENERAL, MINISTER OF JUSTICE AND
HUMAN RIGHTS - MEETING**

(No. B/14) Mrs S. Hanoomanjee (Second Member for Savanne and Black River) 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,

ascertain from the relevant authorities if the Director of Public Prosecutions was convened to a meeting by the Honourable the Attorney-General, Minister of Justice and Human Rights in the latter's office.

(Withdrawn)

FORM I STUDENTS - INTAKE 2007 - ADMISSION CRITERIA

(No. B/19) Mr G. Gunness (Third Member for Montagne Blanche and GRSE) asked the Minister of Education and Human Resources whether he will state if there will be any change in the admission criteria for the 2007 intake for Form I students and, if so, will he make a statement thereon.

Mr Gokhool: Mr Speaker, Sir, with your permission, I will reply to PQ B/19 and B/31 at the same time as they deal with the same subject.

Further to my reply to the PNQ of the Leader of the Opposition, I wish to state that my Ministry is creating an optimal learning environment and in this respect the Form I and VI colleges are being reintroduced. Further steps have also been taken to ensure the democratisation of access and equal opportunities for one and all. I need to state that the regionalisation process and the grading systems in force since 2002 contained many inherent deficiencies which we had to correct, namely -

- (i) the grade A which has a range of marks of 75 to 100 was too wide to do justice to the high performers;
- (ii) under the grading system most students did the strict minimum to obtain an A and the MES reports on the CPE examination reveal serious limitations in the skills and competencies which these students have acquired, and
- (iii) the criteria of proximity of residence was not an equitable one.

As from January 2007, there will be a new mode of admission to Form I whereby admission in the State Secondary Schools will be made both on a regional and a national basis. For that purpose, there will be a slight change in the grading system with the inclusion of an A+ with marks in the range of 90 to 100.

It is worth recalling that for admission on a regional basis, the same criteria which were applied for 2002 to date will hold, namely based on an overall grade aggregate, parental choice and proximity of residence in case of tie.

As regards admission process on a national basis, it is worth mentioning that same already existed for the admission in Form VI State colleges and exists in the BEC schools for the 50% of seats which they fill. This is also the case for private colleges.

In the context of democratisation of access to education and provision of equal opportunities for one and all and in a spirit of equity and fairness, the principle of admission on a national basis has been extended to the 9 high demand State Secondary Schools.

Further, it should be recalled that admission on a national basis is not compulsory but optional.

Finally, I need to say and wish to assure the House that all State Schools will be afforded equality of treatment in terms of infrastructure, human resources and any other facilities.

Mr Speaker: Hon. Guinness!

Mrs Dookun-Luchoomun: Can the hon. Minister state whether there will be other differences apart from the fact that the admission will be different?

Mr Gokhool: I have answered the question, Mr Speaker, Sir. We'll make sure that there is no disparity in treatment as far as resources or any other amenities are concerned.

Mrs Dookun-Luchoomun: May I ask the hon. Minister...

Mr Speaker: I think the hon. lady must catch the eye of the Speaker first. Hon. Guinness has caught my eye.

Mr Guinness: Mr Speaker, Sir, I have two questions. Can the Minister, in simple and clear terms, inform the population if there are 630

girls applying for seats in Queen Elizabeth College, how is he going to allocate these seats? Because there are 50 seats only.

Mr Gokhool: It is a simple question of demand and supply, Mr Speaker, Sir. The MES will take into consideration the criteria already laid out, as I have explained previously.

Mr Guinness: Mr Speaker, Sir, it is not clear to the population. What is the criteria which will determine the first 50 girls who will be admitted, if all the 630 parents have applied for that college?

Mr Gokhool: I don't know whether the hon. Member cannot understand and is implying that the whole population does not understand. I am satisfied that the population has understood the formula we have presented. The criteria for admission to the nine State colleges will be based on performance, that is, overall grade aggregate, four best out of five or six subjects, and we are maintaining the grading system.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, may I ask the hon. Minister, in case there is a tie between two students - two students having four A+ - how do we decide which one of the two...

Dr. Jeetah: On a point of order, Mr Speaker, Sir. Can I refer the hon. Member to Standing Order 22(1)(g), whereby it is said that –

“a question shall not ask for an expression of opinion, or...

Mr Speaker: I am sorry. This is not a point of order.

(Interruptions)

The hon. Member is not asking for an expression of opinion from the Minister. She is asking...

(Interruptions)

Dr. Jeetah: Would you allow me to finish the sentence, Mr Speaker, Sir?

(Interruptions)

The Standing Order says -

“...or of a hypothetical proposition:...”

Mr Speaker: Can the hon. Member repeat the question please?

Mrs Dookun-Luchoomun: I am asking the hon. Minister if he can give us some enlightenment on how...

(Interruptions)

It is not hypothetical!

Mr Speaker: Address the chair!

Mrs Dookun-Luchoomun: Mr Speaker, Sir, my question is straightforward. I am asking the hon. Minister how, in case two students have four A+ - which is not hypothetical; there will be two students with four A+ - we will determine which one of the two gets a seat in a national college.

Mr Gokhool: Mr Speaker, Sir, at present...

Dr. Jeetah: Mr Speaker, Sir, it is a hypothetical proposition that she is making.

Mr Speaker: I am sorry. This is not a hypothetical question.

Mr Gokhool: Mr Speaker, Sir, at present...

(Interruptions)

Mr Speaker: Order!

Mr Gokhool:...in cases of ties, the MES deals with these issues. The same procedure will be applied if ever there is any case of tie.

Mr Guinness: Mr Speaker, Sir, can we know from the Minister the number of students admitted in HSC at the QEC? Because it was a Form VI college. Henceforth, how many students will be admitted in Form I with the new formula?

Mr Gokhool: Mr Speaker, Sir, each college has a certain number of seats. For QEC, 140 seats will be available.

Mr Dowarkasing: Mr Speaker, Sir, may I ask the hon. Minister whether he will agree to publish all the exams results, with their grading and marks, as soon as they are obtained?

Mr Gokhool: Mr Speaker, Sir, the MES regulations are clear. Individual results are not published.

Mr Dowarkasing: Mr Speaker, Sir, I am not talking of either determining A+ or not. I am talking about the marks obtained by the students in each subject respectively.

Mr Gokhool: At present, this is not the practice of the MES.

Mr Speaker: Last question, hon. Mrs Dookun-Luchoomun.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, may I ask the hon. Minister whether he is aware that there will be students with four A+ opting for a national college and would be deprived of a seat, in spite of the heavy work that has been put in? How would this affect the student? Mr Speaker, Sir, we know that there are studies that have been carried out...

Mr Speaker: Put the question, please.

Mrs Dookun-Luchoomun: I am putting the question, Mr Speaker, Sir. Studies that have been carried out show that when a student is faced with such a situation, he may develop a low self esteem just by not being allowed into a national college. How shall we deal with this particular issue?

Mr Gokhool: Mr Speaker, Sir, even at present, for admission on a regional basis, this situation arises. If students don't get one college, they will get admission in another college.

CHIKUNGUNYA CASES – NUMBER, POSITIVE CASES, ETC

(No. B/20) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Health & Quality of Life whether, in regard to the chikungunya disease, he will state the number of –

- (a) suspected cases reported –
- (b) at each hospital, community health centre or elsewhere;
- (c) by private medical practitioners, and
- (d) cases tested positive.

Mr Faugoo: Mr Speaker, Sir, with your permission, I shall reply to Parliamentary Questions B/20 and B/41 together.

I wish to inform the House that 4,148 confirmed cases of Chikungunya have been reported in Mauritius and four in Rodrigues from 23 December 2005 to 20 March 2006.

I am tabling a paper regarding information relating to the number of suspected cases reported from hospitals, community health centres, area health centres and by private medical practitioners.

Mr Speaker, Sir, as regards precautionary measures taken to prevent the spread of the disease, my Ministry has adopted a multi-pronged approach to deal with the situation. The measures taken include the following –

Surveillance

Surveillance has been reinforced at the port and airport for passengers coming from affected countries. Additional health inspectors have been posted at the airport, and logistic facilities have been made available to facilitate early follow-up of passengers put under surveillance.

Case reporting

The Public Health (Infectious or Communicable Diseases) Amendment Regulations have been amended, so as to include Chikungunya in the list of notifiable diseases. A press communiqué was issued to inform private practitioners that they should notify cases of Chikungunya to the

nearest health office. Furthermore, all private medical practitioners were informed by way of a circular letter to notify suspected cases to the nearest health office and new notification forms were sent to them in this respect.

Meetings have also been held with directors of private health institutions and the Association of Private Medical Practitioners to stress on the importance of notifying cases of the disease to the nearest health office.

Daily reports are submitted from each hospital and health centre to enable us to monitor the exact situation and take remedial action accordingly.

Vector control

Larviciding activities islandwide to eliminate mosquito larvae have been reinforced. Fogging activities to eliminate adult mosquitoes are being carried out in areas where cases have been reported and in all educational and health institutions. These activities are ongoing. Special attention is being given where clusters of cases are being reported. The services of Roger Fayd'herbe & Co. Ltd were enlisted at the beginning of the campaign for fogging activities in Mahebourg, Triolet, Grand Gaube, Poste Lafayette and around the premises leading to Grand Bassin. Furthermore, 485 fogging machines and 442 sprayers have been procured by my Ministry for larviciding and fogging activities. 100 additional sprayers have been ordered. The team from Roger Fayd'herbe, as well as the consultants from Singapore, provided training in fogging techniques for all staff involved in these activities.

The consultants from Singapore also briefed officers concerned on the additional measures that can be taken for vector control.

The staff involved in larviciding and fogging activities has been increased from 47 to 403. The services of staff from other Ministries and departments, namely Ministry of Agro Industry & Fisheries, Ministry of Local Government, Ministry of Environment & NDU, Police Department and DWC, have been enlisted in this respect.

Moreover, 116 community health care workers have been trained with a view to carrying out door-to-door health education and enlisting community participation in the elimination of mosquito breeding grounds.

Infection control

Infection control measures have been taken in hospital wards when cases have been reported. People treated as outpatients have been requested to take precautionary measures to prevent the spread of the disease.

Intersectoral co-operation

An inter-ministerial committee, under the chairmanship of the Deputy Prime Minister, Minister of Public Infrastructure, Land, Transport & Shipping, comprising the Deputy Prime Minister, Minister of Tourism, Leisure & External Communications, Minister of Environment & NDU, Minister of Local Government and the Attorney-General, has been set up to ensure the co-ordination of activities and take appropriate policy decision.

Furthermore, regular meetings are being held with the Joint Economic Council, AHRIM, Mauritius Sugar Producers Association, with a view to enlisting the support in the fight against Chikungunya.

A national cleaning campaign in collaboration with the Ministry of Environment and NDU and the Ministry of Local Government, Municipalities, District Councils and Village Councils has been embarked upon to eliminate all potential mosquito breeding grounds in the country.

Media based Sensitisation Programme

The vector of chikungunya i.e Aedes albopictus breeds in the immediate vicinity of habitations. To address this problem it is important to involve the community, Mr Speaker, Sir. In this respect an aggressive health education campaign is ongoing and the following are being carried out.

Communiqués giving information on chikungunya and preventive measures to be taken have been issued in the press since 25 January 2006 to date.

Special TV and radio programmes on chikungunya have been organised on MBC and other radio stations since the end of January 2006. TV spots on mosquito control have been produced and are being broadcast

since 17 February 2006. Radio spots in Creole and Bhojpuri have been produced and broadcast on all radio channels. A series of 2-minute talk in Creole and Bhojpuri has been broadcast on MBC radio from 13 to 17 February and 06 to 10 March 2006. Moreover, representatives of the Ministry are regularly intervening live during news on TV to give practical information on chikungunya.

Furthermore, 1,100,000 leaflets on chikungunya have been produced and 941,000 have already been distributed throughout the island, including 260,000 to the Ministry of Education & Human Resources. Moreover, 10,000 posters on chikungunya are being distributed to schools, health institutions, youth centres, women centres, community centres, Citizens Advice Bureaus, post offices and non-governmental organisations.

350,000 newspapers inserts on prevention against mosquito have been distributed through the newspapers.

Information on chikungunya is available since 22 February 2006 on the website of my Ministry and on the Servihoo portal. A call free audiotex service has been made operational since 23 February 2006. Advertisement to inform public of availability of information on websites and audiotex are being published in all newspapers every day.

The Central Information System Department (CISD) has sent an electronic mail on chikungunya to all government officers, individuals and organisations connected to its network on 23 February 2006.

Municipalities of Port Louis and Quatre Bornes are displaying a message on chikungunya on their electronic boards. Advertisements on protection against mosquitoes were displayed on 120 buses from 01 to 20 March 2005 and 80 Billboards across the island from 01 to 03 March 2006.

Preventive messages have been inserted in CWA and CEB bills.

Following the report of cases of chikungunya in Rodrigues on 21 February, similar measures as in Mauritius are being taken there to prevent the spread of the disease.

Mr Speaker, Sir, I wish to inform the House that my Ministry has adopted an holistic approach to combat chikungunya. All these measures

that have been enunciated above have contributed to the stabilisation of the situation. These will not only help in the control of the disease, but will prevent its resurgence in the future. They will also help in the long term in the control of other vector borne diseases such as malaria and dengue fever.

In this respect, I wish to point out that a WHO team on mission in Mauritius from 27 February to 01 March 2006, visited Victoria and Mahebourg hospitals, health centres and infected localities. The team has confirmed that preventive measures taken and clinical management of cases are adequate in the country and has strongly advised community mobilisation to help in controlling the disease. In this respect, my Ministry has requested the WHO to provide us with the services of a Communications for Behavioural Impact (COMBI) Strategy expert to help in the social mobilisation. In this context, 385 talks in collaboration with the Ministry of Education & Human Resources, the Ministry of Social Security, National Solidarity and Senior Citizens Welfare & Reform Institutions and also the Ministry of Women's Rights, Child Development, Family Welfare & Consumer Protection, have been held in community including schools, women's associations, senior citizens, workers at worksites, staff of different institutions, youth and the community at large, with *Forces Vives*, community leaders and members of village councils, social welfare centres, community centres, religious bodies and social cultural organisations.

Furthermore, house to house counselling has been carried out and 4,083 households have been visited so far. These activities are ongoing.

To help the country Dr. Caussy, a Mauritian national, who is an Environmental Epidemiologist at the WHO office in New Delhi was also enlisted on a voluntary basis. He came to Mauritius and helped us in the programme.

Following the visit of the Director-General of WHO to Mauritius, a press release was issued on 17 March 2006 by the WHO Headquarters in Geneva stating that there are no special restrictions on trade and travel *inter alia*, to and from Mauritius.

Mr Jugnauth: I have got a few questions. There is nothing personal, nothing political. It's a very important issue. The Minister said that one of the measures that has been taken by the Ministry of Health and Quality of Life at the level of surveillance at the airport has been tightened for

incoming passengers from affected area. Can I ask the hon. Minister to explain if, for instance, 200 passengers come from Reunion Island and enter our airport, in real terms, what is being done?

Mr Speaker: The Member means the details. Hon. Minister?

Mr Faugoo: Once they come from countries, which are affected, for example, Comoros, Seychelles and Reunion Island, before they embark on the plane they are asked at the source if they have symptoms of chikungunya. If that is the case, they are encouraged not to board the flight. This is what we worked out with Air Mauritius; we have given instructions to that effect.

(Interruptions)

People who are sick won't come to Mauritius. Now, those who come to Mauritius they are being asked the places where they are going to stay, the hotels or the boarding houses or whatever. These information are passed on to the local health office. These people are being asked to report if there is any problem and surveillance is carried out. The places are visited. In case somebody is reported sick or has the symptoms of chikungunya, larviciding and fogging are done.

Mr Speaker: Hon. Bodha, put your question!

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Minister whether the disease can be fatal and whether there is any known death caused by chikungunya in Mauritius?

Mr Faugoo: It has been confirmed by the WHO that chikungunya is not a fatal disease, but it can act as a co-morbidity if somebody is sick, for example, a person who has diabetes or hypertension and cardiac problems, but there is no direct cause between chikungunya and death.

Mr Speaker: Hon. Cuttaree!

Mr Cuttaree: Mr Speaker, Sir, I have got two questions in one. Can I ask the hon. Minister whether schools are fogged regularly?

Mr Faugoo: All the schools in this country have been larvicided and fogged. We have campaigned with the students, the parents and the teachers to clean the vicinity and the yard of the schools.

Mr Mardemootoo: Mr Speaker, Sir, can the Minister confirm whether there have been any cases of chikungunya reported during the period April 2005 to July 2005 and, if yes, how many cases were reported and where?

Mr Faugoo: Between April and July of last year, there were 3,585 cases reported in the country.

(Interruptions)

Mr Speaker: Order! Order!

Mr Faugoo: One thing I must confess, Mr Speaker, Sir. The previous Minister managed to contain the issue of chikungunya within the headquarters; nobody knew, nobody talked about chikungunya last year.

(Interruptions)

No information was given. If at all the Minister managed to contain, it was the information on chikungunya that was contained, Mr Speaker, Sir,

Mr Speaker: Order!

Mr Cuttaree: The hon. Minister said that all schools are fogged regularly. Can I draw his attention to the fact that there is a kindergarten in my constituency where they actually caught the mosquito. They went to the health office, nothing happened, they came to see me. I actually rang his Ministry and gave all the details and I was told that this school was going to be fogged during the weekend. This is three weeks ago and up to now nothing has happened.

Mr Faugoo: In all areas, there is a programme, Mr Speaker, Sir. As I said, there is clustering, there is a programme. I'll take into account what the hon. Member said.

Mr Speaker: Hon. Perrier!

Mrs Perrier: Can the Minister inform the House the reason why the blood result test is taking so long to be obtained by the patient?

Mr Faugoo: Mr Speaker, Sir, it does not take long. It takes the time that it takes. The blood has to be cultured and it is normal that it must be kept for five days to confirm whether it is chikungunya positive or negative.

Mrs Perrier: M. le président, est-ce que le ministre est au courant que les laboratoires privés sont en mesure de donner les résultats en une semaine? Je pose cette question, M. le président, parce que c'est très important pour les femmes enceintes qui sont atteintes de chikungunya en fin de grossesse. A sa naissance l'enfant dont la maman est déjà atteinte de chikungunya peut subir des dommages graves s'ils ne sont pas mortels. Donc, le fait d'attendre trois semaines en fin de grossesse - laquelle est d'une durée de 38 - est dramatique. Je suis en présence de plusieurs cas que je peux soumettre au ministre.

Mr Faugoo: Mr Speaker, Sir, there are two ways the test can be carried out. First is APR, you can get the result on the same day, but the capacity of testing is only 20 cases per day. So, the only alternative we are left with is culturing of the blood sample and this takes what it takes as I said, one week minimum.

Mr Bundhoo: Mr Speaker, Sir, can the Minister inform us of the number of suspected cases last year and the number tested?

Mr Faugoo: There was no test carried out last year...

(Interruptions)

There were only two samples which were sent to Marseille for testing.

Mr Ganoo: Mr Speaker, Sir, I come back to this question of whether chikungunya has caused any death so far. I refer the hon. Minister to the first case, that of Mr Emrith, a young man of 30 years living at Bassin Road. Can he confirm in that case whether the medical reports have clearly established the cause of death as being chikungunya?

Mr Faugoo: Sir, a lot of things was said in the press and everywhere, but the cause of death of Mr Emrith was encephalitis, meaning inflammation of the brain tissue. This can be caused by a number of viruses, one could be chikungunya. The test which we did in our lab at Victoria Hospital revealed that there was no chikungunya virus isolated in any of the samples which were given for testing. This has been confirmed. We have sent a sample to Geneva for testing and we are waiting for the result. This also takes a long time because they have to culture it and maybe this week we are going to get the result.

Mr Bérenger: Mr Speaker, Sir, at the point of departure in Reunion or Comoros - to mention the two countries that the Minister referred to - I heard the Minister say that measures have been set up to screen passengers going to other countries. This is what he said.

(Interruptions)

Can I ask the Minister to give details of what arrangements supposedly have been taken at Réunion, Comoros, Mayotte and so on to screen and advise passengers coming to Mauritius?

Mr Faugoo: Mr Speaker, Sir, I said that we have the collaboration of Air Mauritius. If someone has chikungunya, he will be bent. If a passenger is coming bent with pain, of course, he has chikungunya...

(Interruptions)

We have requested Air Mauritius to ask the passengers whether they suffer from symptoms of chikungunya...

(Interruptions)

Mr Jugnauth: Sir, the Minister spoke of the measures that have been taken at the level of the Ministry, can I know from him what are the measures that have been taken at hospitals?

Mr Faugoo: The hospital yards have

Mr Jugnauth: I mean inside the hospitals.

Mr Faugoo: We have distributed mosquito coils and vapes. We have asked the patients to cover themselves as a means of precaution.

Mr Mardemootoo: The Minister made mention of more than 3,000 cases for last year. Can he state what measures did the former Government take to protect the population against chikungunya?

Mr Faugoo: They had only 16 spraying machines and 47 sprayermen. Only larviciding was done last year and a communiqué was issued in the press. That's all.

At 1.10 p.m. the sitting was suspended.

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

H5N1 BIRD-FLU – TAMIFLU

(No. B/21) Mr R. Bhagwan (First Member for Beau Bassin and Petite Rivière) asked the Minister of Health and Quality of Life whether, in regard to the H5N1 Bird-Flu, he will state what additional measures have been taken, indicating the present status regarding the purchase of the TAMIFLU.

Mr Faugoo: Mr Speaker, Sir, in my reply to the Private Notice Question on 09 August 2005 on the H5N1 Bird-Flu, I did inform the House about measures taken by my Ministry to cope with an eventual outbreak of Avian Flu.

Since August 2005, in line with the WHO guidelines, the following additional measures have been taken by my Ministry as part of the Epidemic Preparedness Programme against the Avian Flu –

- (i) Regional Health Directors have been requested to provide isolation facilities in each hospital to cater for suspected cases of Avian Flu over and above the special isolation ward at Jawaharlal Nehru Hospital, and

- (ii) Measures have been taken by the Virology Laboratory to carry out Polymerase Chain Reaction (PCR) and rapid tests for diagnosis of Avian Flu.

Furthermore, the Ministry of Agro Industry & Fisheries has also taken the following measures –

- (i) sensitisation campaign among small poultry farmers is being intensified and pamphlets distributed, and
- (ii) routine inspection of all arriving vessels at harbour is carried out to ensure absence of any avian species, especially domestic poultry and pet birds on board.

As far as part (b) of the question is concerned, Mr Speaker, Sir, the Ministry presently has a stock of 1100 treatment courses of TAMIFLU, also called Oseltamivir.

Oseltamivir is available in three forms -

- (i) Active Pharmaceutical Ingredient (API);
- (ii) Oral Powder Mix which can be rapidly transformed into capsules, and
- (iii) Capsules

Since the drug was meant for stockpiling, it was decided to procure Oseltamivir under the powder form which presents the advantages of reduced cost and longer shelf life when compared to capsule form.

On 17 August 2005, my Ministry approached Roche, the innovator of the substance, which was at that time the only available and reliable supplier for Oseltamivir. Roche submitted an offer to supply my Ministry with 21 kg of API (Active Pharmaceutical Ingredient) in August 2006 and 133 kg in June 2007 at the total price of 1,083,884 euros.

Subsequently, my Ministry issued a Letter of Intent to the supplier, that is, Roche, requesting it to confirm within 10 days its offer as well as its delivery schedule with a validity period of 30 days. In a letter dated 22

November 2005, the supplier confirmed its initial offer which was valid for 30 days.

However, in the meantime, other reliable suppliers manifested their wish to supply my Ministry with the product, that is, Oseltamivir.

On 19 January this year, my Ministry launched international tenders for the supply of 1.5 million doses of this drug which could be used for the treatment of 150,000 persons. Orders for 300,000 doses of oral powder mix and 97 kg of the API equivalent to 1, 293,330 doses have been placed on 13 March this year.

A first batch of 300,000 doses of oral powder and 48 kg of API equivalent to 640,000 doses is expected to be received by 31 March this year.

The remainder will be received in two batches -

- (i) a batch of 21kg (280,000 doses equivalent) in August 2006, and
- (ii) the balance of 28 kg (373,300 doses) in December of this year.

Thus a total stock of 1,604,330 doses is being procured at the cost of Rs38.5 m. The shelf life of the drug is generally five years. However, the drug can have a maximum shelf life of 11 years based on positive retesting.

Mr Bhagwan: M. le président, les bailleurs de fonds se sont engagés lors de la Conférence de Pékin d'apporter une somme de 1.9 milliards de dollars pour la prévention et la lutte contre la grippe aviaire dans le monde y compris la FAO qui a mobilisé 1.6 million de dollars pour l'Afrique. Est-ce que l'île Maurice était présent à Pékin? Est-ce que nous avons soumis une demande de soutien et dans quelle forme?

Mr Faugoo: Mauritius was represented in the Conference held in China by our mission there and we are following the issue quite closely.

Mrs Perrier: En ce moment, M. le président, il y a une réunion à Libreville puisqu'il y a eu un décès en Egypte dû à la grippe aviaire. Est-ce que Maurice est représentée à cette réunion qui a été organisée par les nations unies?

Mr Faugoo: We have sent somebody to represent the Ministry, Mr Speaker, Sir.

Mr Dowarkasing: The hon. Minister had replied in a PQ that he has set up a committee which will prepare a national plan whenever there is an outbreak of the disease in Mauritius. May we know what is the status of this national plan?

Mr Faugoo: There is already a standing committee between different stakeholders, including the Ministry of Health and the Ministry of Agro-Industry, which is working on this plan. We have already set up a preparedness plan which is being finalised at this stage.

GRSE GOVERNMENT SCHOOL - RENOVATION WORKS

(No. B/22) Mr L. Bundhoo (Second Member for Montagne Blanche and GRSE) asked the Minister of Education and Human Resources whether he will state if there is any project for renovation works at the Grand River South East Government School and, if so, whether the works have started, indicating -

- (a) the name of the contractor;
- (b) the progress achieved so far, and
- (c) the expected date of completion.

Mr Gokhool: Sir, I am informed that renovation works are being carried out at Grand River South East Government School by the district contractor of the Ministry of Public Infrastructure, Land Transport & Shipping, namely, Power Contractors Ltd since 06 March 2006. The works consist of, *inter alia* –

- (a) replacement of corrugated iron sheets in three school blocks
- (b) replacement of timber trusses and purlins in one block, and
- (c) replacement of light partitioning and false ceiling in three school blocks.

I am given to understand that works by the new contractor are ongoing in one block. As at 15 March 2006, removal of CIS roof was 80% completed, manufacturing of timber trusses was completed at 75%, removal of high partition and false ceiling was 80% completed. All these works are due to be fully completed by 15 May 2006. The contractor will then

undertake works in the remaining 2 blocks and they are expected to be completed by 24 July 2006.

My Ministry, in collaboration with the MPI, has ensured that minimum disturbance is caused to the pupils and staff of the school.

Mr Bundhoo: Can I ask the hon. Minister whether work was stopped or suspended for some time and the reasons thereof?

Mr Gokhool: Mr Speaker, Sir, work did stop at some point in time because once the corrugated iron sheets were removed it was then found that the timber trusses were not in good condition. It was thought important to remove the trusses as well and complete the work so that we do not have problems.

Mr Bundhoo: Since the question concerns the Grand River South East Government School, may I ask the hon. Minister to look into the transport problems being faced by the students who are being temporarily moved to Bel Air SSS?

Mr Gokhool: I will look into it.

Mr Guinness: It seems that the demolition works were done since November last. Is it the same contractor who has been given the work or was there a previous contractor? Why is the delay? In November, the parents were told that, by end of first term, the school would have been ready. But by now it is not ready.

Mr Gokhool: The hon. Member is well informed. It was the DWC which was doing the work and because of the delay, we wanted to expedite matters, the contractor was changed.

Mr Guinness: In the contract, is it only the corrugated sheets that was included and not the removal of the timber? Is it afterwards that the timber has been removed?

Mr Gokhool: The contract was for the removal of corrugated iron sheets. Once the sheets were removed then it was found that the trusses were in bad condition.

(Interruptions)

Mr Guinness: It is a school which dates fifty years back or even more. How can it be that when the Quantity Surveyor came on the site he sees only the corrugated sheets and not the wood?

Mr Gokhool: This is a technical matter.

Mr Speaker: Last question.

Mr Bundhoo: May I ask the hon. Minister for how long this problem dates back to and why nothing was done under the previous Government?

(Interruptions)

Mr Speaker: Order, please! I said order.

Mr Gokhool: In fact, the problem of the school was referred to the MPI on 10 June 2005.

Mr Speaker: I am sorry. I have said last question. Next question!

BEL AIR SSS - REMEDIAL WORKS

(No. B/23) Mr L. Bundhoo (Second Member for Montagne Blanche and GRSE) asked the Minister of Education and Human Resources whether in regard to Bel Air SSS, he will state if, subsequent to the site visit of 16 November 2005 in connection with flooding, any remedial works have been initiated.

Mr Gokhool: Sir, I am informed that there is a flooding problem at Bel Air SSS, which is due to the accumulation of water from both the surface run-off within school premises as well as overflow from the nearby Rivière Sèche.

This problem exists for several years now and we have put in place a system whereby the rainwater is immediately pumped out by the Government Fire Services whenever flooding occurs.

Further to the site visit held on 16 November 2005, I am informed that the Environment Unit of the Ministry of Environment has carried out dredging works along Rivière Sèche in February 2006.

The issue of flooding has been raised at the coordination meetings on school infrastructure held under my chairmanship and attended, *inter alia*, by the representative of the National Development Unit. The latter has been requested by my Ministry to carry out a survey and propose a permanent solution to the problem.

The NDU has informed my Ministry on 10 February 2006 that a preliminary survey has been carried out by its consultant. On 17 March 2006, the consultant has come up with a proposed solution to be implemented in two phases, which is being examined by my Ministry in consultation with all parties concerned, subject to availability of funds.

My Ministry is closely monitoring the situation and will endeavour to take whatever necessary action is required at the earliest.

Mr Bundhoo: Mr Speaker, Sir, this problem has been recurrent since many years. Each time it rains, the same thing happens. May I ask the hon. Minister to liaise with my good friend, the Deputy Prime Minister and Minister of Finance, to make sure that funds are available and the remedial work is carried out as soon as possible?

Mr Gokhool: Mr Speaker, Sir, this is a serious problem. It dates back to many many years. What I found when I was looking at this file is that between 2000 and 2005 - the problem dates back even further in the past - no action has been taken. When I took over as Minister, I immediately put in a system whereby at any point when there is a flooding the water is removed, but meanwhile we are also looking at a longer term solution.

Mr Guinness: Mr Speaker, Sir, in a monologue TV debate the Minister stated that this college was constructed under the previous Government. Can he now confirm whether the college was constructed in 1997?

Mr Gokhool: All I know from the file is that the construction of this college was completed in 2001.

MAHEBOURG & PLAINE MAGNIEN - CAB OFFICE - EMPLOYMENT PROJECT

(No. B/24) Mr S. Soodhun (Fifth Member for La Caverne and Phoenix) asked the Minister of Labour, Industrial Relations and Employment whether, in regard to the employment project recently launched at the CAB office in Mahebourg and Plaine Magnien, he will state the number of persons who have subsequently been employed.

Dr. Bunwaree: Sir, no employment project has yet been launched at the Citizen Advice Bureau Office in Mahebourg or Plaine Magnien.

However, my Ministry is proposing to launch a pilot project in the constituency of Mahebourg and Plaine Magnien with the collaboration of the CAB office of Plaine Magnien to encourage jobseekers and laid-off workers of the region to set up their own enterprises.

In that context, my Ministry held a session to sensitise interested persons in the region on the proposed project and to invite them to take advantage of same as soon as it is launched.

In the meantime a special desk has been set up at the Citizen Advice Bureau to cater for those who express their intention of taking advantage of existing numerous possibilities to start micro enterprises.

Mr Soodhun: Mr Speaker, Sir, will the hon. Minister state on what criteria the locality was chosen?

Dr. Bunwaree: I am an elected Member of the Constituency.

Mr Soodhun: Can the hon. Minister inform the House whether other hon. Members of the Constituency were invited to participate in the programme?

Dr. Bunwaree: The whole of Mauritius was invited.

UNEMPLOYED - REGISTRATION

(No. B/25) Mr S. Soodhun (Fifth Member for La Caverne and Phoenix) asked the Minister of Labour, Industrial Relations and Employment whether he will give the number of persons registered as unemployed at the Employment Service of his Ministry as at the end of February 2006 and the number of persons placed in employment by the service during the months of January and February 2006.

Dr. Bunwaree: Mr Speaker, Sir, the answer to part one of the question, that is, the number of persons registered as unemployed at the Employment Service of my Ministry as at the end of February 2006, based on the system of computation established since 2004, that is, when the hon. Member who put the question was in charge of the office, is 24,623. For the information of the House, in June 2005, when he left office, it was 30,467. As regards ...

(Interruptions)

No need to check, I will leave this on the Table of the House, it is a monthly bulletin which is published by the Employment Office.

As regards the second part of the question, 220 persons were placed in employment in January 2006 and 154 in February 2006.

Mr Dowarkasing: In the light of the answer that the hon. Minister has given, can he, therefore, compile and lay on the Table of the Assembly a copy of all those people who have been employed during that period - that 6,000 difference – and where they have been employed?

Dr. Bunwaree: The hon. Member will get all the figures in the book laid on the Table.

Mr Dowarkasing: My question is whether the hon. Minister is ready to compile and place in the Library.

Dr. Bunwaree: It has already been laid on the Table of the Assembly.

(Interruptions)

Mr Speaker: The answer has been given.

(Interruptions)

Order, please! Next question, hon. Soodhun!

**OCCUPATIONAL SAFETY AND HEALTH ACT –
NON-PROCLAMATION**

(No. B/26) Mr S. Soodhun (Fifth Member for La Caverne and Phoenix) asked the Minister of Labour, Industrial Relations and Employment whether he will state the reasons for which the Occupational Safety and Health Act (No. 28 of 2005) has not so far been proclaimed.

Dr. Bunwaree: Mr Speaker, Sir, as the House is aware, the new Occupational Safety and Health Act 2005 which was passed at the National Assembly in September last, also binds the State, and the main reason for the non-proclamation so far, of the Act is the fact that the Ministry of Civil Service & Administrative Reforms is not yet in a position to comply fully with the Act in view of its inability to recruit the number of Safety and Health Officers required for the Civil Service mainly because, there is a dearth of qualified candidates on the local market for appointment to the post of Safety and Health Officer.

With its 55,000 odd employees, the Civil Service will, in principle, require at least 27 Safety and Health Officers according to the provisions of the Act. So far the Ministry of Civil Service & Administrative Reforms has been able to recruit only 2 Safety and Health Officers for the whole Civil Service.

In the circumstances, the Ministry of Civil Service & Administrative Reforms had made certain proposals which are presently under consideration at the level of my Ministry and discussions are ongoing between my Ministry and the Ministry of Civil Service & Administrative Reforms with a view to finding an acceptable solution to the problem, thus enabling us to proceed with the proclamation of the Act at the earliest.

Mr Soodhun: Mr Speaker, Sir, can the hon. Minister say how long his Ministry will take to proclaim this Act?

Dr. Bunwaree: As I said, there are ongoing discussions, it is difficult for me to say how long. But if it is going to take too long, then we will have, as the legislation allows, to proclaim certain sections of the Act, but not the whole Act.

Mr Soodhun: Mr Speaker, Sir, is it true to say that the hon. Minister has given a statement in the newspaper that in three months' time the law will be proclaimed?

Dr. Bunwaree: I have never been precise like this. It was my wish, in any case, to have it proclaimed as soon as possible.

Mr Soodhun: Mr Speaker, Sir, I think the hon. Minister is aware that many complaints are being made by the Civil Service trade unions. Has the Ministry taken steps to ensure that inspections are being carried out in the Ministries and Government Bodies and that minimum health and safety standards are respected?

Dr. Bunwaree: Mr Speaker, Sir, this has already been done.

COMPANIES – TERMINATION OF CONTRACTS OF SERVICE BOARD

(No. B/27) Mr S. Soodhun (Fifth Member for La Caverne and Phoenix) asked the Minister of Labour, Industrial Relations and Employment whether he will give the number of companies referred to the Termination of Contracts of Service Board since July 2005 and the number of persons who have been laid off by these companies.

Dr. Bunwaree: Mr Speaker, Sir, cases concerning 24 companies and involving in all 382 workers have been referred to the Termination of Contracts of Service Board from July 2005 up to yesterday. So far 7 cases have been determined by the Board and 58 employees have been made redundant. I am advised that the cases of other companies have been fixed by the Board for different dates.

Mr Soodhun: Mr Speaker, Sir, can we know from the Minister whether the Chairperson has been nominated for the Termination of Contracts of Service Board and who is the Chairperson?

Dr. Bunwaree: Me Robin Ramburn.

Mr Soodhun: Mr Speaker, Sir, following the request of the private sector, I would like to know from the Minister whether he is considering to review the provisions of the Labour Act concerning the Termination of Contracts of Service Board.

Dr. Bunwaree: There is a general work being done at the Ministry and this will be taken on board.

PETROLEUM PRODUCTS – PRICE INCREASE

(No. B/28) Mr S. Naidu (Third Member for Beau Bassin and Petite Rivière) asked the Minister of Industry, Small & Medium Enterprises, Commerce and Cooperatives whether, in regard to the increase in the price of fuel effected on 04 January 2006, he will give the reasons as to why the percentage increase applied was 20%.

Dr. Jeetah: Mr Speaker, Sir, it is well-known that prices of petroleum products have been continuously increasing on the world market.

(Interruptions)

Mr Speaker: Order! Order!

Dr. Jeetah: Mauritius, as a net importer of these products, is seriously affected by this external shock and I must say at a time when other challenges are standing our way.

With a view to ensuring transparency and predictability in price increases in the local market, the Automatic Pricing Mechanism (APM) is applied for the pricing of mogas and gas oil on a quarterly basis. Prior to January 2006, the maximum increase that could be made by virtue of the then existing regulations was 15%. However, the outgoing Government, on the eve of the last general election, urgently brought in Regulations so that the upcoming price increase in July 2005 could be avoided. This despite the mounting accumulated losses of the State Trading Corporation, which stood at Rs1,335 billion as at 31 December 2005 solely on account of petroleum

products. The non-application of the Automatic Pricing Mechanism in July 2005 has caused the State Trading Corporation to accumulate a loss of around Rs630 m. for period April 2005 to September 2005. It would take two more APM exercises for the State Trading Corporation to recover accumulated losses on mogas and gas oil, assuming prices of these products remain constant.

Given the financial situation of the State Trading Corporation, exacerbated by the non-application of the increase in July 2005 (due to the last Government, as you call it the defunct Government), the maximum increase limit of 15% thus needed to be reviewed; the more so because of the sky-rocketing prices of petroleum products. Accordingly, in December last, ...

(Interruptions)

Mr Speaker: Order!

Dr. Jeetah: ...the Government has had the courage to increase the maximum limit of 15% to 20% to correct financial anomalies.

Mrs Perrier: Le Ministre peut-il nous dire pourquoi il a attendu quatre mois ...

(Interruptions)

Mr Speaker: Order!

Mrs Perrier: ...et à six heures de l'après-midi du jour de la fermeture des bureaux de votes le jour de l'élection municipale pour annoncer la première augmentation alors qu'ils étaient là depuis le 04 juillet?

Dr. Jeetah: Mr Speaker, Sir, the hon. Member is hallucinating. She does not understand the procedure.

(Interruptions)

Mr Speaker: Order!

MOSQUITO REPELLENT PRODUCTS - PRICES

(No. B/29) Mr S. Naidu (Third Member for Beau Bassin and Petite Rivière) asked the Minister of Industry, Small & Medium Enterprises, Commerce and Cooperatives whether, in regard to the chikungunya disease, he will state what measures have been or will be taken to ensure that there is no abuse in the selling price of mosquito repellents and related items.

Dr. Jeetah: Mr Speaker, Sir, at the beginning of March 2006, it was confirmed that mosquito repellent products imported mostly by pharmaceutical companies were practically out of stock. Prompt replenishment of stock by importers could have been done by air. With regard to mosquito coils and mats and other anti-mosquito products such as those used outdoor, the situation then was under control but the stock could not last long, given the increased demand.

As part of the national effort to control chikungunya, my Ministry had urgent consultations with importers and traders of anti-mosquito products to take stock of the available supplies and to impress upon the need to bring in additional quantities, and if necessary by air, to help the nation in its campaign against this disease. They were also requested to apply a reasonable mark up and not be guided by opportunities because of increased demand, otherwise, Government would have had no alternative than to resort to price control.

Given that the air freight impacted on the price, my Ministry urgently intervened vis à vis Air Mauritius to bring its own contribution in the national campaign by way of decreasing air freight for the transport of anti-mosquito products. Air Mauritius agreed to provide 50% rebate on the air freight as well as to give priority for the importation of anti-mosquito products during the month of March 2006.

A prompt survey was conducted to find out which companies or individuals would be interested to bring in anti-mosquito products by air and consequently benefit from the 50% rebate on air freight provided by Air Mauritius. The information was compiled and communicated to air Mauritius for the implementation and follow up of the rebate scheme. On the other hand, importers agreed to apply only 35% maximum mark up, as is the case for drugs so as to keep prices at affordable level. They also accepted to affix the maximum recommended price on their products and to submit list of such prices to my Ministry for monitoring purposes. All these have

considerably contributed in bringing the situation back to normal. The Consumer Protection Unit of the Ministry of Women's Right, Child Development, Family Welfare and Consumer Protection is monitoring the situation. Here, Mr Speaker, Sir, I would like to thank all the importers of these products and Air Mauritius who very willingly and in a spirit of solidarity, agreed to play their part to the maximum.

Furthermore, the State Trading Corporation of Mauritius was requested to urgently import mosquito repellents so as to ensure full availability of this product. Thus, it brought in 5,000 litres of Citronella oil and 1,000 litres of Neem oil from India on 08 March 2006. These products are already on sale on the local market at the price of Rs75 a bottle of 100 ml and Rs25 a bottle of 30 ml respectively.

At present, the situation concerning the supply of anti-mosquito products is adequate. There is no shortage and no profiteering tendencies have been noted. This is confirmed by the Consumer Protection Unit of the Ministry of Women's Rights, Child Development, Family Welfare and Consumer Protection.

Mr Ganoo: Mr Speaker, Sir, some of these mosquito repellents are still very expensive and inaccessible to families at the bottom of the ladder, for example, some of the sprays are sold about Rs300/Rs350. Can the hon. Minister tell us whether there are any customs duties, VAT or any other charges on these products?

Dr. Jeetah: I can only answer part of the question, Mr Speaker, Sir. The high price that the hon. Member is referring to is because of the air freight that was paid by the previous imports. But now, we have brought the prices down. With regard to VAT, we did look into that matter, but then, as you probably know, we have to come to Parliament to take that decision. But I can assure the hon. Member that Citronella oil, which is a very effective anti-mosquito product, is available at Rs75 and Neem oil as well is available at Rs25.

Mrs Perrier: Est-ce-que le ministre est au courant qu'il y a très peu d'anti-moustiques qui soient compatibles avec les bébés? Peut-il faire le nécessaire pour que ce soit accessible sur le marché? La plupart de ces produits sont pour les bébés âgés d'un an, mais en dessous d'un an il n'y en a pas.

(Interruptions)

Le moustiquaire ne suffit pas.

Dr. Jeetah: I have to look into the question, but I understand that Citronella oil is an essential oil.

SECONDARY SCHOOLS - MEMBERS OF PARLIAMENT – VISITS & SPEECHES

(No. B/30) Mr S. Naidu (Third Member for Beau Bassin and Petite Rivière) asked the Minister of Education and Human Resources whether he will state if regular visits and speeches are made by Members of Parliament at different secondary schools since the beginning of the year and, if so, will he state the policy of his Ministry regarding same.

Mr Gokhool: Mr Speaker, Sir, the reply is in the negative. My Ministry does not have any established policy of inviting Members of Parliament to schools.

However, any member of the community including a Member of Parliament may be invited by the school administration or the PTA as was recently the case when hon. Jugroo and myself attended a function at Montagne Longue Government School.

However, it is to be noted that such activity will have to be in line with Government policy to provide quality education for all.

SECONDARY SCHOOLS - REGIONAL/NATIONAL SCHOOLS

(No. B/31) Mrs L. D. Dookun-Luchoomun (Third Member for La Caverne and phoenix) asked the Minister of Education and Human Resources whether he will state if public secondary schools are classified as Regional Schools and National Schools and, if so, will he state the difference between the two categories and state the criteria for admission in Form I in a National School.

(Vide Reply to PQ No. B/19)

SMALL AND MEDIUM ENTERPRISES - NUMBER

(No. B/32) Mrs L. D. Dookun-Luchoomun (Third Member for La Caverne and Phoenix) asked the Minister of Industry, Small & Medium Enterprises, Commerce and Co-operatives whether he will state what new incentives or schemes have been set up to boost up the small and medium entrepreneurial sector since July 2005, indicating the number of small and medium enterprises that have been set up since then.

Dr. Jeetah: Mr Speaker, Sir, at the outset, I wish to thank the hon. Member for giving me the opportunity to highlight measures taken by this Government to facilitate the development of the SME sector. With your permission, Mr Speaker, Sir, I wish to first quote some figures that I hope will speak for themselves.

For the period July 2005 to February 2006, the number of young and potential entrepreneurs who visited and requested the support of the SME division that falls under the purview of my Ministry stands at 2621. Between January 2005 to June 2005, the number of callers was only 1147. I am advised by SEHDA that no record of figures for previous years is available.

These results could not have been achieved without the policy of decentralisation of the business-counselling unit for SMEs, which was undertaken by my Ministry since I assumed office. Prior to July 2005, the services of the business-counselling unit were only available at Coromandel, the head office of SEHDA. Today, these services are available, since October 2005, at three regional offices - in Goodlands, Flacq and Rose Belle; we also have a counselling desk at the level of my Ministry. Additionally, officers are posted once weekly in the different Municipal Councils to provide counselling services to would-be entrepreneurs.

Over and above these, some 400 points have been identified at post Offices, Citizen Advice Bureau, area health centres and community health centres for information dissemination. An outreach programme has been

implemented to promote entrepreneurship development through the assistance of Government agencies. For this purpose, officers of the Citizen Advice Bureau, employment information centres and youth centres have been trained to ensure effective service delivery.

(Interruptions)

Mr Speaker: Order!

Dr. Jeetah: In addition to the above, my Ministry has taken new measures to provide a conducive environment to entrepreneurs. A One-Stop Shop service for SMEs is being set up under the responsibility of Mr Vijay Ramgolam, ...

(Interruptions)

Mr Speaker: Order!

Dr. Jeetah: ...Manager, Industrial and SME promotion to provide business facilitation services. A trade fair for SMEs will be organised on an annual basis for sales and launching of new products. The first one will be held in May of this year.

Regarding the setting up of new SMEs, I am advised by SEHDA that since July 2005 181 new enterprises have been registered and 60 of them are already operational and others are in the process of being set up.

The number of SME certificates delivered ...

(Interruptions)

Mr Speaker: Order, please! Order!

Dr. Jeetah: ...for period July 2005 to February 2006 is, Mr Speaker, Sir, 431. Between January 2005 and June 2005, the number of certificates delivered stood at 34.

Sir, the hon. Member can make the difference between the previous Government and this Government, from 34 to 431!

(Interruptions)

Mr Speaker, Sir, in line with Government's vision to create a nation of creative and innovative entrepreneurs, my Ministry has streamlined registration procedures for SMEs.

(Interruptions)

Mr Speaker: Order!

Dr. Jeetah: SME certificates

(Interruptions)

Mr Speaker: Order, Order, please!

(Interruptions)

Order, Order, please!

Dr. Jeetah: Mr Speaker, please, SMEs certificates which used to take between two to three months now only takes two days.

Regarding incentives given to SMEs, my Ministry has set up two new schemes namely, “The Support to Start up Scheme” and “The Support to High Potential Entrepreneurs Scheme” to promote entrepreneurship and encourage entrepreneurs to start their own business ventures. “The Support to Start up Scheme” aims at supporting young people who are undertaking a business venture for the first time. Under this scheme a maximum of 75 young entrepreneurs are being targeted annually. The Start up Support package consists of an investment grant of Rs50,000 per selected project and a loan of Rs50,000, with a grace period of two years on capital and interest. The selected young entrepreneurs will thus have a seed capital of Rs100,000 to start his/her business. On the other hand, “The Support to High Potential Entrepreneurs Scheme” provides for entrepreneurship development through grant to a maximum of five projects a year. Each selected project would receive an investment grant of 50% of the project value up to a maximum of Rs500,000.

Mr Speaker, Sir, I seize this opportunity to make an appeal to the young and the not so young Mauritians, and entrepreneurs generally, to take

full advantage of all opportunities made available to them to start or to expand their enterprises.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, my question to the hon. Minister was about new schemes that have been set up since July 2005. The answer that has been given refers to schemes that have already been implemented before July 2005. I would like to know whether any new scheme has been introduced as from July 2006.

(Interruptions)

Mr Speaker: Order! Order, please! Minister Seebun, order please!

(Interruptions)

Order! Is the Minister of Industry going to reply now?

(Interruptions)

Hon. Jugnauth, I am calling you to order for the last time!

Dr. Jeetah: Mr Speaker, Sir, I have already answered the question. But then, the hon. Member is not right, because we have just finished the implementation of these new schemes.

(Interruptions)

She couldn't be right.

Mrs Dookun-Luchoomun: As far as I understand, the scheme of Rs50,000 given to new entrepreneurs was set up since the last budget, Mr Speaker, Sir.

Dr. Jeetah: Exactly. Mr Speaker, Sir, we have just worked out the implementation programme.

(Interruptions)

Mr Speaker: I can't hear what the Minister is saying. Please! Minister of Local Government, please!

Dr. Jeetah: As I have said, Mr Speaker, Sir, I have already answered the question.

Mr Speaker: The Minister has already answered the question. Any supplementary to the question? Next question!

GOORUN LANE, CONVENT ROAD, CUREPIPE - – FLOODING PROBLEMS

(No. B/33) Mrs M. Martin (Second Member for Curepipe and Midlands) asked the Minister of Environment and National Development Unit whether he is aware that flooding alongside Goorun Lane, Convent Road, Curepipe occurred following heavy rainfalls brought by clone Diwa and, if so, will he state whether drains will be constructed thereat and, if not, why not.

The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun): Mr Speaker, Sir, the Ministry of Environment and the National Development Unit is aware of a problem of flooding at Goorun Lane, Convent Road, Curepipe although no formal complaint from the inhabitants was received either at the Ministry or the Municipal Council of Curepipe.

I am given to understand that there was an overflow of rainwater in the area mentioned during the cyclone, which dissipated after a few hours.

The Municipal Council of Curepipe proposes to set up a drain network in that area. This project has been listed in its master plan and would be implemented in due course.

LAND RESTITUTION COMMISSION

(No. B/34) Mr G. Lesjongard (Second Member for Port Louis North and Montagne Longue) asked the Minister of Housing and Lands whether, in regard to the Land Restitution Commission, he will state –

- (a) the progress achieved so far;
- (b) if consultations with all the stakeholders have been completed, and

(c) if the report of the Land Restitution Committee has been made public.

Mr Dulull: Mr Speaker, Sir, as regards part (a) of the question, the progress achieved since my reply to PQ. No. IB/476 of 2005, and my response to the matter raised on Adjournment on Tuesday 22 November 2005, is to the effect that the delegation that visited the Republic of South Africa, under the then Government, had already concluded that there is no justification for setting up the so-called Land Restitution Commission.

Mr Speaker, Sir, in the Report of April 2005, the “Report of the Delegation having visited South Africa in view of the possible setting up of a Land Restitution Commission in Mauritius”, it is highlighted, *inter alia*, that Land Restitution, as understood in South Africa, can hardly be envisaged in Mauritius, where it is yet to be proved that there has been unlawful and illegal dispossession of lands on a large scale and where the State cannot be made accountable for cases of alleged dispossession which may have occurred in the last decades or even before. Further, according to this April 2005 Report, such a proposed Land Restitution Commission, at any rate, could only, at best, be purely research-oriented and advisory, while consuming considerable time and resources without any guarantee of any concrete and tangible success.

With regard to part (b), consultations with stakeholders have proved to be an almost impossible exercise, since there are no records of any formal written request to my Ministry for consultations on the matter, nor has any party officially come forward to my Ministry since 22 November 2005.

As for part (c), I shall, with your permission, Sir, place a copy of the Report in the Library.

May I, Sir, emphasize that our caring Government, at all times, motivated by its policy of “Putting People First”, of working towards more and greater social justice and towards the eradication of all forms and shapes of injustice, fully sympathises with those of our citizens who have a genuine claim to have been dispossessed of their lands, and wishes to consider the best ways and means, within the legal parameters, to assist them as appropriate.

This being so, I invite all stakeholders and hon. Members themselves to address in writing to my Ministry their suggestions on how best to assist these unfortunate citizens of ours.

Mr Lesjongard: Mr Speaker, Sir, as stated by the Minister in November last year, he gave the impression that we did not take any action and that he will be taking action in the weeks and days to come ...

Mr Speaker: What is the question?

Mr Lesjongard: Since then, the Report has not been laid on the Table of the National Assembly. The Minister is saying now that he is inviting stakeholders for consultation. Can I ask him why he did not at the time he replied to the Question, invite stakeholders for consultation?

Mr Sinatambou: Mr Speaker, Sir, on a point of order. I shall respectfully submit that the question being put by the hon. Member is in breach of Order 22, paragraph 1 (b), to the extent that this question is referring to an answer which has been given before.

Mr Speaker: I will take the point of order on a different ground which cannot be allowed under the Standing Orders.

Mr Lesjongard: My question, Mr Speaker, Sir, is: why is it that today, after so many months, the Minister is inviting stakeholders to come forward?

Mr Dulull: Mr Speaker, Sir, as a caring Government, we want to invite all stakeholders. Since we did not have any formal complaint or request for land restitution, we want to give a wider opportunity to those citizens who have been illegally dispossessed of their land to come forward.

Mr Ganoo: The question is very simple. In the last PQ, the hon. Minister said, I quote -

"The report will be made known to the public because we operate in all transparency."

So, the question today is: "why so far, after four months have elapsed, the report has not been made public?" This is a very simple question.

Mr Dulull: In my answer to part (c), I have said that I will place a copy in the Library of the National Assembly.

(Interruptions)

Mr Ganoo: I'll come to a different aspect, Mr Speaker, Sir. The hon. Minister seems to have said, according to what I understand, that, in fact, the Commission did not make any recommendations for the setting up of this Land Restitution Committee and he gave the reasons. But may I, very humbly, remind him that...

Mr Speaker: The hon. Member can ask the Minister, he cannot remind him.

Mr Ganoo: May I remind him that, in fact, the Commission said something completely different. It said, I quote -

"The establishment of such a Commission would, at least, give to those who sincerely believe that they have a genuine claim to land, the opportunity to come forward with whatever claim they have by a date to be fixed so that such claims may be examined by the Commission which, after such research work as may be necessary, would be able to advise them as to their possibility to make a claim or resist one before the appropriate Court."

Mr Speaker: What is the hon. Member's question?

Mr Ganoo: This will be a step forward in the setting up of such a committee or any other organisation.

Mr Speaker: The hon. Member has been a previous Speaker and a Minister. He must know that he can raise this matter on adjournment. He cannot make a statement at Question Time. I am just bringing...

(Interruptions)

Order! Order, I say!

Mr Ganoo: What I am saying is that the Minister said something which is completely different from the contents of the report itself. That's what I am reminding him here.

Mr Speaker: Yes, but the hon. Member cannot make it at this point in time.

(Interruptions)

Mr Ganoo: We must know what are the recommendations in fact.

Mr Speaker: The hon. Member will agree with me that he cannot make a statement at Question Time.

Mr Ganoo: I am not making a statement, I am asking him.

(Interruptions)

Mr Lesjongard: These cases concern poor people. That's why the Government is not taking any action.

Mr Speaker: Next question!

(Interruptions)

Order! Order!

LE MORNE - CORE AND BUFFER ZONES – REPORT OF DR. ABUNGU

(No. B/35) Mr G. Lesjongard (Second Member for Port Louis North and Montagne Longue) asked the Minister of Arts and Culture whether in regard to Le Morne, he will give the dates on which Dr. Abungu submitted his interim and final reports and his recommendations and whether the core and buffer zones have been defined.

Mr Gowressoo: Mr Speaker, Sir, Dr. Abungu submitted his interim report on 05 September 2005 and an additional report on 12 October 2005.

The final report of Dr. Abungu was submitted on 21 December 2005.

The core and buffer zones of Le Morne have been defined as recommended by Dr. Abungu. I am tabling a copy of the plan showing the core and buffer zones of Le Morne.

Mr Bérenger: Is the Minister prepared to table a copy of the final report of Dr. Abungu in the Library?

Mr Gowressoo: Yes, Sir.

Mr Lesjongard: Mr Speaker, Sir, in his reply the Minister said that the report was submitted on 12 October last year, but in the reply to a PQ on 06 December last year, he stated that Dr. Abungu has not submitted his final report. Which is which?

Mr Gowressoo: That PQ was on 06 December and we got the final report on 21 December.

(Interruptions)

Mr Speaker: Order! Order! Order, please!

Mr Bodha: Mr Speaker, Sir, can the hon. Minister enlighten the House as to what can be implemented in the core zone and in the buffer zone?

Mr Gowressoo: Mr Speaker, Sir, I have tabled a copy of the plan showing the core and buffer zones of Le Morne.

Mr Speaker: Next question, hon. Lesjongard!

Mr Lesjongard: Mr Speaker, Sir, can the Minister inform the House whether a management plan regarding Le Morne has been finalised?

Mr Gowressoo: Mr Speaker, Sir, I will ask the hon. Member to come with a new question.

(Interruptions)

Mr Speaker: Order! Order, please! Order!

Mr Lesjongard: My supplementary question is in relation to the main question. Anyway, can the Minister inform the House whether consultation has started with all stakeholders regarding Le Morne?

Mr Mohamed: Mr Speaker, Sir, on a point of order. When I read the question which is being put by the hon. Member and the manner in which his question is phrased and framed, once again his subsidiary question is going outside the ambit of his particular question.

Mr Speaker: Can the hon. Member explain?

Mr Mohamed: I'll explain. He is being very precise in his question. I must at least say that. In his question, he talks about the interim and final reports and he also addresses the issue of the recommendations and whether the core and buffer zones have been defined as trying to be elicited by the hon. Bodha. Now, this particular question has got nothing to do here.

Mr Speaker: Can the hon. Member repeat the question, please?

Mr Lesjongard: I'll put the question otherwise. Can the Minister inform the House...

(Interruptions)

Mr Speaker: Order!

Mr Lesjongard: Can the Minister inform the House whether the core zone and the buffer zone have been gazetted?

Mr Gowressoo: The core and buffer zones have been gazetted on 26 January.

Mr Lesjongard: Now, Mr Speaker, Sir, if the core and the buffer zones have been gazetted, has consultation been finalised with all the stakeholders?

Mr Speaker: In relation to what?

(Interruptions)

Mr Lesjongard: Core and buffer zones.

Mr Gowressoo: Mr Speaker, Sir, I'll ask the hon. Member to come with a new question.

(Interruptions)

Mr Speaker: Next question!

(Interruptions)

Order!

DBM LTD. - SMEs - AMOUNT DISBURSED

(No. B/36) Mr G. Lesjongard (Second Member for Port Louis North and Montagne Longue) asked the Minister of Industry, Small & Medium Enterprises, Commerce and Co-operatives whether he will, for the benefit of the House, obtain from the DBM Ltd., -

(a) the amount disbursed to date in regard to -

- (i) the SME Consultancy Services Scheme, and
- (ii) SME Empowerment Fund,

(b) the number of SMEs which have called at the Bank's branch of Goodlands, Rose Belle and Flacq since October 2005, and

(c) where matters stand regarding the review of the procurement system with regard to SMEs.

Dr. Jeetah: Mr Speaker, Sir, the SME Consultancy Services Scheme...

(Interruptions)

Mr Speaker: Order, please!

Dr. Jeetah:... is managed by my Ministry. Following discussions with stakeholders, a manual of operating procedures describing all the terms

and conditions of grants under the Scheme, has already been worked out. The Economic Development Division of the Ministry of Finance and Economic Development is currently exploring the possibility of funding the scheme under the Decentralised Cooperation Programme funded by the European Union.

As regards the SME Empowerment Fund, I am advised by the Ministry of Finance and Economic Development that the setting up of an Empowerment Fund to provide financial support to SMEs on flexible terms and conditions was announced in the statement made by my colleague, the Deputy Prime Minister, Minister of Finance and Economic Development at the National Assembly on 30 August 2005. Discussions with various stakeholders have been held to formulate an effective framework within which the Empowerment Fund would operate. The Fund will be incorporated as a company with a committed capital of Rs200 m....

(Interruptions)

Mr Speaker: Order, please!

Dr. Jeetah:...out of which Government has already made provision to contribute Rs50 m. Financial institutions, public and private, would be invited to contribute to the remaining Rs150 m. The State Investment Corporation Ltd. has been requested to promote the Fund as well as working out the operational procedures and documentations before the official launching of the Fund which is expected in May 2006. The Fund will be used to provide mainly equity, quasi-equity and guarantee to SMEs that have viable business proposals.

Mr Speaker, Sir, as regards part (b) of the question, I am advised that DBM Ltd has four branches, namely at Goodlands, Flacq, Rose Belle and Curepipe. The Flacq and Curepipe branches receive an average of 50 SMEs daily each, while Mahebourg and Goodlands branches receive an average of 25 SMEs daily.

Regarding part (c) of the question, provisions for the procurement system with regard to SMEs are incorporated in the Public Procurement Bill and its enabling regulation. They are in the final stage of preparation and are currently being vetted by the State Law Office.

Mr Lesjongard: Mr Speaker, Sir, is the Minister confirming that no amount has been disbursed under the SME Consultancy Services Scheme and the SME Empowerment Fund?

Dr. Jeetah: Mr Speaker, Sir, I think the hon. Member did not listen to what I said. The scheme is being worked out. It is in its final stage.

Mr Lesjongard: That's why I want to know whether an amount has been disbursed under those two schemes.

Dr. Jeetah: I replied to that question. He was not listening.

IRS PROJECTS – SOCIAL MEASURES

(No. B/37) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue) asked the Deputy Prime Minister, Minister of Finance & Economic Development whether, in regard to IRS projects, he will table a list thereof approved by Government, indicating in each case the social measures beneficial to the local community attached to each of them.

The Deputy Prime Minister, Minister of Finance & Economic Development (Mr R. Sithanen): Mr Speaker, Sir, the Board of Investment has, up to now, issued investment certificates in respect of three projects under the IRS, namely –

- (i) Tamarina Golf Estate project at Medine on 02 March 2005;
- (ii) Anahita IRS project at Beau Champ on 17 October 2005, and
- (iii) La Reserve Leisure Resorts at Flic en Flac on 07 December 2005.

In addition, Mr Speaker, Sir, two other projects at Les Salines and Le Morne respectively have been issued a Letter of Intent to enable the promoters to finalise their projects as well as their partnership and financing arrangements.

I wish to point out that the local promoters and their foreign partners have been working on the scope, features and details of those major investment projects on the basis of the provisions of the Investment Promotion (Integrated Resort Scheme) Regulations 2002, as amended in 2005. And these regulations do not include conditions whatsoever on the promoters to contribute to social amenities and community development. Indeed, the Scheme, as implemented by the previous Government, does not contain specific provisions to ensure that benefits accrue to the local community.

This Government, Mr Speaker, has decided to bring an enhanced and an equitable dimension to the Scheme. It will provide for the inclusion of measures for the development of the locality and the upliftment of the neighbouring community, thus transforming the IRS into a real engine of economic development and social integration. Our objective, Mr Speaker, Sir, is to ensure that the benefits accrue not only to the promoters and the developers but also to the local people, the small entrepreneurs supplying goods and services and all those along the supply chain of an IRS development, in terms of employment and business opportunities, development of infrastructure, social amenities and community facilities. This is the only way to provide for the sustainability of the IRS.

With this philosophy in mind, we have, Mr Speaker, Sir, included in all IRS Investment Certificates issued under this Government a requirement for the promoters to “contribute to a planning obligation mechanism”. The precise components of the planning obligations system for IRS projects that will incorporate in the Scheme the missing social development dimension, without undermining their financial and economic viability, are being finalised by a committee of officials. As there is no one size that fits all and as each IRS project has its own specificities, there is need for flexibility in the planning obligation mechanism.

I must say that, in our discussions with IRS promoters and investors, the necessity of integrating the local community into the project so that they become “*partie prenante*” of the proposed development has been well understood. In fact, at our request and pending the introduction of planning

obligations, various initiatives in this direction have already been taken by the promoters.

The introduction of planning obligations signifies, Mr Speaker, Sir, a very clear difference in approach between this Government and the previous one. We are committed to ensuring that benefits arising from IRS projects accrue to all stakeholders, including the local community and the region where these developments will be implemented.

Mr Speaker, Sir, we made a commitment to review the IRS scheme, so that it delivers socioeconomic value to the entire community where it takes place. We will live up to this commitment, and it will be a shining example of economic efficiency wedded to social justice.

Mr Lesjongard: Mr Speaker, Sir, can the hon. Minister inform the House whether such mechanism for benefits to the local community do not exist in the Planning & Development Act?

Mr Sithanen: Mr Speaker, Sir, as I mentioned in my reply, in the current IRS regulation there is no provision for planning obligation. A committee is working to make sure that there will be an effective planning obligation mechanism that will ensure not only investment in infrastructure but also that the community benefits from it and that there are social amenities, in addition to providing training to the people of the region, so that outsourcing activities can be given to them.

Mr Bodha: Mr Speaker, Sir, we know that former hotel projects had a social component of 25 million. May I ask the Deputy Prime Minister & Minister of Finance what are the social components of the Anahita project, which is being implemented now in Trou d'Eau Douce? And we know the crisis which is occurring today in the implementation of that project.

Mr Sithanen: Mr Speaker, Sir, the hon. Member is mentioning contribution from anybody who promotes and develops hotel and that would go towards roads. In fact, I would request the hon. Member to kindly look at the deficit that exists in that particular Fund. What we are talking about here, Mr Speaker, Sir, is that, pending the introduction of the planning obligation mechanism, we have engaged into discussion with all those that have been issued with an investment certificate about what can be done. In

the specific example of Anahita, first, they have undertaken to carry out a survey in order to ascertain the needs of people who live in that particular region. They have also given a commitment that some training facilities will be given to people, so that when the golf course, the hotel and the *village* will be operational, some of these activities will be outsourced to people who would have received the training.

SPORT GALA NIGHT – MINISTER OF YOUTH & SPORTS SPEECH

(No. B/38) Mr M. Dowarkasing (Third Member for Curepipe & Midlands) asked the Minister of Youth & Sports whether he will, for the benefit of the House, state if, on Friday 03 February 2006 during a speech he delivered at the Sport Gala Night, he described the representatives of sports federations as '*pigeons voyageurs*'.

(Withdrawn)

2007 INDIAN OCEAN GAMES – CIJ MEETING, BADMINTON ISSUE, ETC

(No. B/39) Mr M. Dowarkasing (Third Member for Curepipe & Midlands) asked the Minister of Youth & Sports whether, in regard to the 2007 Indian Ocean Games which will be held in the Republic of Madagascar, he will state –

- (a) if the meeting of the CIJ took place between 24 and 27 February 2006;
- (b) if the inclusion of badminton as the 16th game item was on the agenda of the CIJ meeting and the outcome of the meeting;
- (c) what is the official stand of Mauritius on the badminton issue, and
- (d) his stand on the initiative taken by the secretary-general of the African Badminton Federation in this respect.

(Withdrawn)

MUNICIPAL COUNCIL OF CUREPIPE – DIVALI & CHRISTMAS CELEBRATIONS – AMOUNT SPENT

(No. B/40) Mr M. Dowarkasing (Third Member for Curepipe & Midlands) asked the Minister of Local Government whether he will, for the benefit of the House, obtain from the Municipal Council of Curepipe –

- (a) the amount spent for the Divali and Christmas celebrations respectively for the last 5 years, and
- (b) the reasons as to why there has been no distribution of toys to children of vulnerable groups on the occasion of Christmas in 2005.

Dr. David: Mr Speaker, Sir, with your permission the information asked for at part (a) has been placed in the Library.

With regard to part (b), I am informed by the Municipality of Curepipe that, in order to bring some changes in the traditional way of celebrating Christmas festival, the newly elected Council decided to organise a recreational day instead of distributing toys to children on the occasion of Christmas 2005. In this context, various leisure activities were organised for the benefit of not only children of the vulnerable groups but for all children of the town. Furthermore, both children and parents were provided with refreshments by the Municipal Council.

Mr Speaker, Sir, I am further informed that the event was a success and no complaint was received whatsoever at the Council.

The House may also wish to note that for this event the amount spent by the Municipal Council for Christmas 2005 stood at Rs323,746, which was higher than the amount spent for year 2004, which was to the order of Rs174,000.

Mr Dowarkasing: With regard to the Divali celebration, can the hon. Minister give precise information as to how the sums earmarked by the Municipal Council were spent?

Dr. David: Mr Speaker, Sir, the question was specific on the amount spent. I cannot go into details for breakdown. If the hon. Member comes with a new question, I will answer.

Mr Dowarkasing: Can the hon. Minister confirm whether that money was being given to the SIC to celebrate Divali festival at the Lake Point?

Dr. David: Again, Mr Speaker, Sir, the question concerns the amount. The hon. Member should know when and how to ask questions.

Mr Dowarkasing: Mr Speaker, Sir, the hon. Minister has mentioned that the figures is in the increase. May he give a breakdown of all the expenses that have been incurred?

Mr Speaker: I am sorry, the hon. Minister has said he needs notice of the question.

Mr Dowarkasing: Concerning the list that he has placed in the Library, can I know from the hon. Minister whether a Christmas tree has cost contributors in the surroundings of the Municipality of Curepipe Rs19,000?

Dr. David: Mr Speaker, Sir, I have just said that as regards the amount spent for the year 2005 as compared to the year 2004...

(Interruptions)

Mr Dowarkasing: Mr Speaker, Sir, my question was very precise. Can the Minister answer whether a Christmas tree has cost the Municipal Council Rs19,000 or not? My question is very precise.

(Interruptions)

Mr Speaker: Order! Order! The Minister has said that with regard to the details of the amount spent, he needs notice of the question.

(Interruptions)

Dr. David: He is obstinately irrelevant.

(Interruptions)

Mr Speaker: Next question! Hon. Bodha!

(Interruptions)

Order! Order, please! Yes, hon. Minister of Agriculture.

CHIKUNGUNYA DISEASE - PRECAUTIONARY MEASURES

(No. B/41) Mr P. Jhugroo (Third Member for Port Louis North and Montagne Longue) asked the Minister of Health and Quality of Life whether, in regard to chikungunya disease, he will state the number of people affected todate, indicating what precautionary measures have been taken to prevent the spread of the disease.

(Vide reply to PQ No. B/20)

SMALL PLANTERS WELFARE FUND – BOARD – COMPOSITION

(No. B/42) Mr N. Bodha (First Member for Vacoas and Floreal) asked the Minister of Agro Industry & Fisheries whether he will state the present composition of the Board of the Small Planters Welfare Fund.

Dr. Boolell: All the information sought will be placed on the Table of the Assembly.

(Interruptions)

Mr Speaker: Order!

Mr Bodha: Can I ask the hon. Minister who was the former Chairman of the Fund?

Dr. Boolell: The former Chairman of the Fund? Since when?

(Interruptions)

Mr Bodha: The Chairman has just resigned.

Dr. Boolell: The hon. Member should be precise! You mean Mr Rampall.

Mr Bodha: Can the Minister explain why he has resigned? Was it a certificate of incompetence? Is it because he was not able to do much for the small planters in the last months?

Dr. Boolell: No. Contrary to past practice, we want to see to it that there is transparency...

(Interruptions)

And in respect of the provisions of the new legislation he had to resign because he has been elected Municipal Councillor. That's all.

Mr Speaker: Next question, please!

Mr Bodha: So, a Councillor cannot be the Chairman of the Small Planters Welfare Fund?

Dr. Boolell: According to section 5 (5) of the law, he has to resign. It has been done in the name of transparency, contrary to past practice.

EU SUGAR REFORMS - 2006

(No. B/43) Mr N. Bodha (First Member for Vacoas and Floreal) asked the Minister of Agro Industry & Fisheries whether, in the wake of the price cut coming into force this year in the context of the EU Sugar Reforms, he will give details of the support needs to be provided in 2006 by the European Union to Mauritius for the sugar reforms.

Dr. Boolell: Mr Speaker, Sir, as the House is aware, the EU Sugar Reform provides for a cut of 5.1% in the intervention price of sugar in the year 2006. The EU has recognised that in view of the socio-economic importance and the multifunctional role of the sugar sector, the reform of the sugar regime and the adjustment to the new market conditions will be far complex with far reaching social and economic repercussions for the sugar protocol countries.

The European Commission has committed itself to support the adjustment process and to provide financial and technical assistance as

quickly as possible, including budget support on the basis of objective criteria to determine the extent of the assistance.

In this respect, on 15 February 2006, the European Parliament and the EU Council adopted Regulation 266 stipulating that requests for financial and technical assistance should be presented by 29 April 2006. I will table a copy of the Regulation. These requests should be based on a comprehensive multi-annual adaptation strategy, including measures in the process of being implemented and also current and future financial impacts of social plans already implemented. The multi-annual adaptation strategy should aim at -

- (a) enhancing competitiveness of the sugar and cane sector where this is a sustainable process;
- (b) promoting the economic diversification of sugar development areas – I am not going to highlight what has already been spelt out, and
- (c) addressing broader impacts generated by the adaptation process.

Under this regulation, it is stated that the financial reference amount for implementation of this Regulation for the year 2006 shall be 40 million euros as the overall amount. Out of this amount, 3% will be used to cover the human and material resources required for effective administration and supervision of the assistance.

The Regulation also provides that the Commission shall fix the maximum amount available to each sugar protocol country on the basis of the needs of each country, related in particular to the impact of the reform of the sugar sector in the country concerned and to the importance of the sugar sector of the economy.

The European Commission is now preparing the necessary implementation decision and has sought the views of the European Parliament, which has a right of scrutiny. I understand that at the request of Commissioner Louis Michel, the Chairperson of the Development Committee of the European Parliament has agreed to the reduction of the period for Parliament to exercise its right of scrutiny of the Regulation of 15 February 2006 from one month to 15 working days without prejudice to EU Parliament's right to further examine the substance of the proposal.

The Commission has in a letter addressed to the Deputy Prime Minister and Minister of Finance informed us that the process of approval of

the indicative allocation within the current budget of each sugar protocol country is still ongoing.

Though we have not been informed yet of the indicative amount to be allocated to Mauritius, we are continuing our efforts with all the parties concerned – the EU member states, the European Parliament in order to obtain the maximum possible amount on a secure, predictable basis, and to ensure that the resources are provided upfront and through quick disbursement mechanisms. The Prime Minister will raise this issue with the French President during his forthcoming official visit to France. My colleague, the Deputy Prime Minister and Minister of Finance, has also taken up the matter with his counterparts in France and will be so with Commissioner Michel.

We are impressing on the European Commission to consider the specificities of Mauritius – which I am not going to highlight.

Finally, there is a High Level Committee chaired by the Deputy Prime Minister and Minister of Finance and is monitoring the submission of the multi annual adaptation strategy, which is being updated and reviewed in order to reflect the criteria set down by Regulation of 15 February. This strategy will be submitted within the date limit of 29 April 2006.

Mr Bodha: Mr Speaker, Sir, can the hon. Minister confirm to the House that, in fact, Mauritius will have only 15% of the Budget allotted by the EU this year?

Dr. Boolell: If the hon. Member had listened carefully to what I have stated, he would have realised that we cannot speculate. Of course, there has been talk of capping, there has been talk of a percentage which has not been agreed upon. As of now, Members of the EU Parliament are dead against any reduction in respect of the budget allocated to EU countries. Having said so, since the amount to be disbursed to ACP countries is under Heading 4 we will have to see what will be the amount for years 2007-2013. In respect of year 2006, the only thing that we know is that 40 m. euros will be disbursed.

Mr Bodha: Can the hon. Minister enlighten the House as to the criteria on which the EU has based itself to allocate the funds for 2006?

Dr. Boolell: Again, the EU has thought of the importance of the reform on the economy and the impact of the reform on unemployment and upon revenue to be foregone. Having said so, in the light of our lobbying discussion, we are impressing upon them that they have to look at proportionality. This is the message that has been conveyed loud and clear, and then, the EU Parliament also is aware of the letter which we have circulated to every single member. Over and above that we are having the support of like-minded countries. My good friend will be pleased to learn that Mrs Kinnock will travel to Mauritius with a delegation. She is a friend of the ACP, and together with us, we are doing our level best to see that there is the element of justice, equity and fairness.

Mr Bodha: Can I ask the hon. Minister whether he is aware that Caribbean countries have been lobbying for a fairer share without the knowledge of the spokesperson of the ACP group – our Minister?

Dr. Boolell: This is not true. We are in constant touch with the spokesperson of the Caribbean group and let me inform my good friend, that the Ambassador, who is Chairman of the Sub-Committee of Ambassadors, is in Mauritius and I am meeting him tomorrow, and over and above the lobbying that I led together with our friends from representatives of ACP countries.

AMUL MILK - SECOND CONSIGNMENT

(No. B/44) Mr N. Bodha (First Member for Vacoas & Floreal) asked the Minister of Industry, Small & Medium Enterprises, Commerce and Co-operatives whether he will, for the benefit of the House, obtain from the State Trading Corporation, information as to whether it has ordered a second consignment of Amul milk for the local market.

Dr. Jeetah: Mr Speaker, Sir, I am informed that the answer is in the affirmative.

(Interruptions)

Mr Speaker: Order! Can the Minister please repeat his answer.

(Interruptions)

Order! I think there is a problem with the microphone.

Dr. Jeetah: Sir, I am informed that the answer is in the affirmative.

Mr Bodha: May I ask the hon. Minister what was the quantity imported in the first consignment?

Mr Speaker: I am sorry. I am not intervening at this stage, but if the hon. Member looks at the question, it is meant for the next consignment. Supplementary questions must be within the original question.

Mr Bodha: Mr Speaker, if you allow me, what I want to know is whether the first consignment which arrived, was sold totally and whether there was a decision to import a second consignment?

Dr. Jeetah: Yes, Mr Speaker, Sir, the first consignment arrived on 28 October 2005 and 45 metric tons were received. I understand that the whole quantity was sold.

ROSE BELLE S.E. - FIRST CITY BANK - FIXED DEPOSIT

(No. B/45) Mrs S. Hanoomanjee (Second Member for Savanne & Black River) asked the Minister of Agro Industry & Fisheries whether he will, for the benefit of the House, obtain from the Rose Belle Sugar Estate, information as to whether it has recently placed a sum of Rs50 m on fixed deposit at the First City Bank.

(Withdrawn)

ROSE BELLE S.E. - HERBICIDES - ANALYSIS

(No. B/46) Mrs S. Hanoomanjee (Second Member for Savanne & Black River) asked the Minister of Agro Industry & Fisheries whether he will, for the benefit of the House, obtain from the Rose Belle Sugar Estate, information as to whether samples of herbicides purchased from Kripsen & Co. have been sent to the MSIRI and other laboratories for analysis regarding quality.

(Withdrawn)

ENT - OCCUPATIONAL THERAPY DEPT. - EQUIPMENT

(No. B/47) Mr S. Dayal (Second Member for Quartier Militaire & Moka) asked the Minister of Health & Quality of Life whether he will state if he is aware that the equipment at the Occupational Therapy Department found on the premises of the ENT Hospital at Vacoas are out of service and obsolete and, if so, will he arrange for the equipment to be replaced and, if not, why not.

Mr Faugoo: Mr Speaker, Sir, I am informed that most of the equipment of the Occupational Therapy Department found on the premises of the ENT Hospital at Vacoas are quite old. Some of them even date as far back as 1966 and obviously ought to have been replaced since long.

Mr Speaker, Sir, so far there has not been a proper policy as regards physical asset management at the level of the Ministry. Equipment were purchased in a haphazard manner without proper planning and follow-up.

Since my assumption of office as Minister of Health & Quality of Life, a Physical Asset Management Committee has been set up to look into *inter alia* at this issue. Recommendations will have to be made as regards planned preventive maintenance and renewal of equipment. However, in the meantime, I have already given instructions to replace all the obsolete equipment at the Occupational Therapy Department of the ENT Centre by new ones, thus offering the latest technology in this field in the best interest of the patients.

LA LAURA-MALINGA/CRÈVE COEUR - LINK ROADS

(No. B/48) Mr S. Dayal (Second Member for Quartier Militaire & Moka) asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping whether, in regard to link roads, he will state -

- (a) if the project for the construction of a link road between La Laura-Malinga and Crève Coeur, leading to Terre Rouge has been abandoned and, if so, the reasons thereof;

- (b) if it is now proposed to construct a new link road from Verdun to Terre Rouge through Nouvelle Découverte and Montagne Longue and, if so, will he state where matters stand.

The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun): Mr Speaker, Sir, a study to link the districts of Pamplémousses and Moka was carried out in 1994 by Luxconsult S.A. and an alignment was proposed along the slope of Pieter Both Mountain. Since 1994, the volume of traffic in the areas affected by the project has considerably increased and consequently, it was decided to extend the project to create a new link between Montagne Longue and St Pierre which would serve as a bypass for the north-east traffic, thus relieving congestion in Port Louis and, at the same time, reducing the travel time between the north and the east.

In April 2005, a new study was carried out by BCEOM, French Consultants. In a geotechnical report submitted, the consultants have identified an active landslide in the area of the initial alignment, implying a serious risk for road users in the future. In light of that report, the alignment of the initial project was reviewed and in December 2005, a new alignment was identified from Terre Rouge to Verdun through Ripailles to cater for future developments in the Moka area. Eventually, the alignment can be connected to the new interchange at Trianon and to B6 Road at Quartier Militaire.

A feasibility study is being carried out and is scheduled to be completed by August 2006.

Mr Lesjongard: Mr Speaker, Sir, may I ask the Deputy Prime Minister whether land has already been acquired on the alignment of that road?

The Deputy Prime Minister: We'll do the alignment first and then find out.

**MAURITIUS REVENUE AUTHORITY - DIRECTOR, HUMAN
RESOURCES - POST**

(No. B/49) Mr S. Dayal (Second Member for Quartier Militaire & Moka) asked the Deputy Prime Minister, Minister of Finance & Economic Development whether he will, for the benefit of the House, obtain from the Mauritius Revenue Authority, the following information in regard to the post of Director, Human Resources -

- (a) if it has been filled and, if not, why not;
- (b) the number of applications received, and
- (c) the qualifications and experience required for the post.

The Deputy Prime Minister, Minister of Finance & Economic Development (Mr R. Sithanen): Mr Speaker, Sir, I am informed as follows -

With respect to part (a) of the question, the post of Director, Human Resources has not been filled because the Board of the MRA reached the decision that none of the candidates interviewed was suitable for the post.

As regards part (b) of the question, I understand that for the internal recruitment exercise four applications were received. One of them was not on departmental grades and the other three did not meet the requirements for experience. They were thus not called for interview.

Thereafter, the MRA invited applications from the general public and 17 applications were received. Seven candidates were short-listed for interview on the basis of their applications. However, at interview none of them met the required standard and MRA decided not to fill the post.

With regard to part (c) of the question, the qualifications required were as follows -

- (i) either a university degree in Human Resource Management;
or a university degree in any field and a professional qualification in Human Resource Management. Required experience was at least ten years experience in human resource management. Proven experience in managing major change management, or a rehabilitation programme would be an advantage, and

- (ii) for the first intake consideration was to be given to Departmental Officers and priority of consideration to officers holding permanent and pensionable posts referred to in Part I and Part II of the Seventh Schedule to the MRA Act provided he/she holds the required qualifications and sufficient experience subject, however, to due regard being had to the efficiency of the MRA.

AFRICAN COURT OF JUSTICE - LOCATION

(No. B/50) Mr J. Cuttaree (Second Member for Stanley & Rose Hill) asked the Minister of Foreign Affairs, International Trade and Co-operation whether he will use his good offices with a view to ascertaining the reasons why the African Union has decided to locate the headquarters of the African Court of Justice in Tanzania instead of Mauritius.

Mr Dullo: Mr Speaker Sir, at the outset I must inform the House that it is not correct to say that the African Union has decided to locate the Headquarters of the African Court of Justice in Tanzania. Therefore the question of ascertaining the reasons does not arise.

However, I should thank the hon. Member for having given me through this PQ the opportunity to clarify the situation on this issue.

I should first inform the House that there exist currently two district protocols for the setting up of two different courts as follows –

- (1) The Protocol of the Court of Justice of the African Union adopted by the Second Ordinary Session of the Assembly of the Union on 11 July 2003. Mauritius has signed this protocol on 16 December 2003 and ratified same on 23 February 2004.
- (2) The Protocol to the African Charter on Human and Peoples' Rights adopted on 10 June 1998. Mauritius signed this Protocol on 09 June 1998 and ratified same on 24 March 2003.

It should be pointed out that the Protocol on the African Court on Human and Peoples' Right has come into force on 25 January 2004, whereas the one on the African Court of Justice has not yet come into force.

As the situation obtains today, the African Union is still seized with the candidatures of Mauritius and Tanzania for hosting the African Court of

Justice. This institution will be established when the related Protocol comes into force and subsequently merged with the African Court of Human and Peoples' Rights whose Protocol entered into force in January 2004.

The African Union Summit had decided at a meeting held in Abuja, Nigeria in January 2005 that the seat of the merged court will be located in the eastern region and will be decided by the countries of the Eastern African Group.

A draft single legal instrument relating to the merger of the African court on Human and Peoples' Rights and the Court of Justice of the African Union has been circulated to Member States inviting for their comments in writing by the 31st of March 2006, that is, the end of this month.

In the meantime, following a decision of the African Union Summit held in Sirte, Libya in July 2005, the African Union was to proceed with the establishment of the African Court of Human and Peoples' Rights.

A first consultation of the Eastern African Group was held in October 2005 in Addis Ababa in the margin of the Extraordinary Summit in the course of which Mauritius, Tanzania and Sudan maintained their candidature to host the African Court of Human and Peoples' Rights.

The Eastern African Group subsequently met at ministerial level in the margins of the African Union Summit held in Khartoum last January to try and resolve this matter. Sudan withdrew its candidature.

In the course of these consultations I recalled all previous and current efforts of the Mauritius Government for the promotion and advancement of the African Court of Justice, including the hosting of the second meeting of African jurists for preparing the draft statutes of the African Court of Justice and the first meeting of the African Ministers of Justice. I also emphasised the fact that Mauritius was totally prepared materially and logistically to host the seat of the court at any time.

More significantly, I highlighted the point that, at the material time, that is, in the course of that meeting, Tanzania had only signed but not ratified the Protocol on the establishment of the Court of Human and Peoples' Rights. The Protocol is very clear and explicit in its provisions with regard to the criteria for hosting the seat of the court according to which

only those which have ratified the Protocol are eligible. Mauritius had signed and ratified the Protocol, as I said, on the 09 June 1998 and 24 March 2003 respectively whereas Tanzania had only signed the Protocol on the 09 of June 1998 and not yet ratified and deposited the relevant instruments.

So, my argumentation on the ineligibility of Tanzania to host the Court therefore rested on very solid and unequivocal legal grounds. Regrettably the Group chose to ignore this legality and proceeded to vote on the two candidacies notwithstanding my strongly worded caution on the potentially serious consequences of such an action.

The Chairman followed the legal opinion of the representative of the legal counsel of the Commission on this issue and also on the right of members under sanction to participate in the vote.

Consequently after the voting which came out in favour of Tanzania by 7 to 6, the Head of the Mauritius delegation, Dr. the hon. Ahmed Rashid Beebeejaun, Deputy Prime Minister, Minister of Public Infrastructure, Land Transport and Shipping immediately addressed a letter to His Excellency Mr Sassou Nguesso, President of the Republic of Congo and newly elected Chairman of the African Union Commission to protest against the procedure adopted by the Eastern African Group. As a result, the matter was not reported nor raised at the level of the Assembly.

In addition to the point on the ineligibility of Tanzania on legal grounds to host the seat of the court, the argument was also made to the Chairman of the African Union that three countries, which were currently under the regime of sanctions as a result of their arrears in contributions to the budget of the African Union, had been allowed to participate in the voting process, contrary to the rules of procedure.

The Commission of the African Union was subsequently requested to circulate the above-mentioned letter of our Deputy Prime Minister to all AU Member States. The attention of the latter was drawn to the fact that the purported vote taken by the Eastern African Group in Khartoum was not valid and should not be acted upon.

I also addressed a letter personally to my counterparts in the Eastern African Group to request their support on this matter.

In addition, the hon. Prime Minister wrote to His Excellency Mr Sassou Nguesso, Chairman, to reiterate the objections of Mauritius and appealed for continued consultations among all parties concerned, particularly between the Governments of Tanzania and Mauritius.

The matter, therefore, currently rests in the hands of the Chairman of the African Union for advice on the future course of action. I am informed that the Chairman of the African Union is in consultation with the African Union Commission on this matter.

In the meantime, the Government remains seized of this important matter and is maintaining close attention and vigilance on future developments at various political and diplomatic levels.

I am laying on the table of the Assembly a copy of each of –

- (1) The Protocol of the Court of Justice of the African Union
The Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights.

- (2) The Draft Protocol on the Statute of the African Court of Justice and Human Rights

I wish to draw the attention of hon. Members in particular to the following Articles, which have been highlighted –

- (1) Article 47 (Seat and Seal of the court) of the Protocol of the Court of Justice of the African Union
- (2) Articles 25 (Seat of the Court) and 34 (Ratification) of the Protocol of the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights
- (3) Article 27 (Seat and Seal of the Court) of the Draft Protocol on the Statute of the African Court of Justice and Human Rights.

I lay these documents, Mr Speaker, Sir, for ease of reference to hon. Members on the Table of the Assembly

Mr Cuttaree: Mr Speaker, Sir, can I ask the hon. Minister whether he is aware of the SADC Resolution which had decided that the seat of the court should be in Mauritius and that this was actually notified to the African Union? This same Resolution was confirmed by the SADC Summit of 2004-2005 unanimously, at which Summit, Tanzania was present and, at which Summit, President Kikwete was jointly chairing with me the Council of Ministers.

Mr Dullo: Sir, there was this decision of SADC with regard to the African Court of Justice not the African Court on Human and Peoples' Rights. As I have informed the House, the Protocol on the African Court of Justice has not yet been ratified for failure of obtaining the requisite number of ratifications. Also, I would like to inform the House, since reference has been made to the hon. Minister of Foreign Affairs, who is now currently the President of Tanzania, that after the consultation in Addis Ababa in October 2005, in the margin of the CHOGM in Malta in November, I met with the Deputy Foreign Minister of Tanzania, who was then representing Tanzania at the Council of Ministers of the Commonwealth. He informed me of the intention of Tanzania to withdraw his candidature and of the matter to be communicated to the Commission. But then Tanzania was in full election, as we know, during that time and no such communication was made. On that basis, I approached Sudan and had a bilateral meeting with my counterpart, the Minister of Foreign Affairs of Sudan and, as a result of which, Sudan was persuaded to withdraw its candidature. I was so happy that we were to announce to the Union that Mauritius would be the sole candidature when Tanzania came back and maintained its candidature. My colleague, the hon. Member, will remember that, in 2004, Tanzania, which was candidate for hosting the African Court of Justice, withdrew its candidature to come back again after the decision of Sirte to which I have referred - the decision of January 2005.

Mr Cuttaree: Mr Speaker, Sir, surely the hon. Minister understands that we are talking of the African Court of Justice which is a merger of this Court. Tanzania, being a member of SADC, and both President Mogae, Chair of SADC, President Mbeki being present at that Heads of States' meeting - may I remind the House that when President Mbeki was in Mauritius, he made a formal statement saying that this court will go to Mauritius, can I ask the hon. Minister why no effort was made at the level of

the SADC Chair and President Mbeki to get Tanzania to withdraw because of the reputation, if nothing else, of SADC?

Mr Dulloo: Mr Speaker, Sir, I can assure the hon. Member that all these went on in the corridors of the Summit at Khartoum and that the new Government of Tanzania maintains its position. I would rather not go in a debate on this issue because of our good relationship with various members of SADC and also with various members of the Eastern African Group. The decision was not that of SADC, but it was that of the Eastern African Group.

Mr Bérenger: May I ask the Minister whether he met the foreign Minister of Tanzania in Khartoum at this African Union Meeting and discussed the whole issue, including the votes at Summit level of SADC.

Mr Dulloo: Of course, Mr Speaker, Sir, I met the Foreign Minister of Tanzania and discussed this issue and various other sensitive issues that we had to decide at that Summit, including the question of chairmanship of Sudan. I may, with the permission of the Prime Minister, even inform the House that the new President of Tanzania did have a conversation also with our Prime Minister.

Mr Bérenger: The Prime Minister was not in Khartoum. It is another point as to whether with such an important decision to be taken in Khartoum we should have been represented by someone else than the Prime Minister of Mauritius. This is an *aparté*, being given the answer of the Minister. From what I understand, after our Minister of Foreign Affairs failed to convince the Tanzania Minister of foreign Affairs instead of a letter going to the Chair of the African Union, was there an attempt by the Head of the Mauritius delegation, the Deputy Prime Minister, to talk to the newly elected President of Tanzania? Was our Prime Minister brought in and did he talk to the newly elected President of Tanzania?

Mr Dulloo: Mr Speaker, Sir, this is a very sensitive issue. The circumstances in which the consultation meeting was called could be a matter for protest. This matter was not on the agenda. The consultation meeting was called without it being mentioned on the agenda and it was at the consultation meeting that the agenda was circulated and, of course, Mauritius took the stand that we did. The consultation meeting was being held in the margin of the Summit and the Assembly was being presided over by the Chairman of the African Union and all the Heads of delegations were

in the meeting. This is why, as a matter of emergency, it was decided that the Head of the Mauritian delegation should submit this letter on the rostrum to the Chairman who was presiding over the Assembly in order that the matter be not reported to the Assembly which could have resulted in the decision being taken. No decision was taken by the Assembly and the matter was not reported to the Assembly in the light of the letter that was communicated to the Chair who was then presiding.

Mr Bérenger: Mr Speaker, Sir...

Mr Speaker: I am sorry to interrupt the hon. Leader of the Opposition. I wish to inform the House that Question Time is over. I'll allow a last question.

Mr Bérenger: The Minister has not replied to my question. My point was that, according to the Minister, he failed to convince the Foreign Minister of Tanzania to go by the SADC Summit decision. My question is whether the Head of the Mauritian delegation talked to the newly elected President of Tanzania to remind him of the SADC decision and whether the Prime Minister of Mauritius was brought in to get in touch with the newly elected President of Tanzania and convinced them to go by the SADC Summit decision.

Mr Dulloo: All this was done and we had not only discussed this matter at bilateral level, but the whole matter was fully canvassed. In the course of the meeting, reference was made to all decisions and each event was spelt out by the spokesperson of Mauritius.

Mr Speaker: Next item, please!