



**SEVENTH NATIONAL ASSEMBLY**

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**(UNREVISED)**

**FIRST SESSION**

**TUESDAY 28 NOVEMBER 2023**

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Hon. Pravind Kumar Jugnauth	Prime Minister, Minister of Defence, Home Affairs and External Communications,  Minister for Rodrigues, Outer Islands and Territorial Integrity
Hon. Louis Steven Obeegadoo	Deputy Prime Minister, Minister of Housing and Land Use Planning,  Minister of Tourism
Hon. Mrs Leela Devi Dookun-Luchoomun, GCSK	Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology
Dr. the Hon. Mohammad Anwar Husnoo	Vice-Prime Minister, Minister of Local Government and Disaster Risk Management
Hon. Alan Ganoo, GCSK	Minister of Land Transport and Light Rail
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Dr. the Hon. Anjiv Ramdhany	Minister of Public Service, Administrative and Institutional Reforms

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**MAURITIUS**

**Seventh National Assembly**

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**FIRST SESSION**

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**Debate No. 31 of 2023**

**Sitting of Tuesday 28 November 2023**

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

**The National Anthem was played**

*(Mr Speaker in the Chair)*

**ANNOUNCEMENT****PQ B/1539 – DECLARATION OF INTEREST – RULES**

**Mr Speaker:** Hon. Members, I have an announcement to make.

The House will recall that at the last Sitting, there was an exchange of arguments on the issue of declaration of interest between the hon. Minister of Energy and Public Utilities and the hon. Ms Joanna Bérenger in regard to PQ B/1539 from the hon. Member. I gave a summary ruling on that day.

I am now taking the opportunity to spell out the rules regarding declaration of interest.

Hon. Members, according to Erskine May, in any debate, a Member is required to declare any relevant pecuniary interest or benefit of whatever nature, whether direct or indirect, that he may have had, may have or may be expecting to have.

The rule on declaration applies not only to debates in the House, but to almost all proceedings of the House or its Committees in which Members have an opportunity to speak.

In regard to Parliamentary Question, a declaration of interest is required from a Member when giving Notice of the Question either for oral or written answer.

It is the responsibility of the Member to judge whether a pecuniary interest is sufficiently relevant to require declaration. The basic test of relevance is that a pecuniary interest should be declared if it might reasonably be thought by others to influence the Member's speech.

Hon. Members are kindly requested to stand guided accordingly.

Thank you for your attention.

Hon. Leader of the Opposition!

**PAPERS LAID**

**The Prime Minister:** Mr Speaker, Sir, the Papers have been laid on the Table.

**A. Ministry of Local Government and Disaster Risk Management**

- (a) The Annual Report and Report of the Director of Audit on the Financial Statements of the Municipal Council of Quatre Bornes for the year ended 30 June 2022.(In Original).
- (b) The Annual Report and Report of the Director of Audit on the Financial Statements of the Municipal Council of Vacoas Phoenix for the year ended 30 June 2022. (In Original).
- (c) The Annual Report and Report of the Director of Audit on the Financial Statements of the District Council of Flacq for the year ended 30 June 2022. (In Original).

**B. Ministry of Finance, Economic Planning and Development**

The Economic Development Board (National Contact Point) Regulations 2023. (Government Notice No. 172 of 2023)

**C. Ministry of National Infrastructure and Community Development**

The Professional Architects' Council (Fees) (Amendment) Regulations 2023. (Government Notice No. 171 of 2023)

**D. Ministry of Agro-Industry and Food Security**

The Report of the Director of Audit and the Financial Statements of the Ex-Farmers Service Corporation for the period 1<sup>st</sup> January 2012 – 18<sup>th</sup> March 2012.

**E. Ministry of Commerce and Consumer Protection**

- (a) The Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 8) Regulations 2023. (Government Notice No. 173 of 2023)
- (b) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 32) Regulations 2023. (Government Notice No. 174 of 2023)



## ORAL ANSWERS TO QUESTIONS

### ROSE HILL, QUATRE BORNES, VACOAS & CUREPIPE – URBAN TERMINAL PROJECTS – IMPLEMENTATION

**The Leader of the Opposition (Mr X. L. Duval)** (*by Private Notice*) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the urban terminal projects, he will state –

- (a) where matters stand as to the implementation thereof in Rose Hill, Quatre Bornes, Vacoas and Curepipe, and
- (b) whether any difficulties encountered at the Victoria Urban Terminal have dampened the interest of the private sector in such developmental projects.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, Sir, I wish to thank the Leader of the Opposition for this PNQ as it is giving me the opportunity to inform the House of the different measures/actions being taken by the Government for the implementation of the different urban terminal projects at Rose Hill, Quatre Bornes, Vacoas and Curepipe.

The implementation of the Metro Express Project has given rise to opportunities for the redevelopment of strategic areas in the town centres into modern urban terminals.

As major transport interchanges at strategic areas in town centres, the Urban Terminals are expected to be iconic buildings, accommodating a mixed-use development in addition to providing commuters with a variety of transport modes such as metro, bus and taxi within the same location.

These projects also contribute to the revitalisation of the town centres, enhance the town centres' image and identities by introducing high standards of building design and improvements to the public realm, facilities for pedestrians, cyclists and persons with disabilities thus enabling a more efficient use of State lands, public transport and highway infrastructure.

In order to achieve the realisation of these projects, Government is seeking active private sector participation and is mobilising private investment in national infrastructure development projects with a view to modernising the economy and fuelling creation of employment, while promoting social integration in the mainstream economy.

In this connection, the Government is inviting proposals from promoters having the necessary experience, expertise and resources in the implementation of these projects

to best represent the objectives and expectations of Government regarding the redevelopment of the town centres.

Mr Speaker, Sir, it was decided that Government would put at the disposal of the selected promoters, land identified for the projects on lease, on such terms and conditions as defined in these RFP documents. However, Government will not participate, either directly or indirectly, in the funding or financing of this project at any stage of the development apart from incentives detailed in the RFPs.

Prospective Applicants may submit their proposals either on their own or jointly with other firms or parties. The nature of any existing or intended partnership or joint venture arrangement/consortium shall be specified at the time of submitting the proposal.

The following set of incentives under the SMART City project will be extended to the Urban Terminal Projects –

- (a) an 8-year corporate tax holiday on income generated from the development and sale, rental or management of immovable property;
- (b) exemption of Value Added Tax on capital goods (building, structure, plant, machinery or equipment) for the first 8 years;
- (c) exemption from Customs Duty on imports of materials, machinery, equipment and other inputs for the development and construction of the terminal, including furniture in semi-knocked-down form on the condition that at least 20 per cent local value addition is incorporated therein, and
- (d) land will be leased to successful promoters at a discounted rate of 91.7% of the actual market rate.

As regards the Rose Hill Urban Terminal, I wish to inform the House that a Request for Proposal (RFP) for the development and operation of an Integrated Urban Terminal at Rose Hill was launched on 08 September 2021 and as at closing date on 10 February 2022, two proposals were received. However, following evaluation of the proposals received, it was observed that none of the proposals were compliant with the requirements of the RFP.

A fresh RFP was launched on 25 March 2022 but no proposal was received as at closing date on 28 April 2022.

Subsequently, my Ministry reviewed the requirements of the project and additional plots of land were acquired to make the project more attractive.

Presently, the RFP is being finalised and it is expected that same would be launched by the end of this year. That was for Rose Hill.

Mr Speaker, Sir, for the Quatre Bornes Urban Terminal, the RFP was launched on 06 April 2023 with a closing date of 06 July 2023. However, following requests for extension, the closing date was extended to 31 October 2023. As at the closing date, one proposal was received and it is currently under evaluation. It is expected that a Notification of Award would be issued by the end of this year.

Mr Speaker, Sir, regarding Vacoas Urban Terminal, I wish to inform the House that following the launching of RFP on 29 October 2020, a Notification of Award was made to a promoter. However, the latter made several counter-proposals which were not compliant with the conditions of the RFP. Based on the advice of the Solicitor General, the Notification of Award was cancelled.

A second RFP was launched on 06 April 2023 with new terms and conditions. However, no proposals were received as at the closing date on 05 July 2023.

Following consultations with different stakeholders, my Ministry is reviewing the RFP document.

Mr Speaker, Sir, as regards the Curepipe Urban Terminal, which was initially planned for implementation at the Jan Palach site, will now be implemented at La Vigie, following a Master Plan that has been prepared by the Ministry of Housing and Land Use Planning.

A working group comprising of different stakeholders under the Economic Development Board was set up to organise an informative session with the Private Sector. The Private Sector responded positively to the invitation and the session was held on 07 November 2023.

The operators made several observations, namely –

- a) Financing structure, that is the lease model, contribution of private sector and/or Government, site leases for each component as Master Developer;
- b) Incentives to be provided;
- c) Reduction in rental rates with respect to land lease agreement, and
- d) The need to accelerate the issue of permits and licences.

These observations would be examined by the different Ministries concerned prior to finalising the RFP.

Mr Speaker, Sir, with regard to part (b) of the question, I am informed by the Ministry of National Infrastructure and Community Development that further to a Request

for Proposals exercise in December 2016, a promoter, namely the Victoria Station Ltd (VSL) was selected to implement the VUT project.

The project was awarded on the following terms and conditions –

- (i) A 60-year term lease of State land of an extent of 5A20 at the Victoria Bus Station for the designing, financing, implementing and maintaining a modern urban terminal, and
- (ii) the entire cost of the design, engineering, construction, operations and management of the project would be borne by the promoter.

With a view to making the project financially viable, Government agreed to extend the following fiscal and other facilities and support to the promoter –

- (a) Smart City Incentives as already elaborated;
- (b) Reduced land rental;
- (c) Fees for the use of bus station – an amount of Rs5 m., representing the fees to be collected from the bus operators using Victoria Bus Station as a last terminal, has been guaranteed by the City Council of Port Louis for payment to the Promoter annually;
- (d) Rental for hawkers – a monthly rental of Rs3,500 per stall has been guaranteed by the City Council of Port Louis for payment to the Promoter;
- (e) Contribution towards modification/upgrading of adjacent roads outside the realm of the project;
- (f) A Fast Track Committee was also set up to facilitate and grant all the statutory permits and clearances within the least possible delay.

Mr Speaker, Sir, as my colleague the hon. Leader of the Opposition is aware, the Victoria Urban Terminal project has already been successfully implemented since July 2022 with the following amenities –

- (i) a modern and visually aesthetic bus terminal with at least 20 bays for an efficient transportation network;
- (ii) secured control space capable of accommodating 1,000 hawkers;
- (iii) parking facilities for about 400 vehicles;
- (iv) office and commercial spaces;
- (v) renovation and integration of the ex-NTA building;

- (vi) overhead “esplanade” of 6 metres wide linking the Victoria Terminal to the Metro Express Terminal/Caudan Waterfont;
- (vii) green spaces and associated lift;
- (viii) a dedicated taxi stand for 25 taxis, and
- (ix) a supermarket and various retail outlets.

It is, in fact, the very first project implemented successfully through a Public Private Partnership. Indeed, Government, on its own, would not have been able to implement such an ambitious project for a new and modern Mauritius.

That’s why, the support and the collaboration of the private sector is crucial, more than ever.

Regarding the difficulties faced in the project, it is understandable that for any new project especially of such a magnitude, here we are talking of a massive investment of Rs2.1 billion from the Private Sector, there have been teething issues along the way.

However, the outstanding issues are being resolved in a collaborative manner.

Mr Speaker, Sir, some of the difficulties that the Victoria Station (VSL) Ltd is facing are –

- a) Firstly operational issues in managing the Bus Terminal. This is an ongoing process that is being resolved in collaboration with the Authorities concerned, and
- b) Difficulty to ensure full occupancy of the Hawkers Area, especially on the second floor. Out of the 1,000 stalls provided, 437 are presently being occupied and these people are earning their livelihood in a decent manner.

Mr Speaker, Sir, I do not think that the problems being encountered by the Victoria Urban Terminal are in any manner dampening the interest of the private sector in such development projects. A vivid example is the successful meeting held at the EDB with the Private Sector whereby there was active participation and interest shown.

Mr Speaker, Sir, I wish to add that in order to attract the Private Sector, the following three options are being included in the RFP documents –

- a) Option 1 – Proposals under this option will have to satisfy all requirements of the RFPs. This is the preferred option.
- b) Option 2 – Proposals under this option will have to satisfy the minimum acceptable requirements of the RFPs.

- c) Option 3 – The Promoter will be free to submit a proposal of his own on the available land.

Thank you, Mr Speaker, Sir.

**Mr X. L. Duval:** Mr Speaker, Sir, I obviously have a number of questions, and the first question concerns the Victoria Urban Terminal. I am sure the Minister is aware that there are eight floors in the terminal. Four floors are closed or closing, including one floor for the hawkers. So, after 16 months of operation, we end up with a terminal that is only 50% used and 50% closed. That is the question that I am asking. What is Government doing about this?

**Dr. Husnoo:** I can firstly talk about the floor that you mentioned for the hawkers; the second floor. As I mentioned earlier, when we did the survey for the hawkers before allocating the stalls, there were about 1,000 hawkers. So, we had to find enough space to accommodate the 1,000 hawkers. That is why we had the hawkers on the first and the second floors. But, unfortunately, as I have mentioned earlier, nearly 50% of the hawkers did not turn up for different reasons, and that is why we have shut down.

**Mr X. L. Duval:** As I mentioned, four floors out of eight floors are closed or closing. Does the Minister think it is correct for the hawkers who are given 27 ft<sup>2</sup>, *en tôle*, to be paying an equivalent of Rs145 per square foot per month, which must be the highest rent anywhere in Mauritius? Do you think it is fair for the poor hawkers to be paying rent which is about three or four times the market rent per square foot that goes in Port Louis, especially for this type of building which is not even painted where they are?

**Dr. Husnoo:** Mr Speaker, Sir, we have to understand in which context we started this project. We have to understand in what condition these people were working. They were working in the gutter – we know that -, during rainfall; they were working in the sun. This Government, the MSM Government, when we came, we decided to find a solution for these poor people; they were going through a tough time. We had to find a solution and that is why, at that time, all of us discussed to find a way to help these people. That is why we went into that direction to provide them this.

**Mr X. L. Duval:** One of the main reasons for the terminal was to house the hawkers. You have said yourself, out of 1,000, 600 have already left, are not interested; you are closing one floor completely. They are paying Rs145 per square foot per month and the shops downstairs are paying Rs45 per square foot per month. I am asking you, is this a way of helping the hawkers?

**Dr. Husnoo:** I would like to mention as well that there are two modalities. I must state that this was agreed with the hawkers well before we went there; number one. But we are working with VSL and with DBM so that if they pay more or less the same fees that they are paying now, instead of paying monthly for 60 years, in 12 years' time, if we can give them the loan with the DBM, this space can become theirs.

And after 12 years, it is going to be for them and they will not have to pay rent for the rest of their lives. So, we are working; we appreciate that. That's why we are working on different modalities to see how we are going to help them.

**Mr X. L. Duval:** It would be so simple hon. Minister to charge them the same rent as charged for the shops downstairs. It will be about a third or a fourth, a quarter of what the shops are paying downstairs.

I have another question. My question is this: the floor area that is offered to each hawker is 6 feet by 4 feet, which is clearly insufficient for someone to make a living by such a small floor area. Imagine you are hanging dresses; you can put about 10 dresses and that's it. So, another answer would be to double or treble the floor area, given that the rent is so expensive. For the same rent, treble the floor area offered to the ex-hawkers.

**Dr. Husnoo:** I have just replied, Mr Speaker, Sir, that when we started with this project, we got the group of hawkers on board. We discussed along the way on which floor it was going to be and what was the space that was going to be given, and the hawkers were there. The hawkers came and saw what was being given, what was the surface area that was being given, and initially there was not even a shelf; it was not going to be like ...

**An hon. Member:** *Enn latab.*

**Dr. Husnoo:** *Enn latab* exactly. And finally, the hawkers asked for a small structure, 6 feet by 4 feet or whatever. And later, when we went there, they said that they must have roller shutters to keep their stuff. We said alright, but, unfortunately, with all these, the price was going to increase *évidemment*. And that is what happened. It is not just a flat area like that we give in a market. They have their shop. I agree; point taken, it is a bit small. They have their shutters, and this, as I mentioned, was discussed at every step by the Hawkers' Union, by the hawkers' group.

**Mr X. L. Duval:** Mr Speaker, Sir, obviously, these persons are voting with their feet; two-thirds of them having left. So, there must be some message that the Government is receiving here with two-thirds of the people having left.

Let me now move on now to the other failure, which is the parking. Now, we understand that a major plus point, obviously, of Metro Express was to park and ride. Now, this parking – I have pictures if you want, taken this morning – is almost empty. Two floors of the parking are closed, one-third floor is as if closed and there is only the third floor being used. This morning – I can give you the pictures if you want – it was about a third only. So, the parking, Mr Speaker, Sir, if you were to use it for one month, it will cost you Rs12,000 per month. You can calculate it easily. And you can get parking anywhere in Port Louis for about Rs1,500 to Rs3,000 per month for your car. So, this parking is extremely expensive and destroys the whole point of park and ride. That's my point.

**Mr Speaker:** Let the Minister reply!

**Dr. Husnoo:** Mr Speaker, Sir, that parking, I understand, is partly for park and ride. These were for other offices as well. I understand that other offices are coming at different floors as well. I think they are negotiating; VSL is negotiating with other promoters to have other offices coming there as well. So, they have to provide the parking. Okay, the occupancy is maybe about 30% now, as you mentioned, but I am sure that when the whole floors are occupied, this parking is going to be taken up as well.

**Mr X. L. Duval:** I would ask the hon. Minister whether anyone would be interested to park and ride at a cost of Rs12,000 per month; I think probably not. Can I move now to Quatre Bornes? You did kindly mention to us that there are three options in Quatre Bornes and luckily or not, time will tell, there is one promoter who has submitted a proposal. May I ask the Minister – this is all public money, it is land belonging to the Government, the Municipality of Quatre Bornes is highly interested in everything that goes on – under which option has this promoter submitted his offer, under No. 1, 2 or 3?

**Dr. Husnoo:** Mr Speaker, Sir, with regard to the evaluating date, I don't have the information because I think the evaluation is going to be finished in a couple of days. So, I do not have the information because I do not get involved in this assessment.

**Mr X. L. Duval:** Okay. Well, you are chairing the committee since 2019...

**Dr. Husnoo:** No...

**Mr X. L. Duval:** And I have your notes for mention, everything that you give every week. Don't tell me you are not involved.

**Dr. Husnoo:** No, no!

**Mr X. L. Duval:** This is not right. Let me ask my question.



**Dr. Husnoo:** No, I am talking about... Sorry, Mr Speaker, Sir...

**Mr X. L. Duval:** Let me ask my question!

**Dr. Husnoo:** It is a bit unfair to ...

**Mr X. L. Duval:** Let me ask my question! I have a question!

**Mr Speaker:** Hon. Leader of the Opposition, let the Minister reply!

**Dr. Husnoo:** Sorry. It is not nice to impute motives

**Mr X. L. Duval:** What imputing motive?

**Dr. Husnoo:** Because what I was trying to say, Mr Speaker, Sir, is that we have said we have different options. Which particular option this particular promoter has opted for, I don't know yet. It is being sorted out. In a couple of days maybe we will know.

**Mr X. L. Duval:** Will the Minister now get two replies for every question that I ask? It an interesting point I think.

Mr Speaker, Sir, I would like to ask the hon. Minister, the first option – this is a very important point; very important this point – the Municipality of Quatre Bornes would get about Rs1.5 m. for the land per month; it is the same for all three options. But, it would also get, Mr Speaker, Sir, 600 parking free of charge; it would get 15,000 ft<sup>2</sup> of a reception hall; it would get 10,000 ft<sup>2</sup> of a commercial space plus 15 residential apartments, free of charge. This is the first option.

The second option is one-quarter free parking, 150 only. The reception hall has disappeared and it is now a commercial space of 10,000 ft<sup>2</sup>, and 15 residential apartments have become 5 residential apartments. This is option 2.

Option 3, Mr Speaker, Sir, would you be surprised to note it is only Rs1.5 m. rent! None of this is mandatory. This is why, Mr Speaker, Sir, I am asking the Minister to have a very careful look because it is too easy to bypass all this.

**Mr Speaker:** Let the Minister reply!

**Mr X. L. Duval:** And that is why I am asking the Minister if he will agree to have a personal look at this because an *arnaque* here is only too easy.

**Mr Speaker:** Okay, let the Minister reply!

**Mr X. L. Duval:** But I am letting him reply!

**Dr. Husnoo:** Mr Speaker, Sir...

**Mr Speaker:** Let the Minister reply!

*(Interruptions)*

**Mr X. L. Duval:** Don't raise your voice!

**Dr. Husnoo:** Mr Speaker, Sir, the problem is that you yourself said that, okay, there is a decreased interest on the part of the investors. You yourself, in your question, implied that there is a lack of interest on the part of the investors. Now, what can we do? Do we put the same stringent requirement that finally, we do not get anybody or do we try to make it a bit easier for the promoters to come? What do we want to do? We want to provide better facilities there for the citizens of Quatre Bornes. You know what I mean. The problem is why are we getting difficulties to get promoters? Because, at the beginning, when we started the project, we were putting the maximum of requirements, which were discouraging everybody; that is why, gradually, we came down. We talked, we discussed with the Municipal Council of Quatre Bornes and other Municipal Councils. We said: 'look, if we are going to go in that direction, we will never get anybody and no project is going to be done.'

**Mr X. L. Duval:** We know what the Minister mean...

**Mr Speaker:** Wait!

**Dr. Husnoo:** Mr Speaker, Sir, what I was trying to say is that is why we have put these different options so that at least we can develop this area for the betterment of the people of this city.

**Mr X. L. Duval:** Why is the Minister talking about Municipal Council? Do you mean the Councillors? Who do you actually mean? Because the Councillors are not aware at all of what is happening. Mr Speaker, Sir, this is my question. It is obvious that the Request for Proposal is in the form of an auction. You offer option 1, 2 or 3. What is the value of an auction when there is only one respondent? Are you going, therefore, to proceed with Quatre Bornes? You will have the opportunity, maybe here in this House, to come back and tell us which option has been chosen. Are you going to proceed with an auction when only one person has responded in your auction?

**Dr. Husnoo:** Mr Speaker, Sir, it is an open expression of interest. We asked for people to be interested. Do you know what I mean? We have given time. Is the Leader of Opposition telling me that we should reject that one promoter because only one promoter has applied for this particular project? Is that what he is trying to say? Can I do that? No, I do not think we can do that, because we have put our conditions in our RFPs. If he has submitted his application according to these conditions that we have put, I think it is going to be difficult for me to reject his application.

**Mr X. L. Duval:** Because, in fact, the third option has hardly any conditions. This is why I am asking. Now, Mr Speaker, Sir, I want to move on to Curepipe. In Curepipe, we have the Deputy Prime Minister, Minister of Housing and Lands. Now, it is obvious that at Curepipe, you cannot move forward because the Municipality of Curepipe and the authorities are waiting for the land plans from the Minister of Housing himself. You are the Chairman of that committee since 2019. How can you explain that the Ministry of Housing has not yet submitted even the land plans for his own Constituency in Curepipe?

**Mr Speaker:** Let the Minister reply!

**Dr. Husnoo:** I appreciate that you do not know, but the plan has been worked out by the – I have got the plan here – Ministry of Housing. We have identified the land. I do not know how you can say that the land has not yet been identified.

*(Interruptions)*

**Mr X. L. Duval:** I have a document here dated 31 October 2023, and it says –

“Plans of the land proposed are still being awaited.”

So, this thing must have come in the last few days.

**Dr. Husnoo:** Actually, we have been...

**Mr X. L. Duval:** Mr Speaker, Sir, I would like to ask this question this time. The Deputy Prime Minister and this time also, the Minister of Finance, were meant since September – three months ago – to meet with Business Mauritius to understand why the private sector is reticent. I mean this is all in your documents; so, please, you will agree with me. You are taking this every week and telling your colleagues about all this. Now, they have been waiting from September onwards for the Deputy Prime Minister and the Minister of Finance to find time to meet Business Mauritius to discuss about the reticence of the private sector. Why has this meeting not yet taken place?

**Dr. Husnoo:** Mr Speaker, Sir, the meeting with the private sector has been taken by the EDB.

*(Interruptions)*

*Exactement!* The thing is that you have to be careful there as well. If tomorrow the Minister goes there and meets the private sector, you will be coming here and you will be asking the question: ‘how come the Minister goes and sees the promoter?’ You yourself, you will come with a question like that. But, that is why, although at the beginning we thought maybe the Minister should go, then we decided no, it is not the right thing. We let the EDB talk to them and see how we can proceed with the project. That is why.

**Mr X. L. Duval:** I do not have this in the papers that I have. I have this –

“It was also decided that the DPM would coordinate with his colleague, the Minister of Finance, Economic Planning for scheduling the meeting.”

But you will understand, of course, that this is not the same weight as to each of these options.

Mr Speaker, Sir, we have got Curepipe and we have got Rose Hill now. This is also something which is very stuck, there are still some lands and technical issues, and Rose Hill has had so far four Requests for Proposal. All of them have failed, and now we are still looking. The last information I have, which must be true, because it comes from yourself, is that, in fact, we are waiting for – a technical committee was held on 31 October. The Ministry of Housing and Lands, bless them, reported that they would carry out a survey next week in order to determine the extent of land. This is amateurism; this is...

**Dr. Husnoo:** Mr Speaker, Sir...

**Mr Speaker:** Put your question!

**Mr X. L. Duval:** This is after four RFPs...

**Mr Speaker:** Do not comment, put your question!

**Mr X. L. Duval:** Would you agree that this is total amateurism?

**Mr Speaker:** No, I am objecting. If you have a question, you put your question!

*(Interruptions)*

No, you do not show me your hands like this! This is disrespect!

**Mr X. L. Duval:** You should not disturb me.

**Mr Speaker:** Disrespect! I will take sanctions!

*(Interruptions)*

**Dr. Husnoo:** Mr Speaker, Sir, when we launched...

**Mr X. L. Duval:** Due respect should be mutual!

**Dr. Husnoo:** Mr Speaker, Sir...

*(Interruptions)*

**Mr Speaker:** What is that? What did you say?

**Mr X. L. Duval:** I said I would appreciate if respect is mutual.

**Mr Speaker:** Yes, I am respecting you! You are just showing your hands like this to the Speaker! This is no respect from a Leader of the Opposition! The Leader of the Opposition has no right to do that!

**Mr X. L. Duval:** As you are the Speaker, I am the Leader of the Opposition.

**Mr Speaker:** One minute!

**Mr X. L. Duval:** I don't appreciate when you shout at me like this!

**Mr Mohamed:** Here we go! Put your hand down!

**Mr Speaker:** One minute! Hon...

**Mr X. L. Duval:** I am the Leader of the Opposition, please respect this!

**Mr Speaker:** Hon. Shakeel Mohamed, you have to apologise to the Chair.

**Mr Mohamed:** I apologise for saying 'put your hand down'. I cannot...

**Mr Speaker:** Apologise without any reserve.

**Mr Mohamed:** I am not reserving it. I unreservedly apologise for stating 'put your hand down'!

**Mr Speaker:** So, you move out from the House!

*(Interruptions)*

**An hon. Member :** *Sa mem li ti pe rode la ! Sa mem li ti pe rode la !*

*(Interruptions)*

**Mr Speaker:** You are looking for a pretext to go; you go!

**Mr Mohamed:** I am looking for a pretext? You are looking for a pretext!

**Mr Speaker:** You are looking for a pretext to go; you go!

**Mr Mohamed:** You don't read my mind!

*(Interruptions)*

**Mr Speaker:** You go!

**Mr Mohamed:** You don't read my mind!

**Mr Speaker:** This is your pretext! Every Tuesday, you look for a pretext to go!

*(Interruptions)*

The population is watching!

**Mr Mohamed:** Oh yes, they have seen you!

**Ms Anquetil:** They are watching you as well.

**Mr Speaker:** So, put your question directly.

**Dr. Husnoo:** Mr Speaker, Sir, as far as Rose Hill...

**Mr X. L. Duval:** I put it again?

**Dr. Husnoo:** Mr Speaker, Sir, as far as Rose Hill is concerned, I mentioned at the beginning that we had two promoters, but they were not according to the RFPs. Now, what we have done, we are trying to find extra plots of land to make it more attractive to the promoters. Before, we had Place Margeot, a very small space. Now we have tried to get the Atrium Building. Now we have got CEB and the Government recently has bought the *Société White Rose*, which is ex-Eden College. So, we are trying to get all these lands to make it more attractive to the promoters. It is taking time. Obviously you cannot get it like that. You have to negotiate with the promoters. We cannot get it overnight.

In fact, we were trying to get more land than that, but we cannot. It takes time. Some want to sell and some do not want to sell. It takes time. To get prime land in the centre of Rose Hill is not easy. Before, we had one plot, which is Place Margeot, and now we got three added: Atrium, CEB and White Rose, just to make it more attractive. That is why it takes time. What do we do? Do I just launch the RFP even if it fails again or do we try to make it more attractive to the promoters? It takes time. I do not mind. Let us make it attractive so that we can get promoters to come.

**Mr Speaker:** Time over!

Hon. Members, I have an observation.

**The Prime Minister :** *Deman Bodha Queen Victoria Terminal komie ti pu kouté.*

**Toussaint :** *Komie letan ?*

**Mr Speaker:** Hon. Members...

**Mr X. L. Duval:** *Li dir mwa twa kinn fané.*

*(Interruptions)*

**Mr Speaker:** Hon. Members!

**An hon. Member:** *Twa ki gran faner!*

**Mr Speaker:** Both sides of the House!

Hon. Members, I have an observation. I have observed that on many occasions, during PNQ, whenever I rule, the Leader of the Opposition just waves his hands like this,

which I consider to be a sign of utter disregard. And I am warning the House that I will take actions next time.

Prime Minister's Question Time!

### **CITADELLE FORT INCIDENT – PREVENTIVE MEASURES**

**(No. B/1574) Ms J. Tour (Third Member for Port Louis North & Montagne Longue)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether following the incident which occurred in the late evening of Saturday 21 October 2023 during a concert at the Citadelle Fort, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the measures being envisaged to avert any recurrence of such incidents during the holding of similar events.

**The Prime Minister:** Mr Speaker, Sir, I am informed by the Commissioner of Police that the holding and organising of public gatherings is regulated by Sections 3 and 4 of the Public Gatherings Act.

Any person, company or event organiser who wishes to hold a concert should make an application to the Commissioner of Police, not less than seven clear days before the day on which the event is to be held or organised.

After notification is given to the Commissioner of Police by an organiser of a public gathering, an assessment of the application is carried out before the organiser is authorised to organise the event. The organiser is further required to provide details on the date, time, duration, exact place and number of persons expected to attend such event and whether access to members of the public will be free or against payment.

Moreover, depending on the place where such gathering is being held, the organiser is required to produce written authorisation from the person or authority owning, occupying or administrating the premises and clearance from other relevant authorities.

In case the event is a musical concert or any other entertainment activity where songs are to be played or musical instruments to be used, the organiser should produce clearance from the Mauritius Society of Authors. Moreover, conditions are imposed by the Commissioner of Police to comply with the Environment Protection (Control of Noise) Regulations 2022.

For public gatherings, Police assistance is provided free of charge whereas for private events, such assistance is provided against payment of fees at approved rates. The organiser may request for Police assistance.

Site visits are also carried out on a case to case basis, depending on the location of the event.

Mr Speaker, Sir, I am further informed that, whenever there are potential risks of public disorder or disturbance, a proper risk analysis is carried out by the Police. Such analysis includes site visits and intelligence gathering. Depending on the level of risks, the Commissioner of Police may take additional measures, *inter alia* –

- (i) the deployment of adequate number of Police Officers for policing;
- (ii) the temporary closure of roads or traffic diversions, and
- (iii) the use of metal barriers for demarcation/marshalling of persons and prevention of clashes.

In addition, the Police may impose specific conditions on the holding of the events, to which the organiser is required to strictly comply to, in default of which, he may be liable for prosecution. Some of the conditions imposed are, *inter alia*, as follows –

- (i) restriction on the duration of the event;
- (ii) control on the level of decibels of loud speakers or other musical instruments;
- (iii) prohibition for the sale and consumption of alcoholic beverages, and
- (iv) strict access control and limited number of persons to be allowed access thereto.

Mr Speaker, Sir, as regards the incident that occurred on Saturday 21 October 2023 at Citadelle Fort, I am informed by the Commissioner of Police that a concert was organised by Attitude Hospitality Management Limited at Citadelle Fort in the context of the celebration of the 15<sup>th</sup> Anniversary of Attitude Hotel Group where some 1500 persons, including families and also children, were present.

Prior to the holding of the event, I am further informed that the organiser had obtained the necessary clearances which include, *inter alia*, from the Ministry of Health and Wellness, the Municipal Council of Port Louis, the Fire and Rescue Services, and the Police Department. The Police conveyed its clearance to the organiser subject to certain conditions as follows –

- (i) The event should be carried out within the time applied for, that is, from 16.00 hrs to 21.00 hrs.
- (ii) The noise from the music should not constitute a nuisance to the residents residing in the vicinity of the venue in line with the prevailing Environment Protection (Environmental Standards for Noise) Regulations 2022, which



specifies the decibel to be 60 from 7 a.m. to 6 p.m. and 55 from 6 p.m. to 9 p.m.

- (iii) The sale and consumption of alcoholic beverages should be strictly prohibited in line with the Public Health (Prohibition on Advertisement, Sponsorship and Restriction on Sale and Consumption in Public Places of Alcoholic Drinks) Regulations 2008.

The organiser was also requested to take appropriate measures for ensuring the safety and security of the persons attending the functions, including the provision of Ambulance Services, Fire Services and Insurance Coverage, amongst others. Thus, the organiser hired the services of private security guards for access control at the venue and the general safety and security of the persons attending the concert, including the artists.

Upon the request made by the organiser on Wednesday 18 October 2023, the Divisional Commander Metropolitan North Division arranged for a team of 18 Police Officers to perform extra duty on the day of the concert from 14.45 hrs to 22.00 hrs, exclusively for facilitating the movements and parking of motor vehicles outside the venue.

Mr Speaker, Sir, as the House would recall, subsequent to the incident, I made a statement on Tuesday 24 October 2023. According to the information obtained from the Police on the incident, a group of persons, some of whom who were hooded and armed with offensive weapons, had on the evening of Saturday 21 October 2023, forced their way inside the Citadelle Fort and disrupted the event by threatening the organisers and requesting the spectators to vacate.

Some of these individuals climbed on the podium and damaged part of the sound system and some musical instruments. Police Officers intervened to prevent the situation from running out of control. Nobody was injured.

I am informed by the Commissioner of Police that an investigation was immediately initiated to shed light on the occurrence and the prompt arrest of the perpetrators of the incident. On the same night, three suspects were apprehended.

So far, a total number of 30 suspects have been arrested in connection with the incident at Citadelle Fort. Provisional charges were lodged against them. I am informed that the status of the cases is as follows –

- (i) Initially, eight suspects had applied for bail. Hearings were held in seven cases and the District Magistrate of Port Louis Court set the motion aside and

remanded the suspects to jail. One motion was not heard as the suspect was admitted to Dr. A. G. Jeetoo Hospital;

- (ii) Later on, another eight suspects applied for bail. The Court heard all the eight bail motions and during the proceedings the defence counsel of one suspect made a motion to the District Magistrate of Port Louis Court to request the Director of Public Prosecutions (DPP) to reconsider his stand in this particular case. Despite Police objection, the DPP entertained the request and the suspect was granted bail, and
- (iii) Subsequently, in the course of the hearings for the remaining seven applications, as Police investigation had reached an advanced stage where the statements of most suspects involved were already recorded and Police did not object to their release on bail. Hence, the remaining suspects were released on bail with conditions. The enquiry is proceeding.

Mr Speaker, Sir, I am further informed by the Commissioner of Police that in order to avert any recurrence of such incident during the holding of similar events, the Police has imposed additional conditions on organisers of public gatherings over and above the normal procedures, as follows –

- (i) site visits to be carried out by an Officer not below the rank of an Assistant Superintendent of Police and a comprehensive report to be sent with recommendations signed by the Divisional Commander to be submitted to the Commissioner of Police for approval;
- (ii) ensure that the exit of the venue is adequate for smooth movement of crowds;
- (iii) ensure that essential service vehicles easily get access to the venue;
- (iv) all access to be controlled by security personnel in the presence of Police Officers. All suspicious persons are to be systematically searched;
- (v) ensure that the organisers enlist security services which has adequate knowledge for the holding of crowd pulling activities;
- (vi) the Private Security deployed on that day to work in collaboration with Police Officers and maintain continuous communication;
- (vii) whenever required, upon assessment, arrangements to be made for the venue to be placed under CCTV cameras surveillance;
- (viii) requirement to inform Police on the details of the sequence of events with a view to identifying any issue;
- (ix) reinforced Police presence for ensuring the safety and security of all persons both inside and outside the venue, and

(x) the event can be stopped at any time as may be directed by Police.

The Police are also considering carrying out cyber patrols on the social media to gather information on any comment from members of the general public with a view to making a risk assessment for the holding of such events.

Furthermore, in accordance with the new procedures, prior to the holding of any event, organisers are henceforth being convened for a meeting at the Police Headquarters to discuss the organisational issues of the event and give an undertaking that they have to take necessary safety and security measures to prevent any untoward incident. They are also warned to ensure that all conditions imposed by Police need to be adhered to.

In the event the organisers intend to solicit the services of private security, a proper assessment will be made in respect of their security plan to enable the Police to control the situation in case an incident occurs. Notwithstanding the enlistment of security of services, the Police may intervene at any point in time it deems necessary.

Mr Speaker, Sir, I would like, once again, to strongly condemn the outrageous and reprehensible acts at la Citadelle. Such acts have no place in a peaceful and harmonious society like ours.

It is indeed a matter of deep regret that, while the Government is dedicating itself relentlessly to the consolidation of our national unity, which is our most valuable asset, there are some people, who, through their irresponsible and despicable conduct are bent on disturbing social peace and harmony and bringing the whole country into disrepute. There can be no justification at all for such contemptible and violent demonstration of hatred.

As a peace loving nation, we have always cherished the values of tolerance and mutual respect bequeathed upon us by our forefathers. These values constitute the very foundation on which our nation has been built and nurtured over several decades. Indeed, social peace and stability have been the bedrock of our economic prosperity and it is our duty to do our utmost to preserve and promote these values. It is reassuring to see how the whole country has promptly, strongly and unanimously condemned these acts of intimidation and violence.

But, I am also aware that these irresponsible persons are a few only and they have acted in their own name.

Mr Speaker, Sir, Mauritius being a democratic country where the rule of law prevails, nobody has the right to act against the law. As Prime Minister and Minister in-charge of law and order, let me again reassure the House and the population that all necessary measures have been taken to ensure that law and order are maintained and the

rule of law continues to prevail. Government will be uncompromising in dealing with all those who imperil public order and public safety, whoever they may be. Thank you.

**Ms Tour:** Thank you, Mr Speaker Sir. Can the hon. Prime Minister inform the House whether an assessment of damages incurred by the organisers and the artists has been conducted and whether actions have been taken for the reimbursement of the equipment destroyed at La Citadelle?

**The Prime Minister:** Mr Speaker, Sir, I am informed by the Ministry of Arts and Cultural Heritage that damages incurred by the organiser and the suppliers of the sound system are covered by insurance. These include three wireless microphones of make Shure, three microphone stands, three stage monitors and one keyboard stand.

However, regarding the musical instruments belonging to 'The Prophecy Group', I am informed that the hon. Minister of Arts and Cultural Heritage had chaired a meeting attended by Mr Murvin Clélie, the leader and singer of 'The Prophecy Group' and Mr Ashley Fokpan, Manager of the Group, in presence of senior officers of the Ministry. 'The Prophecy Group' informed that some of their musical instruments were damaged following the incidents at La Citadelle, namely one Gibson Guitar – Gibson/Les Paul Standard 1; one guitar effect Valeton GP200 and one Bass Guitar Sire Marcus Miller V8 5-string Bass Guitar.

According to information gathered by the Ministry of Arts and Cultural Heritage, these instruments are not available on the local market and have to be purchased from abroad. The total cost of purchase, including shipping, would amount to around Rs235,000.

I am further informed that with a view to providing financial assistance to 'The Prophecy Group' for the purchase and replacement of the damaged musical instruments, the Ministry of Arts and Cultural Heritage has exceptionally approved a one-off grant of Rs235,000 to 'The Prophecy Group' on 16 November 2023. 'The Prophecy Group' has already been informed of the provision of this one-off grant for the replacement of the damaged equipment and disbursement will be made by the Ministry upon submission of relevant claims by the Group.

Having said so, Mr Speaker, Sir, even though a solution has been found for the replacement of the damaged instruments, I firmly believe that those behind the unacceptable incidents at La Citadelle should be eventually made accountable for the loss incurred by the artists and the organisers.

**Ms Tour:** There are certain comments made by the lawyer of one of the suspects arrested in the wake of the incidents at La Citadelle whereby he claimed that while Police acted with severity in the Citadelle case, the suspects, in an incident which occurred after a concert held at Trou d'Eau Douce on Sunday 05 November 2023, were for their part treated with complacency. May we know from the hon. Prime Minister what he has to say about this?

**The Prime Minister:** Mr Speaker, Sir,...

*(Interruptions)*

You listen!

Mr Speaker, Sir, allow me first to inform the House that following the incidents which occurred after a concert at Trou d'Eau Douce, the inquiry initiated by the Police led to the arrest of six suspects, out of whom five have been granted bail while one suspect is due to appear in Court today. I also wish to point out that as per the Police inquiry, the motives behind the violence which occurred in these two cases are completely different. As for the comments made by one lawyer, I am very much aware, and, in fact, they have not only been formulated by – unfortunately, he's not here – hon. Shakeel Mohamed, who happens to be the lawyer in question but another Member of the Opposition, hon. Reza Uteem, who made similar insinuations in a message posted on his personal Facebook account on 10 November 2023 ...

**An hon. Member :** *La honte !*

**Mr Uteem:** *Pena la honte ladan!*

**The Prime Minister:** ...where he stated, and I quote – You have to listen to this one –

*« violence pendant concert à Trou d'Eau Douce finn ena plusieurs bléssés. Combien arrestations ? »*

**Mr Uteem:** At that time...

**Mr Ramano:** *Aret fer kominal ta!*

**The Prime Minister:** As for hon. Mohamed, he made a statement on 15 November 2023 whereby he stated, and I quote –

*« nou finn trouvé qui la hargne ki ban autorité finn montré après seki finn arrivé à Citadelle, li diferan avek lindiferans preske kan sa finn arrivé à Trou d'Eau Douce... »*

**Mr Lesjongard:** *Ale fer declaration!*

**The Prime Minister:**

« *Alor mo finn dir fer tres attention – [l'honorable Mohamed qui dit fer tres attention !], mais pas pensé que le dos de la communauté musulmane est large, qu'on peut placer toutes sortes de chose sur le dos de la communauté. Faites très attention !* »

**Mr Nuckcheddy :** *Sa meme line envi sorti !*

**The Prime Minister :** M. le président, c'est parfois effrayant de voir à quel type de pyromane nous avons affaire dans ce pays. Tout est une excuse de la récupération politique, quitte à mettre en péril notre harmonie sociale. Les incidents survenus à La Citadelle n'ont à aucun moment été attribués à une communauté en particulier. D'ailleurs, j'ai moi-même bien pris le soin de veiller à ce qu'il n'y ait pas d'amalgame entre les actions d'un petit groupe de têtes brûlées et une communauté en particulier.

Les premiers à venir semer cette idée insensée et vraiment honteuse auprès de l'opinion publique ne sont nuls autres que ces deux membres pourtant considérés comme étant honorables.

**Hon. Members :** *Shame ! La honte ! La honte ! La honte !*

*(Interruptions)*

**Mr Speaker:** Order!

**The Prime Minister :** Je condamne sans réserve leur tentative répugnante à instiller le doute et une mauvaise et fausse perception au sein de notre société pluriculturelle. La population n'est pas dupe ; elle voit clairement dans leur jeu. Elle se rend compte qu'ils ne reculeront devant rien pour détruire ce dont ce pays a de plus cher : son vivre ensemble. Que ces deux membres ne se fassent pas d'illusion. En temps et lieu, cette population vous jugera pour vos actes lâches et ignobles. *Thank you.*

**Mr X. L. Duval:** Mr Speaker, Sir, I thank you profusely for allowing me a question.

I read in the Press, I must say, that the Police and certain Ministries were aware before the event, some hours before the event...

**Mr Uteem :** *Pa pou dire naryen !*

**Mr X. L. Duval:** ...that there would be issues there and that the Police called, the SSU was present, but they were present at the wrong place, not at the Citadelle but

outside, in some streets. So, I would like to ask the Prime Minister whether this is true that there was advance notice and how the Police responded to that.

**The Prime Minister:** Can you be more precise when you say it was advance notice? May I know when the Police was made aware?

**Mr X. L. Duval:** I will ask the question differently. It will be easier for you ...

**The Prime Minister:** No, you put a question; put a specific question with precision so that I can answer.

**Mr X. L. Duval:** I will ask the question differently so that it will be easy for you to answer. Can you tell us whether any advance notice was received by the Police, whether the SSU was or was not dispatched to the area, and if so, where, and also whether any Ministry or Minister or Deputy Prime Minister or Vice-Prime Minister was made aware of the issue? This is a very specific question.

*(Interruptions)*

**The Prime Minister:** Yes, listen now. You put a question, listen. Well, let me say, I want to be even more specific than the Leader of the Opposition.

I have been informed of statements made by Mr J. M. Y., employed as Adviser on Information Matters at the Ministry of Local Government and Disaster Risk Management, on local media. This is, I believe, what the hon. Leader of the Opposition is referring to.

I have also been informed by the Commissioner of Police that on 24 October 2023, Mr J. M. Y. was conveyed to MCIT North in connection with the incident at Citadelle whereby he volunteered to be confronted by witnesses, respecting identification procedures, which revealed to be negative. On 30 October...

**Mr X. L. Duval:** Mr Speaker, Sir, this is not my question!

**Mr Speaker:** Wait! Wait!

**Mr X. L. Duval:** My question is...

*(Interruptions)*

**The Prime Minister:** You asked a question and you want to interrupt me?

*(Interruptions)*

**Mr Speaker:** Leader of the Opposition...

*(Interruptions)*

**Mr Speaker:** Leader of the Opposition, please be patient!

**Mr Toussaint:** Be polite!

**Mr Speaker:** Don't disturb the House!

**Mr Toussaint:** Be polite!

**Mr Speaker:** Continue!

**Mr X. L. Duval:** If you do respect me.

**The Prime Minister:** Mr Speaker, Sir, the Leader of the Opposition has asked a question and I am replying.

**Mr X. L. Duval:** It is not the same question!

**The Prime Minister:** Well, it is not to your liking, that is your problem!

*(Interruptions)*

That is your problem!

**Mr Speaker:** How can you be...

*(Interruptions)*

**The Prime Minister:** Because when I say the truth...

**Mr Speaker:** Hon. Leader of Opposition, how can you deal like this in the House? You may like the reply, you may not like the reply, but you have to stay quiet! This is his constitutional right to reply!

**An hon. Member:** *Ecouté do!*

**Mr Toussaint:** Be polite!

*(Interruptions)*

**Hon. Members:** Be polite!

*(Interruptions)*

**Mr Speaker:** Be polite, yes. Your Members are saying 'be polite'!

*(Interruptions)*

Okay, you have no floor! Prime Minister, continue!

**Mr Hurreeram:** *Zot pe envi ale.*

**Mr Speaker:** No floor!

**An hon. Member:** *Al fer complaint la presse !*

**The Prime Minister:** Okay! I am stating facts! There are important...



*(Interruptions)*

**Mr Speaker:** Continue with your answer!

**The Prime Minister:** There are important issues, Mr Speaker, Sir, and I try to give as maximum information as I can because there is an inquiry which is ongoing. On 30 October 2023, he was again interviewed by MCIT Officers whereby a statement was recorded from him. And on 21 November 2023, he was once more convened and anew interviewed in presence of his Barrister at Law, Mr Assad Peeroo, with regard to his communication to Police Officers. This is the question you put! Communication!

**Mr X. L. Duval:** No, it is not my question!

**The Prime Minister:** Yes!

**Mr X. L. Duval:** Advance notice to the Police!

**The Prime Minister:** Given that the Police inquiry is still in progress, the House will understand that it would be inappropriate...

**Mr X. L. Duval:** *Huh!*

**The Prime Minister:** What *huh?*

**Mr Uteem :** *Li lire la press, apre li pas fer...*

**The Prime Minister:** Hey, shut up *don.*

**Mr Speaker:** Hon. Uteem!

**The Prime Minister:** Shut up *don twa!*

*(Interruptions)*

**Mr Speaker:** Hon. Uteem, please walk out from the Chamber!

**The Prime Minister:** *Arret intervene don!*

*(Interruptions)*

**Mr Speaker:** Walk out from the Chamber!

**Mr Ramano :** *Fer Kominal partou !*

*(Interruptions)*

**The Prime Minister:** The House...

*(Interruptions)*

**Mr Ramano :** *Dir li kontinie fer kominal deor !*

**The Prime Minister:** *Pa kav ekoute!*

*(Interruptions)*

**An hon. Member:** *Al met enn post lor Facebook!*

*(Interruptions)*

**The Prime Minister:** So, I was saying, Mr Speaker, Sir, given that Police inquiry is still in progress, the House will understand that it would be inappropriate for me to provide such other information which might prejudice the work being undertaken by Police. And let me say with regard to this gentleman also, I have been further informed that Mr J. M. Y. has applied for medical leave for the period 16 to 29 November 2023 and submitted a medical report recommending same. His request for medical leave has been acceded to by the Ministry of Local Government and Disaster Risk Management.

The House might also wish to note that on 27 November 2023, pending the completion of the inquiry, Mr J. M. Y. has submitted a letter to the Director Information Services of the Government Information Service, whereby he has tendered his resignation as Adviser on Information Matters at the Ministry of Local Government and Disaster Risk Management with effect from 27 November 2023.

**Dr. Boolell:** Where is the reply?

**Mr Speaker:** You finished?

**An hon. Member:** He has not replied.

**The Prime Minister:** *To zorey bousse! Akoz sa to pa tande !*

**Mr Speaker:** You finished!

*(Interruptions)*

Time over!

*(Interruptions)*

Time over!

*(Interruptions)*

Hon. Dr. Boolell!

*(Interruptions)*

Time over!

*(Interruptions)*

Time over!

**An hon. Member:** Shame! *Met li deor!*

*(Interruptions)*

**Mr Speaker:** What are you doing? You want to go?

*(Interruptions)*

**Mr Juman :** *Ala kisanla ki derier Citadelle !*

*(Interruptions)*

**Mr Juman:** *Ala kisanla ki derier Citadelle!*

**Mr Speaker:** Stay!

**Mr Juman:** *Ala kisanla ki derier Citadelle!*

**Mr Speaker:** You have to stay!

*(Interruptions)*

**Mr Juman:** *Ala kisanla ki derier Citadelle!*

**Mr Speaker:** Do not find a pretext to go out! Stay!

*(Interruptions)*

**An hon. Member:** *Alala!*

**Mr Juman :** *Ala kisanla ki derier Citadelle ! Ala kisanla ki derier Citadelle !*

**Mr Speaker:** I will not fall into the trap of the Opposition, shouting at the Speaker in the House so that I ask them to go out. No! This is a trap! I will not fall into your trap, hon. Dr. Boolell. You have to stay until the end of this Sitting! You will appreciate.

**An hon. Member:** *Travay inpe do!*

*(Interruptions)*

**Mr Speaker:** Hon. Members, the following questions have been withdrawn: B/1579, B/1580, B/1582, B/1583, B/1585, B/1587.

**Mr Juman:** *Bizin demissione! Demissione aler ta!*

**An hon. Member:** *Demissione. Get sa vitesse line aler la! Pheew !*

**Mr Speaker:** Question to other Ministers! Hon. Lobine!

*(Interruptions)*

**Mr Lobine:** B/1589, please.

*(Interruptions)*

**Mr Speaker:** Order! Order!

**Mr Juman:** *Kisanla ki derier Citadelle!*

*(Interruptions)*

**Mr Speaker:** Hon. Juman!

*(Interruptions)*

Hon. Juman!

*(Interruptions)*

Hon. Juman, I am on my feet!

*(Interruptions)*

You are not in a bazar!

**Mr Juman:** You are talking to me?

**Mr Speaker:** Yes, I am talking to you! You are not in a bazar!

*(Interruptions)*

I am on my feet and you have to respect the Chair! Apologise to the House! Say it!  
Say it: 'I apologise to the House!' You have said it?

**Mr Juman:** No.

**Mr Speaker:** You do not apologise?

**Mr Juman:** For what? What did I do?

*(Interruptions)*

**Mr Speaker:** You apologise.

**Mr Juman:** Okay.

**Mr Speaker:** Okay, hon. Juman apologises to the House. Do not do that next time!

*(Interruptions)*

You should always think you are in Parliament. This is a Temple of Democracy!

*(Interruptions)*

We are in a parliamentary democracy, you cannot fight!

**Mr Juman:** I am not fighting.

**Mr Speaker:** You have to respect! You have to encourage the younger generation to join us!

*(Interruptions)*

More women to join us! Do not make Parliament become a mockery, hon. Juman!

*(Interruptions)*

Hon. Lobine!

### **LA CAVERNE AND PHOENIX – SOCIAL HOUSING UNITS – CONSTRUCTION**

**(No. B/1589) Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the construction of social housing units at Hermitage in Constituency No. 15, La Caverne and Phoenix, he will, for the benefit of the House, obtain from the New Social Living Development Co. Ltd., information as to the –

- (a) number thereof being constructed;
- (b) names of the contractors, consultants and project managers selected therefor, if any, and
- (c) surface area and locations earmarked to be used as green spaces and parks, giving details thereof.

**The Deputy Prime Minister:** Mr Speaker, Sir, in regard to part (a), I am informed by the New Social Living Development Ltd (NSLD) that 400 social housing units earmarked for inhabitants of Constituency No. 15, La Caverne and Phoenix, are being constructed on two sites, both located at Hermitage, Phoenix.

With regard to part (b), the contractor for both sites is RBRB Construction Ltd. The contractor, I am told, employs its own consultants and project manager. Moreover, to ensure the proper monitoring of construction works, the NSLD has a Project Manager from its own staff.

As for part (c), green space and parks are indeed provided for, on each site, as per the respective configuration and availability of land on each site. Details are not available at this stage as the design for onsite infrastructure, more especially relating to common areas, is subject to review.

**Mr Lobine:** Mr Speaker, Sir, may I ask the hon. Deputy Prime Minister whether prior consultations were held by the NSLD with the inhabitants of Hermitage with regard to this project that will change the demography of this particular region?

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

**Mr Lobine:** Can you, at a later stage, come with a statement because the inhabitants of Hermitage are very worried as to the state of this construction with regard to the river. They call it 'River Douce' and construction will be undergoing on both banks of this river. Can the hon. Deputy Prime Minister check and come to the House with a statement from the NSLD as to whether all the prerequisite requirements, legal requirements with regard to setbacks with this river is being observed prior to construction of this project?

**The Deputy Prime Minister:** I must say, Mr Speaker, Sir, I have never received any representations from any inhabitants of Hermitage, Phoenix. Neither have I received any representations from my very good friend, the hon. Gentleman prior to this Parliamentary Question. Nonetheless, I can assure him that Government, through the NSLD, does not embark upon any construction of social housing infrastructure or any infrastructure for that matter without appropriate clearance from all relevant authorities, including the Ministry of Environment, the Local Authorities, the Ministry of National Infrastructure and I am quite certain that all appropriate precautions would have been taken. But, if the hon. gentleman would wish me to make a more comprehensive statement, I shall gladly do so.

**Mr Speaker:** Hon. Members, the Table has been advised that PQ B/1594 will be replied by the hon. Vice-Prime Minister, Minister of Local Government and Disaster Risk Management. PQ B/1620 will be replied by Dr. the hon. Minister of Finance, Economic Planning and Development. PQ A/25 has been transferred to the hon. Minister of Land Transport and Light Rail. PQ B/1599 has been withdrawn.

So, I call hon. Osman Mahomed.

#### **NATIONAL LAND DEVELOPMENT STRATEGY – DELAY**

**(No. B/1590) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the preparation of the National Land Development Strategy initiated in 2019, he will state the reasons for the delay for the finalisation thereof.

**The Deputy Prime Minister:** Mr Speaker, Sir, as I indicated in answer to PQ B/775 from the hon. gentleman on 10 November 2020, the National Development Strategy (NDS) is a national land use strategy which provides the basis for long term land use planning.

I am informed that the first land use plan entitled ‘The National Physical Development Plan’ was published in 1994. This Plan was revisited and published as the National Development Strategy in 2003 and it was actually adopted in 2005 further to the coming into operation of the Planning and Development Act 2004.

I am now informed that on 07 June 2019, a team of consultants was tasked with the review of the NDS, the one published in 2003. This review, I am told, involved a number of key processes, namely –

- (1) mobilisation and data collection;
- (2) review of implementation of the 2003 NDS;
- (3) consultations with stakeholders and submission of sector analysis report;
- (4) submission of key issues and options report;
- (5) holding of a first stakeholder workshop;
- (6) drafting of the NDS;
- (7) holding of a second stakeholder workshop;
- (8) finalisation of the National Development Strategy, and
- (9) drafting of an action plan or programme for implementation.

According to information provided to me, the consultations with relevant stakeholders, including Ministries, Government agencies, local authorities, private sector companies and NGOs started in October 2019. However, these consultations were severely hampered by the restrictions linked to the outbreak of the COVID-19 pandemic. I now understand that a draft report was eventually submitted to my Ministry at the end of last year.

Now, in the intervening period, as the hon. gentleman might be aware, the Land Drainage Authority had produced its Land Drainage Master Plan. Now, in order to have a coherent approach to land use planning and keeping in mind the dangerous consequences that climate change has wrought to the planet and to Mauritius with the risk of flash floods as we are witnessing on an all too regular basis, it was decided that the recommendations of the Land Drainage Master Plan needed to be incorporated in the National Development

Strategy, the NDS, and this process is ongoing in the sense that consultations are ongoing between the Land Drainage Authority and my Ministry.

**Mr Osman Mahomed:** Thank you. Can I ask the hon. Deputy Prime Minister what safeguards are there at the moment, because the current NDS is 20 years old, to protect developments which are not covered by the then NDS 20 years ago, like the smart cities, Roches Noires being one case and the Master Plans that are currently being implemented by Government, Anse La Raie is one of them and Palmar is another one, 238 acres of land, which, by the way, is the subject of a Parliamentary Question of mine today?

**The Deputy Prime Minister:** As the hon. gentleman is well aware, the Master Plans are the product of the expert work of the dedicated staff within the Planning Unit of my Ministry and whatever proposals are formulated are subject to consultation with all relevant Ministries and Departments. And within the process leading to any Land Use Permit for instance, there are specific procedures that must be met by all developers or investors who come up. So, the basis right now is the National Development Strategy of 2023. However, all the relevant institutions involved in the process before the approval of any plan or specific project are well aware of developments that have occurred and new policies that been adopted in the intervening period.

**Mr Osman Mahomed:** I noticed there was a Cabinet decision on Friday to extend the current NDS and it is being extended to December 2024. Now, can I ask the hon. Minister, because of the complexities of the Land Drainage Master Plan, will the Ministry embark on stakeholder workshops and consultations like it did before the advent of the Land Drainage Master Plan?

**The Deputy Prime Minister:** I am sorry I did not catch the question.

**Mr Osman Mahomed:** Because of the complexities associated with Land Drainage Master Plan, we all know about it, it has changed all the consultations that took place in the two workshops that you mentioned in your original reply. Now, will there be further consultations because of the complexities associated with the Land Drainage Master Plan?

**The Deputy Prime Minister:** Consultations as to the Land Drainage Master Plan, is that what is being asked or the National Development Strategy? Could the hon. gentleman please clarify?

**Mr Osman Mahomed:** The hon. Deputy Prime Minister just mentioned that in the process leading to the draft document, there were two stakeholder workshops, right? You just mentioned it. Now, after that came the Land Drainage Master Plan which has a lot of



complexities and will change everything in fact. Now, will the draft document which will be revised following the arrival of the Land Drainage Master Plan, be subject to a stakeholder workshop again?

**The Deputy Prime Minister:** I am not aware that the National Development Strategy to be adopted eventually will change everything as the hon. gentleman states.

*(Interruptions)*

What I would like to state is that, first of all, under the able guidance of my friend, the hon. Minister of National Infrastructure, the Land Drainage Authority has done a remarkable job in coming up with a Master Plan that equips the country to face the dangers of flooding in the future. Now, those recommendations have to be incorporated in the National Development Strategy. After the National Development Strategy would have been finalised, if there is need for a stakeholder consultation, certainly, that will be resorted to, but let me again stress, state my regret, my disappointment that when the opportunity did arise for a national forum to be launched by my Ministry, at my initiative, and in a spirit of multi-party democracy, we took the initiative of inviting all the Members of Parliament in the Opposition, as well as those on our side of the House, to attend and come up with their ideas and suggestions, the event was boycotted by each and every Member of the Opposition of all the different Parties here represented.

**Hon. Members:** *La honte!*

**The Deputy Prime Minister:** And that is a matter of great regret and I will continue stressing that whenever criticism is voiced.

**Mr Speaker:** We move to the next question. Hon. Wochit!

**MORCELLEMENT TULIP, BAIE DU TOMBEAU – SOCIAL HOUSING UNITS –  
CENTRAL WASTE BIN**

**(No. B/1591) Mr R. Wochit (Third Member for Pamplemousses & Triolet)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the social housing units at Morcellement Tulip, Baie du Tombeau, he will state the reasons as to why provision for a central waste bin for waste collection was not catered for prior to the delivery thereof, indicating the remedial measures envisaged to address the inconvenience caused as a result thereof.

**The Deputy Prime Minister:** Thank you, Mr Speaker, Sir.

I assume that the hon. Third Member for Pamplemousses and Triolet is referring to social housing units at Residence Tulipe at Baie du Tombeau.

Now, as the hon. gentleman is aware, further to cyclones Hollanda in 1994 and then specially, Diana in 2002, a number of families whose homes had been destroyed were relocated to what came to be known as “*Longère Tole*”.

These families were residing for many years in structures made of corrugated iron sheets without proper infrastructure, basic amenities, decent housing and recreational facilities.

In fact, when there was a change of regime in 2014, the then Government noticed that absolutely nothing had been done in the intervening period to address the plight, the hardships and suffering of our compatriots in Longère Tole and in 2015, a new project was launched to construct 150 houses to provide these families with a decent home with all basic utilities provided.

Now, this is the project of Résidence Tulipe, to the tune of some Rs265.4 m. which was implemented by the National Housing Development Company Ltd. (NHDC) on a plot of land of an extent of 3A47. The project was closely followed by Members of Parliament of the Constituency including hon. Callichurn, hon. Ramkaun and all the Members from this side of the House involved directly as local MPs.

When it was inaugurated by our Prime Minister, the NHDC Complex provided for individual housing units of an approximate area of 50m<sup>2</sup> at that time on a ground+1 basis, comprising kitchen, dining room, living room, bathroom, toilet and an internal staircase leading to the upper floor with bedrooms. The first floor of each housing unit comprises two bedrooms, an open terrace and a balcony. All the housing units at Résidence Tulipe are connected to water, electricity and the sewerage network.

Now, I am informed by the NHDC that central waste bins, that the hon. gentleman is referring to, are provided in housing units with a high-rise configuration where there are apartments and flats with no direct connection to the land, to the ground outside. So, they have no plot of their own on the ground where they can have their own individual dustbin or bin.

In so far as the NHDC housing estates with ground+1 configuration is concerned, which is the case of Résidence Tulipe, I am informed by the NHDC that, for reasons of convenience, all housing units are provided with sufficient space outside to accommodate an individual plastic waste bin with cover.

I am further informed that the District Council of Pamplemousses provides, on a regular basis, waste bins to each household including, of course, those of Résidence Tulipe and ensures refuse collection every Friday of the week.

**Mr Speaker:** Next question!

**Mr Woochit:** Mr Speaker, Sir...

**Mr Speaker:** You have one? No, you have to raise your hand, you know.

**Mr Woochit:** Yes.

**Mr Speaker:** Supplementary question is not a right!

**Mr Woochit:** Yes.

**Mr Speaker:** It is if the Speaker allows you. So, you have to raise your hand; show the interest.

**Mr Woochit:** I have two supplementary questions!

**Mr Speaker:** No, you can't have two! You can't decide in my place!

**An hon. Member :** *Commence par enn avant !*

**Mr Speaker:** One! I allow you one.

**Mr Woochit:** Only one!

*(Interruptions)*

Thank you, Mr Speaker, Sir. Can the hon. Deputy Prime Minister outline any interim measures being considered to manage the waste disposal effectively on the adjacent of the parking existing over there because these people, these residents put their waste to the adjacent NHDC main waste bin? So, if for the time being a main bin for the residents of Résidence Tulipe can be made available? There is a space over there.

**The Deputy Prime Minister:** As I just explained, this is not the policy of the National Housing Development Corporation. If there are individual ground floor units as is the case at Résidence Tulipe, it has always been considered that for the convenience of individual families rather than having to carry their waste to a common bin placed somewhere on the premises, it would be simpler and more convenient to that family and to all the families that they be provided for with an individual bin which is the case, which the District Council does and for regular waste collection to be undertaken.

Now, in fact, the hon. gentleman might know that as regards Résidence Tulipe, again I have received no complaints so far concerning this matter and on some housing estates where there are common waste bins, I have received numerous complaints that unfortunately that common waste bin does lead to problems of overflowing, of rodents and in periods of high rainfall that all sorts of nuisances can be caused by such common waste bins. But if the hon. gentleman has a specific representation concerning Résidence Tulipe,

I would invite him to write to me and I shall certainly take the matter up first and foremost with hon. Callichurn and hon. Ramkaun, the local MPs and also the relevant local authority to see that whether that might be envisaged by the NHDC.

**Mr Speaker:** Hon. Members, I will suspend the Sitting for one hour and a half.

*At 1.02 p.m., the Sitting was suspended.*

*On resuming at 2.35 p.m. with Mr Speaker in the Chair.*

**Mr Speaker:** Next question! MP Quirin!

### **PETIT GAMIN RACING TRACK – HORSE RACING LICENCE**

**(No. B/1592) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Finance, Economic Planning and Development whether, in regard to Horse Racing, he will, for the benefit of the House, obtain from the Gambling Regulatory Authority, information as to if a licence has been issued to any Horse Racing Organiser (HRO) to organise horse races at the Petit Gamin Racing Track and, if so, indicate –

- (a) since when and to whom;
- (b) if all the necessary clearances have been sought and obtained by the HRO, including fire certificate and operational permit from the Pamplemousses District Council, indicating in each case the date of issue thereof, and
- (c) the number of race days allocated and expected starting date thereof.

**Dr. Padayachy :** M. le Président, la *Gambling Regulatory Authority* m'a informé qu'aucune licence pour l'organisation de courses de chevaux à l'hippodrome de Petit Gamin n'a été délivrée à un organisateur de courses de chevaux.

**Mr Quirin :** Par rapport à la réponse de l'honorable ministre, je suis étonné dans la mesure où les informations qui me sont parvenues et qui circulent dans les médias font état que...

**Mr Speaker:** Hon. Member!

**Mr Quirin:** Yes?

**Mr Speaker:** Hon. Member, the Minister replied that no license has been issued. I am giving you the way to put a supplementary question. Put a supplementary question, a direct question! Forget about your information and all this. Put a direct question related to his reply!

**Mr Quirin:** D'accord.

**Mr Speaker :** Go ahead !

**Mr Quirin :** Peut-on savoir si la *GRA* est en présence d'une demande de permis d'organisateur de courses pour la piste de Petit Gamin ?

**Dr. Padayachy :** M. le président, oui. Le 27 octobre 2023, *Global Equestrian Ltd* a déposé une demande sous forme de lettre pour que l'hippodrome GMLS, situé à Petit Gamin, soit approuvé en tant qu'hippodrome fonctionnel pour l'utilisation de réunion de courses en vertu de l'article 7(1) (g) de la *GRA Act* de 2007.

À ce jour, la demande est toujours en suspens étant donné que plusieurs séries d'inspection devront être effectuées par la *Horse Racing Division*.

**Mr Speaker:** Next question!

#### ***CASINO DE MAURICE – NON-STRATEGIC ASSETS – SALE***

(No. B/1593) **Mr D. Ramful (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the sale of non-strategic assets of the Casino de Maurice, he will state where matters stand.

**Dr. Padayachy :** M. le président, exercice concernant la vente des casinos sous le contrôle de la *State Investment Corporation* a été initié avec l'assistance d'un conseiller en transaction qui a lancé le processus de cession au début du mois d'avril 2022.

Sur la base des propositions initiales reçues, le conseiller en transaction a présélectionné quatre des sept soumissionnaires. Les quatre soumissionnaires présélectionnés ont été invités à procéder à leur propre évaluation et à soumettre leurs offres fermes. Le 12 décembre 2022, trois parties ont soumis leurs offres fermes.

Suite à l'analyse des offres reçues, j'ai été informé que le 12 janvier 2023, les trois soumissionnaires ont été invités par le conseiller en transaction à améliorer encore leurs offres. Suite à l'évaluation des offres révisées reçues des soumissionnaires et compte tenu des attentes en matière de valeur, le conseiller en transaction a recommandé de mettre fin au premier cycle du processus de cession étant donné qu'il n'était plus possible de maximiser la valeur pour la *SIC* dans le cadre du processus de cession en cours.

M. le président, j'ai également été informé que les services du conseiller en transaction, *KPMG Advisory Services Ltd* ont été prolongé le 10 novembre 2023 pour un nouvel exercice de cession des sociétés de casino.

Merci.

**Mr Ramful:** May I ask the hon. Minister, in the meantime – the whole process is taking some time, it started in 2022 – will the Minister see to it that the demand of the employees are being addressed, namely with regard to revision of their salary and also payment of their attendance bonus and injection of funds in their pension fund, and also political nominees harassing staff at the Casino? Will the Minister consider the demand of the employees because there is a threat...

**Mr Speaker:** No, now you are going too long!

**Mr Ramful:** Okay.

**Mr Speaker:** This is a supplementary question! You are a lawyer; you should have a proper supplementary question!

**Mr Ramful:** Okay.

**Mr Toussaint:** *Futur leader Parti travailliste !*

**Mr Speaker:** Go ahead Minister!

**Dr. Padayachy :** M. le président, nous sommes en présence des demandes faites par les représentants des employés pour les casinos à Maurice et je peux donner l'assurance à l'honorable membre que ces demandes sont en train d'être examinées par la SIC et qu'on est en train de voir comment on peut aboutir à une négociation avec les représentants des salariés au niveau des casinos.

Merci.

## ANNOUNCEMENT

### PMQT – HON. JUMAN – UNBECOMING WORDS – WITHDRAW

**Mr Speaker:** Hon. Members, I have an announcement.

At the end of Prime Minister's Question Time today, I requested hon. Juman who was engaged in an argument with the hon. Prime Minister to present his apologies to the House.

Later, it has come my knowledge that the hon. Juman uttered the following words to the address of the hon. Prime Minister –

*“Ala kisann-la deryer Citadel”*

*“demisione ale ta”*

This has been confirmed by the recordings.

I invite hon. Juman to withdraw these words.

You withdraw the words?

**Mr Juman:** Yes!

**Mr Speaker:** Okay. So, hon. Juman withdrew these words. Now it is your turn for your question!

#### **ABERCROMBIE SPORTS COMPLEX – OPERATION**

**(No. B/1594) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the Abercrombie Sports Complex, he will state where matters stand as to the coming into operation thereof, indicating the expected date thereof.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, Sir, with your permission, I shall reply to PQ B/1594.

I wish to refer the hon. Member to the reply I made on 25 April 2023 to Parliamentary Question B/319 on this issue.

Mr Speaker, Sir, I am informed by the Municipal City Council of Port Louis that the contract for the consultant and contractor has been terminated.

In fact, following a meeting held on 16 May 2023 at the Municipal City Council of Port Louis under the chair of the Lord Mayor and in the presence of myself, the Minister of Energy and Public Utilities, the Minister of National Infrastructure and Community Development and the Technical Team from the MNICD, it was decided that it would be in the best interest of the Council to terminate the contract with the Contractor AWL Trading & Contracting Ltd. For the construction of the multipurpose complex and music school at the first floor of the existing Abercrombie market fair. The contract was subsequently terminated.

The Technical Team of the MNICD was, therefore, set up to supervise the project, prepare drawings and bidding documents for the reinforcement works at the ground floor and for completion of the remaining works on the first floor of the building. All documents have been submitted to the Municipal City Council of Port Louis.

The Council is presently customising the bidding documents for uploading on e-procurement system. The Municipal City Council of Port Louis will be inviting the bids once the bidding documents are vetted by the Central Procurement Board. The project is expected to be completed by October 2024.

**Mr Juman:** Mr Speaker, Sir, can I know from the hon. Vice-Prime Minister as to why the consultant was not agreeable to the erection of a roof metal structure though it was as per plan and also the total amount paid to date to the...

**Mr Speaker:** No, no! Hon. Juman!

**Mr Juman:** Yes.

**Mr Speaker:** This is a supplementary question.

**Mr Juman:** Yes.

**Mr Speaker:** It should be a simple question related to the answer given and the subject matter. So, one by one!

**Dr. Husnoo:** Mr Speaker, Sir, there was a dispute between the consultant and contractor about how to proceed with the project. That is why, eventually the contract was terminated.

**Mr Speaker:** Now your next question!

**Mr Juman:** I am sorry to say, Mr Speaker, Sir, that he did not reply to my question but though, I want to know the total amount paid so far to the consultant and the contractor.

**Mr Speaker:** Let the Minister reply! Do you have the figures?

**Dr. Husnoo:** I am sorry, Mr Speaker, Sir, I do not have the figures with me.

**Mr Speaker:** You don't have the figures. So, two supplementary questions gone! Now we move to the next question.

MP Anquetil!

#### **VACOAS BUS TERMINAL – CURRENT STATE – PUBLIC TOILET FACILITIES**

(No. B/1595) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the Vacoas Bus Terminal, he will state if he has been made aware of the current state thereof, including the public toilet facilities thereat and, if so, the measures envisaged to address same.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, Sir, I am informed by the Municipal Council of Vacoas-Phoenix that a survey conducted by its inspectorate section at the Vacoas Bus



Terminal has revealed that upgrading works would have to be carried out at the Vacoas Bus Terminal including the public toilets.

With regard to the Vacoas Bus Terminal, the walls would have to be repainted, the damaged iron sheets, handrails and seventeen defective lights would have to be replaced.

As far as the male and the female toilets at the Bus Terminal are concerned, the following works would have to be undertaken –

- (i) replacement of toilet, flushing system, sinks, taps, urinals and tiles, and
- (ii) replacement of existing damaged doors by new aluminium doors.

I am further informed by the Council that it was envisaged to carry out these upgrading and renovation works to the tune of Rs1.5 m. However, in view of the implementation of the Vacoas Urban Terminal Project, which has been delayed as a result of non-responsive offers, no work has been started thereat.

I am also informed that nevertheless, the Council has identified funds in its recurrent budget to undertake minor repair works in the short term and these works have been scheduled in December 2023.

Mr Speaker, Sir, the House may wish to note that the following cleaning works are being effected on a daily basis at the Vacoas Bus Terminal –

- sweeping by in-house labour from 7.00 hours to 16.00 hours;
- scavenging service, and
- cleaning of toilets by the private contractor: Hyper Hygiene Ltd.

Thank you.

**Ms Anquetil :** Je vous remercie, M. le président. M. le président, selon des sources fiables, notre pays compte 120 000...

**Mr Speaker:** Non, non.

**Ms Anquetil:** ...usagés d'autobus...

**Mr Speaker:** Hon. Ms Anquetil, do not start with comments, observations. The Minister replied. Pick on what he said in his reply and put – pick and put – a supplementary question.

**Ms Anquetil :** Okay. Je vous remercie...

**Mr Speaker:** I am not here to teach you, but...

**An hon. Member:** Yes or no.

**Ms Anquetil:** *Yes or no.* Alors, je vous remercie, M. le président. J'apprécie que le Vice-premier ministre reconnaisse la série de problèmes à la gare de Vacoas. Vu l'urgence de démarrer les travaux étant donné les conditions actuelles, pourrait-il nous fournir une estimation quant à la période de démarrage des travaux ? Je vous remercie.

**Dr. Husnoo:** Mr Speaker, Sir, I have just mentioned that the work has been scheduled in December 2023, in a couple of days hopefully.

**Ms Anquetil :** Une dernière question. Une dernière, M. le président. M. le président!

**Mr Speaker:** Do you think you have a real question?

**Ms Anquetil :** *Real question,* M. le président.

**Mr Speaker:** No demagogy, nothing? Go ahead, let me listen.

**Ms Anquetil :** Quoi que honnêtement, M. le président, je suis tentée de dire...

**Mr Speaker:** You will do some demagogy.

**Ms Anquetil:** ... Welcome to Manhattan!

**Mr Speaker:** Honestly, you will do some demagogy.

*(Interruptions)*

**Ms Anquetil :** Alors, le Vice-premier ministre est-il informé de la situation où cette gare devient une passoire lorsqu'il pleut et quelles actions son ministère envisage pour mettre un terme aux infiltrations d'eau à travers le plafond, causant des inondations irréalistes dans cette gare ? Merci.

**Dr. Husnoo:** Mr Speaker, Sir, I have just replied. I have listed the works that need to be done and we are going to look into it and we are going to start the work. We have got the money; we are going to start the work.

**Mr Speaker:** So, we move to the next question. MP Bodha!

#### **BETTING OUTLETS – PERMITS GRANTED – 2019-NOVEMBER 2023**

**(No. B/1596) Mr N. Bodha (Second Member for Vacoas & Floréal)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the betting outlets, he will, for the benefit of the House, obtain from the Gambling Regulatory Authority, information as to the number of permits granted since 2019 to date and table a list of the respective base of operation thereof.

**Dr. Padayachy :** M. le président, j'ai été informé par la *Gambling Regulatory Authority* que depuis 2019 jusqu'à ce jour, le *Board* de la *GRA* a conformément à la section 7(1)(a) de la *GRA Act* délivré 85 licences pour exploiter des points de vente de paris. A cet égard, je dépose les informations demandées par l'honorable parlementaire concernant la liste des bases d'opération de ces points de vente de paris.

**Mr Speaker:** Next question!

**Mr Bodha:** No!

**Mr Speaker:** Why "no"?

**Mr Bodha:** Because I have a supplementary...

**Mr Speaker:** Yes.

**Mr Bodha:** ...question, Mr Speaker, Sir.

**Mr Speaker:** Say it again.

**Mr Bodha:** I have a supplementary question.

**Mr Speaker:** You have to do like this.

*(Interruptions)*

You have been a Minister. You know Parliament more than me.

**Mr Bodha :** Merci. Je vois, M. le président, qu'il y a eu une augmentation substantielle entre 2019 et 2023. Est-ce que je peux demander à l'honorable ministre quelle est la procédure pour l'obtention d'un permis ? Est-ce qu'il y a des notices qui sont publiées et est-ce que la...

**Mr Speaker:** No, too many questions.

**Mr Bodha :** ...et la population d'une localité...

**Mr Speaker:** You know, you have been replying to supplementary questions yourself. You know what is a supplementary question !

**Mr Bodha :** Alors, la question c'est : est-ce que la population d'une localité peut protester, a le temps de protester contre la venue d'un *betting house*...

**Mr Speaker:** Let the Minister reply!

**Mr Bodha :** ...dans la localité ? Est-ce qu'il y a une procédure pour cela ?

**Dr. Padayachy :** M. le président, concernant la délivrance de tous les permis concernant les paris, les maisons de jeux et autres, c'est la *GRA* qui s'en occupe, et la *GRA*

est un régulateur qui regarde, analyse, identifie tous les problèmes liés à la délivrance d'un permis avant de donner cette licence. Donc, pour répondre à l'honorable membre, est-ce que les gens peuvent ne pas accepter la délivrance d'un permis, je pense que n'importe qui à Maurice – c'est un Etat de droit – tout le monde a le droit de refuser, de ne pas être d'accord avec la délivrance d'un permis, et pour cela, on a les institutions pour le faire. Les personnes concernées peuvent aller à Police et faire une déposition et dire qu'elles ne sont pas d'accord avec la mise en place d'une maison de jeux dans leur localité.

**Mr Speaker:** The next question will be from MP Aumeer!

**CLIMATE FORECAST – SEASONAL OUTLOOK FOR SUMMER 2023-2024 –  
PREPAREDNESS PLAN**

**(No. B/1597) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the climate forecast outlined in the Seasonal Outlook for summer 2023-2024 of the Mauritius Meteorological Services, he will state if a preparedness plan has been put in place to mitigate the effects thereof and, if so, give details thereof.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. Husnoo):** Mr Speaker, Sir, at the very outset, let me inform the House that as per National Disaster Scheme 2015, preparedness plans already exist for cyclone, heavy rainfall/ torrential rain, flooding, landslide amongst others which elaborate on the roles and responsibilities and actions of more than 25 organisations before, during and after these specific events.

Following Government approval for the publication of the Seasonal Outlook for summer 2023-2024 on 27 October 2023, the Mauritius Meteorological Services (MMS) published the Seasonal Outlook on 30 October 2023 and on the very same day, a Special National Disaster Risk Reduction Management Council Meeting was held to take stock of the preparedness plan of each stakeholder in view of the forecasts made by the MMS.

Mr Speaker, Sir, I am informed by the National Disaster Risk Reduction and Management Centre that –

- (i) awareness and sensitisation campaigns on precautionary and preventive measures have been extensively carried out throughout the year targeting some 1,700 persons comprising Public Officers, staff of Local Authorities, Special Education Needs Unit, senior citizens, students, and the public at large;

- (ii) 24 Simulation Exercises for flooding, landslide, rock fall, tsunamis have been carried out. Special attention is also being given to preparedness of Residential Care Homes;
- (iii) 60 Community Disaster Response Programmes have been completed and 1,159 people living in vulnerable regions have been trained in activities related to fire safety, rope handling, fire aid, water rescue activities, team building, tree cutting, basic water rescue technique, casualty evacuation and sand bagging;
- (iv) preparedness at the level of First Responders, namely, the Mauritius Police Force (MPF), National Coast Guard (NCG), Special Mobile Force (SMF), Mauritius Fire and Rescue Service (MFRS) and the Special Support Unit (SSU), has been ensured with the aim of strengthening the coordinated strategy for effective and efficient multi-agency interventions and unified approach during National Emergency Operations Command operations through pulling together resources and logistics available, updating database of multi-agency resources and logistics;
- (v) out of 256 Primary Schools and 68 Secondary Schools, 221 Primary Schools and 61 Secondary Schools have already updated their School Emergency Response Plan. Moreover, the Flood Emergency Response for Dr. A. G. Jeetoo Hospital has been finalised in June 2021. The National Disaster Rescue Centre is also conducting a Table Top Flood Simulation Exercise to test a draft Flood Response and Evacuation plan for the City of Port Louis in fact today, and
- (vi) a two-day training on the roles of media was successfully conducted on 19 and 21 September 2023 to provide timely, accurate, understandable and actionable messages to save lives and protect livelihoods was also carried out which benefitted some 20 representatives of local media from both Government and private media.

Mr Speaker, Sir, a special budgetary provision to the tune of Rs1.5 m. has been made by the Ministry for each Municipal and District Council in this current financial year with regard to the Disaster Risk Management to prepare for disasters as per the specificities of their respective council jurisdiction areas.

In the same context, the Local Authorities and the Road Development Authority are maintaining regular cleaning and desilting exercise as per the established programme by the LDA.

I wish to inform the House, that an amount of Rs80 m. is available in this financial year for cleaning of drains and rivers by the Local Authorities.

In addition, I am informed by the Land Drainage Authority that, as at the end of August 2023, 1,722 drain projects have been planned to be implemented over a period of five years under the National Flood Management Programme.

**Dr. Aumeer:** Thank you, can I ask the Vice-prime Minister in the light of climatic changes, whether he will request the private sector through the Mauritius Chamber of Commerce and Industry and Business Mauritius to implement the same guidelines, that is, the General Preparedness Summer Season 2023-2024 as in the Circular 67 of 2023 just published six days ago?

**Dr. Husnoo:** Mr Speaker, Sir, we have regular meetings. Actually, the private sectors are members of the National Disaster Risk Management Team.

So, every time we have an emergency, the private sector is represented; they send their representative to the NEOC Centre.

**Mr Speaker:** The question has been sufficiently canvassed. We move to the next question! MP Armance! He is not here.

MP Joanna Bérenger!

#### **PUBLIC BEACHES – CAMPING – AUTHORISATION & PENALTIES**

**(No. B/1599) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to camping on public beaches, he will, for the benefit of the House, obtain from the Beach Authority, information as to if conditions therefor have been changed and, if so, indicate –

- (a) if penalties are applicable;
- (b) the list of public beaches where same is authorised, indicating the conditions attached thereto.

*(Withdrawn)*

#### **MARENA & EEMO – PROPOSED MERGER**

**(No. B/1600) Ms J. Bérenger (First Member for Vacoas & Floréal)** asked the Minister of Energy and Public Utilities whether, in regard to the proposed merger of the Mauritius Renewable Energy Agency (MARENA) and the Energy Efficiency Management Office (EEMO), he will state where matters stand.

**Mr Lesjongard:** Mr Speaker, Sir, energy efficiency institutions play a crucial role in promoting the optimal use of energy resources. They focus on developing and implementing strategies to reduce energy consumption in various sectors, including residential, commercial, and industrial. On the other hand, renewable energy organisations are at the forefront of harnessing sustainable energy sources such as solar, wind, hydro, marine and geothermal.

Both institutions assist and support societies transitioning away from fossil fuels and mitigate the environmental impact of energy production. They drive innovation, advocate for supportive policies and work towards enhancing the share of clean energy in the global energy mix. These institutions complement each other and therefore, their seamless functioning is pivotal in the quest for sustainable energy management for a low-carbon future.

Mr Speaker, Sir, there are currently a number of institutional players in our energy landscape such as the Utility Regulatory Authority, the Central Electricity Board, the Mauritius Renewable Energy Agency and the Energy Efficiency Management Office. They have each been set up under their respective enabling legislative framework.

The energy landscape has evolved considerably over the past years and will be called upon to respond to numerous challenges in the coming years with our national green energy ambitions and our actions to transition to a low carbon economy. The roles and responsibilities of institutions operating in the sector will accordingly be revisited in this new energy paradigm.

Mr Speaker, Sir, the Budget Speech 2023/2024 at paragraph B.6 (a) (i), has announced that –

“to ensure energy security, reduce our dependence on fossil fuel and increase the share of renewable energy in the electricity mix, the Energy Efficiency Management Office (EEMO) and the Mauritius Renewable Energy Agency (MARENA) will be merged into a single institution for enhanced synergy in the sector.”

Mr Speaker, Sir, it is worth highlighting that there are several institutions across the world, which have already adopted this synergistic approach such as, the Office of

Energy Efficiency & Renewable Energy in the USA, the *Agence de l'environnement et de la maîtrise de l'énergie (Ademe)* in France, the Energy Efficiency and Renewable Energy Management Centre of India, the Southern African Development Community (SADC) Centre for Renewable Energy and Energy Efficiency (SACREEE) and numerous similar Centres in the Eastern, Western and Central Africa to name a few. The benefits of this coordinated strategy to Energy Management are manifold and include –

1. A Holistic approach to sustainability combines the expertise of energy efficiency institutions with the innovation of renewable energy organisations;
2. Coordinated efforts in policy advocacy create a conducive environment for sustainable practices and investments;
3. Joint research and development initiatives drive technological innovation, resulting in more efficient energy systems;
4. Collaborative projects attract diverse funding sources, combining resources from governmental, private and international entities;
5. Financial synergy enhances the scalability and viability of joint initiatives, accelerating the transition to a sustainable energy landscape.

Mr Speaker, Sir, Mauritius is at a crucial stage of its energy transition and synergies amongst all stakeholders are paramount, particularly, for a small island state facing resources and institutional challenges. The synergies and benefits are expected to contribute to a more resilient, efficient and sustainable energy future.

My Ministry proposes to enlist the services of a consultant to undertake a seamless integration of MARENA and EEMO, including an assessment of the current energy landscape and challenges ahead; the roles and responsibilities and strengths and weaknesses under each legal and institutional frameworks, with a view to coming up with a fresh legal framework for the new institution.

Mr Speaker, Sir, the SADC Centre for Renewable Energy and Energy Efficiency which has been established as a single entity to contribute, *inter-alia*, to the promotion of market-based uptake of renewable energy and energy efficient technologies and energy services has assisted my Ministry in the drafting of the Terms of Reference for the recruitment of the consultant. Funds have already been secured. The bidding documents are being finalised and will be launched shortly.

Thank you, Mr Speaker, Sir.



**Ms J. Bérenger :** Le ministre ne donne aucune indication de *time frame* et si je ne me trompe pas, une nouvelle présidente vient d'être recrutée à la MARENA, Madame M. G., à temps partiel. Le ministre peut-il nous dire quelles sont ses qualifications par rapport aux énergies renouvelables ?

**Mr Speaker:** No, no, no. This is not a supplementary question! These are two questions merged in one!

**Ms J. Bérenger:** My question is very simple.

**Mr Speaker:** I am giving you an instruction; one question at a time! So, the first question !

**Ms J. Bérenger :** Je n'ai pas encore posé ma question. Ma question concerne les qualifications de la nouvelle présidente de la MARENA qui vient d'être employée à temps partiel. Quelles sont ses qualifications concernant les énergies renouvelables ?

**Mr Speaker :** Your first question was...

**Ms J. Bérenger :** Vous allez diriger mes questions aussi ?

**Mr Speaker:** I disallow your question! You are disputing with the Chair! I disallow your question! Next question! MP Bhagwan!

**Ms J. Bérenger:** *Dictateur!*

**Mr Bhagwan:** B/1601.

**Mr Lesjongard:** Mr Speaker, Sir, may I? I heard the hon. Member calling you '*dictateur*'.

**Mrs Navarre-Marie :** *Mais c'est vrai !*

**Mr Lesjongard:** May I request her to remove...

**Mr Speaker:** *C'est vrai?*

**Mrs Foo Kune-Bacha:** *C'est vrai !*

**Mr Speaker:** So, I am asking you to withdraw from the Chamber!

**Mrs Navarre-Marie:** Who?

**Mr Speaker:** I am asking you because of what you said. This is on a point of order...

**Mr Lesjongard:** Yes. '*Dictateur*'.

**Mr Speaker:** ...that somebody calling me '*dictateur*'! Calling the Speaker '*dictateur*'?

**Mrs Foo Kune-Bacha:** *C'est la vérité !*

**Mr Speaker:** I have already ruled! Serjeant-at-Arms, take your job in consideration!

**Mrs Foo Kune-Bacha :** *B la li pou diktater la, normal !*

**Mr Speaker:** I don't have to listen to you! You don't have the floor! You don't have the right for the floor! You have been asked to withdraw! You withdraw!

**Ms J. Bérenger:** I am not saying anything!

**Mrs Foo Kune-Bacha:** *Ou pe fer diktater kumsa !*

**Mr Speaker:** You withdraw!

**Mrs Navarre-Marie :** *Dominer !*

**Mrs Foo Kune-Bacha :** *Mari diktater sa !*

**Mrs Navarre-Marie:** *Dominer!*

**Mrs Foo Kune-Bacha:** *Dominer osi!*

**Mr Speaker:** So...

**Mrs Navarre-Marie:** *Dominer!*

**Mr Speaker:** Hon. Mrs Navarre-Marie, either you withdraw the word or you withdraw from the Chamber! You choose!

**Mrs Navarre-Marie:** I am not withdrawing.

**Mrs Foo Kune-Bacha:** *P fer diktater kont madam.*

**Mrs Navarre-Marie :** *Dictature ! Dominer !*

**Mr Speaker:** So, hon. Mrs Foo Kune-Bacha, you also, you withdraw the word or you withdraw from the Chamber!

**Mrs Navarre-Marie:** *Dominer!*

**Mr Bhagwan:** Shame!

**Mrs Navarre-Marie:** *Dominer!*

**Mr Speaker:** So, I suspend the Sitting! The three Members have been...

**Mr Bhagwan:** Shame!

**Mr Speaker:** ... requested to withdraw from the Chamber!

**Mrs Navarre-Marie:** *Dominer!*

**Mr Bhagwan:** Shame! *Dominer!*

**Mrs Navarre-Marie :** *Pa honte ! Dominer !*

*At 3.06 p.m., the Sitting was suspended.*

*On resuming at 3.10 p.m. with Mr Speaker in the Chair.*

**Mr Speaker:** The next question would be MP Bhagwan!

### **STC – MR R. S., GENERAL MANAGER – OVERSEAS MISSIONS**

**(No. B/1601) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Commerce and Consumer Protection whether, in regard to Mr R. S., General Manager of the State Trading Corporation, he will, for the benefit of the House, obtain from the Corporation, information as to the number of overseas missions effected, indicating in each case the –

- (a) country visited and purpose thereof;
- (b) amount of money spent in terms of airfares and *per diem* allowances.

**Dr. Mrs Chukowry:** Mr Speaker, Sir, I am informed that since his assumption of duty in 2021, the General Manager of the STC has undertaken five overseas mission, as follows –

- (1) The first mission was at the Dubai Expo 2020 in the United Arab Emirates from the 19 to 24 February 2022. The purpose of the mission was to participate in the Freeport and Logistic event with a view to discovering the opportunities for joint ventures and new avenues for cooperation with various countries. The mission costs amounted to Rs113,636 while the allowances of USD 3,057 equivalent to Rs134, 263.44 were paid, including *per diem*.

The GM participated for four days while the mission period for the delegation was eight days.

- (2) The second mission, from 11 to 17 August 2022, was at the Islamic Republic of Iran. The purpose of the mission was to develop strategic business axes of cooperation with the Islamic Republic of Iran and to explore potential and new avenues of cooperation with Iranian Authorities and private stakeholders in terms of bilateral relations, economy, trade, investment and tourism. The

mission costs amounted to Rs216,553 and the allowance was USD 2,330, equivalent to Rs104,850, including *per diem*.

Here again, the initial period of the mission was for 12 days, but the GM had shortened the duration of his stay.

- (3) The third mission was in India from 14 to 18 September 2022, where the GM had to sign a Memorandum of Understanding between the STC and the National Agricultural Cooperative Marketing Federation (NAFED), and also to explore the possibilities of procuring pulses, rice and other agricultural products from India. The mission costs amounted to Rs104,111 and the allowance was USD 1,608 equivalent to Rs72,022.32.
- (4) The fourth mission from the 13 to 15 March 2023, in New Delhi, India, was in the context of the CII Partnership Summit 2023. The purpose of the mission was to further the agenda of strengthening partnerships and shaping new economic collaborations between countries and among businesses. The mission costs amounted to USD 3,193 equivalent to Rs147,835.90 and the allowance was USD 1,405 which is equivalent to Rs66,519 including *per diem*.
- (5) The fifth mission from the 19 to the 28 August 2023 was also in India. The purpose of the mission, which was in the context of the ban by the Government of India on the exportation of Long Grain White Rice, was to negotiate for the supply of Long Grain White Rice. The mission costs amounted to Rs62,221 and the allowance was USD 4,288 equivalent to Rs198,577.28.

Mr Speaker, Sir, I am informed that all the allowances and *per diem* paid to Mr R. S. are in line with the provisions of Circular No. 10 of 2017 of the Ministry of Finance, Economic Planning and Development and that the former has, to the extent possible, shortened the duration of each and every mission which he has attended.

Thank you.

**Mr Bhagwan :** Can the Minister inform the House whether, where cases of missions were shortened, *il a remboursé le per diem qu'il avait perçu avant son départ et si oui, en quelle période, combien de temps après son retour a-t-il remboursé ?*

**Dr. Mrs Chukowry:** Mr Speaker, Sir, unfortunately, I do not have the information but I can table it.

**Mr Juman:** Thank you, Mr Speaker, Sir. Can I know from the hon. Minister the trade exchange between Iran and STC since the visit of the General Manager of the STC in Iran?

**Mr Speaker:** Do you have a reply for this?

**Dr. Mrs Chukowry:** I do not have the information that he is asking, Mr Speaker, Sir.

**Mr Speaker:** Okay. Next question!

MP Dr. Boolell!

### **OLD MOKA ROAD, ST JEAN – DETENTION BASIN CONSTRUCTION – CONSULTANTS**

**(No. B/1602) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes)** asked the Minister of National Infrastructure and Community Development whether, in regard to the proposed construction of a detention basin together with an outlet at Old Moka Road, he will state the date on which –

- (a) Desai & Associates Ltd. Was appointed to carry out the study and design therefor;
- (b) when decision was taken to appoint VYAASS Consulting Engineers Ltd. In replacement of Desai & Associates Ltd.;
- (c) amount paid or payable to each consultant, and
- (d) table the reports of the consultants, if any.

**Mr Hurreeram:** Mr Speaker, Sir, in my reply to the Private Notice Question on Tuesday, 14 November 2023, I provided detailed information and extensive clarifications regarding the recent flooding at Old Moka Road, St Jean.

With regard to part (a) of the question, I am informed that an Order Form was issued by the NDU to Desai & Associate Ltd. On 16 August 2022 under a Framework Agreement for Consulting Services to carry out the study, design, supervision of works for flood mitigation measures at St Jean cemetery. However, Desai & Associates Ltd. Declined the assignment on 14 September 2022 due to contractual issues. The matter was subsequently referred to the Performance Review Committee of my Ministry which recommended that negotiation be carried out so that the Consultant reviews its stand on the project.

Despite all efforts put in by each party, it is unfortunate that no consensus could be reached. In the circumstances and being given that all possible alternatives were exhausted, the assignment to Desai & Associates Ltd. Was terminated in February 2023 and in the same month of February 2023, the Performance Review Committee recommended that the contract be awarded to the second lowest bidder.

Regarding part (b) of the question, I am informed that Vyvaass Consulting Engineers Ltd., the second lowest Consultant under the Framework Agreement for Consulting Services, was appointed on 15 March 2023 for the study, design and supervision of works for the flood mitigation measures at St Jean Cemetery.

With regard to part (c) of the question, I am informed that no payment has been made to Desai & Associates Ltd and as at date, an amount of Rs303,000 has been paid to Vyvaass Consulting Engineers Ltd on finalisation of the Preliminary Design Report as per its contractual terms.

With regard to part (d) of the question, the hon. Member will appreciate that the reports submitted by the Consultant, are meant to be working documents for the Technical Officers of my Ministry. I wish to inform the House that in my reply to the PNQ on 14 November 2023, I gave details regarding the main recommendations contained in the reports.

Thank you.

**Dr. Boolell:** Thank you very much. This is an acute and chronic problem. I expect the Minister to expedite because there are expectations to the region of Belle Rose and Quatre Bornes. Can I ask the Minister whether the Consultant is working on a global solution for Quatre Bornes and Phoenix to resolve the problem at Old Moka Road, as it is said?

**Mr Hurreeram:** Mr Speaker, Sir, this is why we have the LDA. LDA is having a holistic approach of trained engineers with state-of-the-art technology and my officers are competent enough; we do not require much. We want to build in-house capacity so as we do not have to rely much on consultants, eventually. So, yes, LDA is working on a holistic approach and I would like to take this opportunity to thank the Minister of Finance who has very rapidly expedite matters and has conveyed the financial clearance for the project and work order has already been issued and same is being followed by my colleagues of the Constituency.

**Mr Speaker:** MP Dr. Gungapersad!

**Dr. Boolell:** I have another supplementary, Mr Speaker, Sir. What are you going to do?

**Mr Speaker:** Can you give me one minute?

**Dr. Boolell:** It is your prerogative, you can have two minutes.

**Mr Speaker:** Let me look at your question first, Dr. Boolell.

**Dr. Boolell:** Yes, Sir.

**Mr Speaker:** Your question has got four parts. Four parts! In the Standing Orders, it is written that questions should not be long but we allow. We know you are an MP for the Constituency, you want to have a question, we allowed. I allowed! I, the Speaker, allowed it. Thank me for that.

**Dr. Boolell:** As of now...

**Mr Speaker:** I am speaking! Be polite! Doctor, be polite! Good!

So, four parts have been answered by the Minister. You had one supplementary – I allowed it – and I test the ground, the value of your supplementary whether it stands the test of supplementary question. I judge and I have the right to do it, you see. So, let us smile and continue.

Next question!

#### **STATE LANDS – ANSE LA RAIE REGION – LETTERS OF RESERVATION**

**(No. B/1603) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to State lands in the region of Anse La Raie stretching from Paradise Cove Boutique Hotel to Anse La Raie Fish Landing Station, he will give a list of the letter of reservation issued therefor to date, if any, indicating in each case the extent and purpose thereof.

**The Deputy Prime Minister:** Mr Speaker, Sir, since the question of the hon. Second Member for Grand' Baie & Poudre d'Or does not refer to any particular period in time, all available records of my Ministry relating to the area specified have to be retrieved and consulted. Hence, the information is being compiled and will be placed in the Library of the National Assembly as soon as possible.

**Dr. Gungapersad:** May I ask the hon. Deputy Prime Minister whether his Ministry is in possession of a letter from Luxury Resorts Ltd. Whereby it is giving up and relinquishing the land for which it was issued a letter of reservation?

**The Deputy Prime Minister:** Not that I am aware of, Mr Speaker, Sir.

**Mr Speaker:** Next question!

Hon. Ittoo, there is a question in your name!

### **HIV/AIDS INFECTED PERSONS – STATISTICS – MEASURES**

(No. B/1604) **Mr A. Ittoo (Third Member for Vacoas & Floréal)** asked the Minister of Health and Wellness whether, in regard to HIV and AIDS, he will state the number of persons currently infected therewith as per the latest statistics available therefor, indicating the actions being taken to curb down the incidence thereof.

**Dr. Jagutpal:** Mr Speaker, Sir, since the first AIDS case was registered in Mauritius in 1987 until September 2023, 9,109 cases have been reported among Mauritians including 117 children, with 6,503 being males and 2,606 females. There have been 2,175 deaths registered among people diagnosed with HIV since the start of the epidemic in the country up to September 2023. The estimated number of people living with HIV in Mauritius is 14,000.

According to latest available statistics, the number of Mauritians diagnosed and living with HIV and AIDS as at end of September 2023 was 6,934.

Mr Speaker, Sir, my Ministry, in line with the recommendations of the international agencies such as the WHO and UNAIDS, provides a combination of HIV prevention to curb the incidence of HIV/AIDS in Mauritius. Combination HIV prevention is a mix of different strategies that complement each other to minimise the risk of HIV transmission as well its acquisition.

The HIV prevention programmes are conducted in partnership with line Ministries, NGOs, Community-Based Organisations and other actors engaged in the fight against HIV so as to reach as many people as possible, both in the population at large and key populations. They consist of –

- 1) Enabling people to be aware of the risks and to have the coping skills and all necessary tools to protect against HIV –
  - a. Communication through the media and social media;
  - b. Targeted awareness/information and sessions –

These sessions are conducted in and out of schools targeting students of Grade 9 onwards, workplaces, tertiary educational institutions, vocational



training centres, in hard-to-reach locations among the key populations and in public places for the population at large.

c. Face-to-face prevention, education and information –

This form of awareness-raising takes place either at the spontaneous request of a person who voluntarily attends the following place: the AIDS Unit, an NGO, the Accidental Emergency Department or after an awareness-raising session.

d. Access to condoms –

Free condoms are available to the public in different strategic places including NGOs premises and are distributed during awareness-raising sessions and screening tests.

19 condoms vending machines provide free, discreet and round-the-clock access to male condoms since many years with great success.

This year, my Ministry has installed 25 additional condoms vending machines in strategic places like call centres, private companies, NGOs, public gardens and toilets of certain supermarkets.

Mr Speaker, Sir,

2) Provision of easily accessible and diversified screening tests –

Testing is a part of prevention. In addition to the enormous individual benefits of screening, which enables people to know their status so they can seek treatment, it also reduces the number of high-risk relationships, since the majority of people who know they are positive protect their sexual partners.

In Mauritius, for example, screening is carried out among in-patients, at AIDS UNIT centres, Harm Reduction Unit, in its drop-in centres, the Accidental and Emergency Departments of the regional hospitals, within NGO's premises, in methadone substitution vehicles, on hot-spot sites where sex workers operate, among men who have sex with men and transgender people.

HIV screening is systematically proposed to all pregnant women attending the antenatal clinics or during the first trimester of pregnancy. Two years ago, the new protocol introduced retesting of all HIV negative pregnant women during the third trimester, to diagnose those who get infected during pregnancy.

Recently, amendments in the HIV and AIDS Act, is catering the introduction of HIV Self-Tests, which allow a person to conduct his/her own HIV test.

Mr Speaker, Sir,

3) Provision of harm reduction measures –

These are programs that have been set up for years by the Harm Reduction Unit to get access to methadone substitution therapy to stop injecting drugs (around 7,500 people are enrolled in the program), Syringe and Needle Exchange Program for those who are not in the methadone substitution program are done since 2006.

4) Provision of Pre-Exposure Prophylaxis –

Pre-exposure Prophylaxis or “PrEP” is the use of an antiretroviral medication by HIV-negative people to reduce the risk of HIV acquisition. PrEP reduces the risk of HIV acquisition through sexual contact by 99% if taken correctly, in high risks populations, like men who have sex with men.

Transgender people and sex workers exposed to unprotected sex, injecting drug users who share injecting materials, people in vulnerable situations exposed to HIV and at high risk of HIV transmission can access PrEP.

5) Provision of Post Exposure Prophylaxis –

This represents an emergency treatment to protect and prevent against HIV transmission and which consists of taking antiretroviral drugs after accidental exposure to HIV, that is, unprotected sexual intercourse, needle prick injuries. Post Exposure Prophylaxis partially reduces the risk of HIV infection by 100%, if taken early and correctly. It is available 24 hours a day in the emergency departments of regional hospitals. From January to June, 137 persons had access to Post Exposure Prophylaxis as per protocol.

6) Use of treatment as prevention as a main preventive measure –

This treatment as prevention refers to taking HIV medicine to prevent the transmission of HIV. Those persons who follow their antiretroviral treatment well, have an undetectable viral load and are no more contaminating.

Mr Speaker, Sir, as you can witness, my Ministry, in line with the best practices recommendations of the WHO and UNAIDS, is undertaking multiple measures to reduce the incidence of HIV. However, it is an ongoing battle, with many cross-cutting issues and inter-related factors.

We have chosen not to give up this fight, but rather to continue to reinforce it, in order to reach, as far as possible, the UNAIDS 95/95/95 target by 2030.

**Mr Speaker:** Next question, hon. Abbas Mamode!

#### **TELEGRAM PLATFORM – ALLEGED PONZI SCHEME – INQUIRY**

**(No. B/1605) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Minister of Financial Services and Good Governance whether, in regard to the alleged Ponzi scheme on the Telegram platform, he will, for the benefit of the House, obtain from the Financial Services Commission, information as to –

- (a) the date on which the Commission became aware thereof, and
- (b) if it has conducted an inquiry in relation thereto, indicating the outcome thereof.

*(Withdrawn)*

#### **REGIONAL HOSPITALS – INTERNAL CONTROL – REMEDIAL ACTIONS**

**(No. B/1606) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Wellness whether he will state if any internal control has been carried out in regional hospitals since 2020 and, if so, indicate the remedial actions taken as a result thereof.

**Dr. Jagutpal:** Yes, Mr Speaker, Sir, I wish to thank the hon. Member for giving me the opportunity to elucidate on the internal control audits carried out at the level of my Ministry, encompassing all health services.

As the House may be aware, in adherence to the Financial Management Kits, Ministries are mandated to establish a robust system of internal control, assuring effectiveness and efficiency of operations, safeguarding assets and data, ensuring reliability in financial and non-financial reporting, preventing fraud and irregularities and maintaining compliance with applicable laws, regulations, policies, and established procedures.

The purpose of internal audits is to fortify and safeguard organisational value through independent and objective assurance and consulting services. These audits facilitate the achievement of objectives by systematically evaluating and improving the effectiveness of an organisation's governance, risk management, and control processes.

Mr Speaker, Sir, annually, my Ministry, in collaboration with the Director of Internal Control, formalises an Internal Audit Charter outlining the purpose, the authority,

scope, and responsibilities of the audit function, as detailed in the Financial Management Kits. Following consultations with the Manager of Internal Control, an Annual Internal Audit Plan is established.

I must emphasise that recognising the paramount importance of internal audits, a dedicated chapter on good governance was already included in the Ministry's Health Sector Strategic Plan 2020-2024. As part of Strategic Goal 25, internal audits were acknowledged as central to my Ministry's management and the Annual Internal Audit Plan is shared in advance with the Heads of Sections/Units for greater synergy with the activities of the Internal Control Unit.

Mr Speaker, Sir, since 2020, the Manager of the Internal Control has issued a total of 73 reports resulting from planned and special audits at the level of my Ministry, averaging 24 reports annually. Notably, over 62% of these reports, amounting to 45, are related to audits conducted at regional hospitals.

In comparison, the period from 2010 to 2014 saw an average issuance of only 15 reports annually. A review of audit findings from those years revealed a lack of in-depth analysis, indicating a lack of seriousness and responsibility in preventing fraud and irregularities during the management of our health institutions.

Mr Speaker, Sir, the Internal Control Unit conducts quarterly follow-ups on planned audit reports to monitor the implementation of its recommendations. There is an ongoing Audit Committee which ensures the implementation of those recommendations.

For the Financial Years 2020-2021 to 2022-2023, out of the total recommendations made for planned audits, a significant percentage has been implemented or is in progress, with the remainder posing challenges due to financial implications, lengthy processes, and the need for a multi-stakeholder consultative approach.

Mr Speaker, Sir, with a commitment to achieving service excellence, fostering good governance, strengthening accountability, ensuring efficiency, and mitigating risks, my Ministry plans to conduct 18 planned audits in the Financial Year 2023-2024, with three audits already completed to date.

It is regretful to note that recently some Members of the Opposition use Internal Audit Reports for political mileage, while at the time they were in Government, they were not interested in in-depth internal auditing and accountability.

**Mr Speaker:** Next question! MP David!

**CHILD PORNOGRAPHY – MULTIDISCIPLINARY COMMITTEE – FINDINGS  
& ACTION PLAN**

(No. B/1607) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Gender Equality and Family Welfare whether, in regard to child pornography, she will state the findings of the Multidisciplinary Committee set up to analyse this phenomenon, indicating the Action Plan devised, if any, to combat same.

*(Withdrawn)*

**MAURITIUS ARTS EXPO 2023, LA CITADELLE – SOUND SYSTEM &  
LIGHTING – PROCUREMENT PROCESS**

(No. B/1608) Mr F. David (First Member for GRNW & Port Louis West) asked the Minister of Arts and Cultural Heritage whether, in regard to the bid launched by his Ministry for the supply, installation and operation of sound system and lighting for the *vernissage* of Mauritius Arts Expo 2023 at La Citadelle Port Louis, he will state the –

- (a) start and closing dates of the launching thereof;
- (b) number of bidders invited;
- (c) number of bids received;
- (d) name of the successful bidder;
- (e) date of the award of the contract, indicating the value thereof.

**Mr Teeluck:** Thank you. Mr Speaker, Sir, regrettably, many unwarranted comments and inferences have been made in relation to procurement process at the level of my Ministry very recently. Therefore, I would like to thank the hon. Member for putting this question today, which will allow me to clarify certain vile insinuations made.

Mr Speaker, Sir, the Mauritius Arts Expo 2023 is a budgetary measure announced in the Budget Speech 2022-2023 to offer established and emerging artists a platform to showcase and sell their art works to the public. This measure also made provision for each artist to be given a grant of Rs5,000 for participation in the Expo.

Initially, it was proposed to organise the Mauritius Arts Expo in December 2022 in the gymnasium of the Côte d'Or National Sports Complex. However, this proposal was turned down as the CJSOI Games were scheduled thereat during that same period and from January 2023 to mid-May 2023, my Ministry was involved in a number of other

cultural events, and it was not possible to organise the Mauritius Arts Expo during that period.

However, since the call for application for participation of artists in the Arts Expo had been launched since April 2023 and the event was a budgetary measure which had to be implemented in that financial year, the decision to organise the expo was taken on Friday 19 May 2023 for the Mauritius Arts Expo to be held between 31 May 2023 to 11 June 2023.

Since it was determined following a technical survey that the gymnasium of the Côte d'Or National Sports Complex was infrastructurally not suitable for holding the Expo, La Citadelle in Port Louis, a designated National Heritage Site, was instead chosen. 87 local artists and 7 international artists participated in the exhibition whereby each participant was given a grant of Rs10,000 instead of Rs5,000, as initially proposed, as a token of encouragement and also to enable them to meet the cost of the framing and transport of their art works.

Mr Speaker, Sir, as La Citadelle does not have the required logistics for an exhibition of this magnitude, my Ministry had to hire same through procurement exercises. I wish to inform the House that solely for the Expo, my Ministry had to undertake 13 procurement exercises, 10 restricted bidding exercises were carried out for various services and 3 informal quotations were sought for other items.

Immediately after confirmation of the date of the event, action was taken by the Procurement Section of my Ministry to prepare the bidding documents. I am informed that the bidding documents relating to the subject matter were submitted to the Departmental Bid Committee of my Ministry for a first vetting on Monday 22 May 2023.

However, I am further informed that in view of the complexity of the sound and light system to be installed at La Citadelle whereby 2 exhibitions were being organised in parallel, namely a visual art exhibition and a digital art exhibition, the specifications had to be reworked by the sound and light technicians of my Ministry.

As a result of this, the tender could not be launched on that same day. In fact, I am informed that it was a challenging exercise for the sound and light technicians of my Ministry as it was the first time for them to be involved in the organisation of an exhibition of that magnitude, which also included a digital exhibition. The specifications were reworked and submitted to the Procurement Section for inclusion in the bidding document on 24 May 2023. Documents were vetted by the Departmental Bid Committee on the same day.

Mr Speaker, Sir, accordingly, I am informed that, with regard to part (a) of the question, a restricted bidding for the supply, installation and operation of sound system for speech, sound system for musical performance, lighting and led screen and video projection was launched by the Ministry on 25 May with a closing date on 26 May.

With regard to parts (b) and (c) of question, I am further apprised that 9 bidders registered with my Ministry were invited to participate in the bidding exercise, namely –

1. Stagecraft Ltd;
2. Impact Production Group;
3. DB Vision Ltd;
4. Damoo Sound & Music;
5. Ichos Production Ltd;
6. Impress Ltd;
7. Seven Amps;
8. Fur Rental Ltd, and
9. SL Production

At the closing of the bids on 26 May 2023, 2 bids were received as follows –

- Ichos Production Ltd quoted Rs5,034,000 (VAT exclusive), and
- DB Vision Ltd, Rs2,725,000 (VAT exclusive).

Mr Speaker, Sir, with regard to part (d) of the question, I am informed that as per the procurement procedures, a Bid Evaluation Committee was set up by my Ministry to evaluate the bid received from DB Vision Ltd. The bid from Ichos Production was not retained, for evaluation being 67.8% above the estimated cost. As per the Public Procurement Act, a bid cannot be considered for evaluation if it is less than 25% above the estimated cost. Following this evaluation exercise, the bid from DB Vision Ltd was found to be both technically and financially responsive.

With regard to part (e) of question, in line with the Bid Evaluation Committee Report, I am informed that the contract for the supply, installation and operation of sound system for speech, sound system for musical performance, lighting and led screen and video projection was awarded to DB Vision Ltd on 26 May 2023 for the sum of Rs2,725,000 (VAT exclusive).

Mr Speaker, Sir, I am further informed that in spite of the short time period between the launching and the closing of the bid exercise, my Ministry has ensured that

there is a fair competition amongst the bidders. Following the launching of the bidding exercise, a follow-up was effected by telephone to apprise each bidder of the bidding exercise and of the pre-bid meeting. Moreover, all the procurement exercises related to the Mauritius Arts Expo have been undertaken in all transparency and fairness.

Notwithstanding the above, Mr Speaker, Sir, in view of the huge number of procurement exercises which the Ministry has to launch on a monthly basis to ensure that henceforth tenders are not launched at short notice, the Ministry has already taken remedial measures. Framework agreements for main tenders such as provisions of marquee, sound system and light system, catering services, hiring of buses and production of banners, which are the recurrent tenders are being worked out by the Procurement Section of my Ministry. It is hoped that these framework agreements will considerably reduce the pressure on the Procurement Section and on the staff of the Ministry in general.

**Mr Speaker:** You have finished? Thank you.

**Mr David :** M. le président, le ministre a lui-même défini le *sound and light system* à La Citadelle *as being complex*. De ce fait, le ministre peut-il éclairer la Chambre sur la facilité avec laquelle un fournisseur arrive en moins de 24 heures à étudier la complexité d'un tel site et à fournir une cotation pour du son et de l'éclairage à hauteur de R 2,7 millions et à être *awarded the letter of acceptance*. Tout cela en moins de 24 heures pour un site qui est complexe selon les dires du ministre lui-même.

**Mr Teeluck:** Mr Speaker, Sir, firstly, I am not a technician myself. So, it's difficult for me to know how they work out the technicalities of a bid document. *La règle de base*, Mr Speaker, Sir, is that we, Ministers, are not involved in the procurement process. So, that's *la règle de base*.

And secondly, Mr Speaker, Sir, for us, technicians at the level of the Ministry, it might be difficult, it might be complex to work out the bidding document because, as I said, this event was different. It was a first timer and given the magnitude, it was complex, but it is not complex for people who are experts in the domain. So, the service providers, this is what they do; it might be complex for officers of the Ministry, but this is what they do, this is the services they offer.

So, I reckon, Mr Speaker, Sir, and this is my opinion, of course, because I say it again, I am not directly involved in procurement, we are not directly involved in procurement. I reckon, Mr Speaker, Sir, my opinion is that the complexity will reflect in the way the officers of the Ministry will prepare the document, but reading of the document, that complexity will be very different, the level of complexity for service



providers will be different and *la lecture d'un* bidding document *pour les* service providers, of course, will not be that complex.

**Mr Speaker:** So, we move to the next question! MP Bhagwan!

**CWA – MR R. M., GENERAL MANAGER – APPOINTMENT**

**(No. B/1609) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Energy and Public Utilities whether, in regard to Mr R. M., General Manager of the Central Water Authority he will, for the benefit of the House, obtain therefrom, information as to the date of his appointment, indicating –

- (a) the terms and conditions of contract of employment;
- (b) the monthly pay packet, including all allowances drawn and yearly gratuity, and
- (c) if he has been allocated an official car and, if so, indicate the –
  - (i) type;
  - (ii) make;
  - (iii) date of purchase, and
  - (iv) registration number thereof.

**Mr Lesjongard:** Mr Speaker, Sir, in my reply to a Parliamentary Question, PQ B/625, put by the same hon. Member at our Sitting of 23 May 2023, I had provided the required information regarding Mr R. M., General Manager of the Central Water Authority, namely the date of appointment, the terms and conditions of contractual employment and remuneration.

As already indicated, the Central Water Authority did not put a car at his disposal nor purchased a car for the General Manager. I am informed that Mr R. M. has purchased his own car for use for official and private purposes on 09 May 2023. He draws travelling allowance in accordance with Regulations in force. I thank you, Mr Speaker, Sir.

**Mr Speaker:** Next question, MP Abbas Mamode!

**Mr Bhagwan:** I have a supplementary question!

**Mr Abbas Mamode:** B/1610.

**Mr Bhagwan:** *Pa done mwa supplémentaire?* What is this? Because he is an agent of the MSM, you are not allowing me a supplementary question?

**Mr Speaker:** What did you say?

**Mr Bhagwan:** Because that guy is an agent of the MSM, you are not allowing me a supplementary question?

**Mr Speaker:** No, you are disputing my position as Chair? Are you disputing?

**Mr Bhagwan:** You are being biased, Sir!

**Mr Speaker:** Oh, You are saying that? Can you withdraw the word?

**Mr Bhagwan:** What withdraw?

**Mr Speaker:** 'Biased'! The Speaker is 'biased'!

**Mr Bhagwan:** You are protecting that guy!

**Mr Speaker:** No, the Speaker is 'biased'! Can you withdraw that word and apologise?

**Mr Bhagwan:** No, no, I won't apologise!

**Mr Speaker:** So, you have to withdraw from the Chamber!

*(Interruptions)*

**Mr Bhagwan:** *Hey, trankil ar moi hein!*

**Mr Speaker:** You have to withdraw from the Chamber! You don't want to apologise for saying unparliamentary words or whatever insinuation!

**Mr Bhagwan:** You are protecting the agent of the MSM!

**Mr Speaker:** You see? You want to create disorder! You want to create disorder in this House! So, I am asking you to withdraw. The population is watching!

**Mr Bhagwan:** *Clandestin!*

**Mr Speaker:** Everybody knows how Parliament works!

**Mr Bhagwan:** People are laughing at you! You are a laughing stock! People are laughing at you!

**Mr Speaker:** I am naming you! I am naming you!

**An. Hon. Member:** *Samem li ti p roder li!*

**Mr Speaker:** You are looking for that! I am naming you!

**Mr Bhagwan:** *Pa bizin dir!*

**Mr Speaker:** I am naming you! You move out! Serjeant-At-Arms!

**Mr Bhagwan:** *To met trois madam dehors zordi, to pas honter?*

**Mr Speaker:** Serjeant-At-Arms!

*(Interruptions)*

Serjeant-At-Arms! Serjeant-At-Arms! Serjeant-At-Arms, do your work!

**Mr Balgobin :** *Ale dormi ! Ale dormi !*

**Mr Bhagwan:** *To ene poltron!*

**Mr Speaker:** Serjeant-At-Arms, do your work!

**Mr Bhagwan:** *To ene poltron! To ene lache!*

**Mr Speaker:** Serjeant-At-Arms, do your work! Serjeant-At-Arms!

**Mr Bhagwan:** *Ki Serjeant-At-Arms do kouyon!*

**Mr Ramano:** *Aler, pren to 14eme mois!*

**Mr Bhagwan:** *Hey, ki arriver?*

**Mr Speaker:** Some people are becoming mad.

**Mr Balgobin :** *Kass li pas pou retourner selman !*

### **SME INFORMAL SECTOR**

**(No. B/1610) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Industrial Development, SMEs and Cooperatives whether, in regard to the SME informal sector, he will state the actions envisaged to align same with the formal sector.

**Mr Bholah:** Mr Speaker, Sir, I wish to inform the House that over the past decades, the informal economy in Mauritius has been contributing above 20% to the countries overall GDP. Global experience indicates that the informal economy contributes significantly to a country's economy and provides a source of livelihood and sustenance to many households. However, persons employed in the informal sector lack social protection and rights at work and in certain cases, they may be subjected to unsafe and hazardous working conditions.

Mr Speaker, Sir, Government has always been supportive to the informal economy and has allowed informal domestic and self-employed workers to operate and improve their working conditions. However, in view of the problems associated with informality and also due to the severity of the impact of COVID-19 pandemic, it became urgent for Government to undertake measures to regulate the informal economy and encourage formalisation.

In this respect, my Ministry in collaboration with the United Nations Development Programme (UNDP) commissioned a study on the informal economy, entitled a diagnostic study of the informal sector in Mauritius to facilitate post-COVID recovery. This study was conducted by the Consultant Firm International Economics Ltd with a financial and technical support from UNDP. Its main objectives were to –

1. conduct a diagnostic assessment of the informal sector, its characteristics, distribution and its specific vulnerabilities;
2. identify the gaps between the formal and informal sectors in terms of needs and capacities;
3. identify the opportunities and challenges for formalisation, that is, drivers and incentives, and
4. propose strategy policy and programmatic intervention to strengthen the ecosystem to facilitate the transition to the formal sector.

Mr Speaker, Sir, the final report of the study has been submitted to my Ministry in March this year and consultations are ongoing with relevant stakeholders. There are a series of recommendations which have been made in the report.

Mr Speaker, Sir, I further wish to inform the House that my Ministry is constantly striving to facilitate the smooth transition of businesses from informal to formal by providing several incentives and facilities. A Series Schemes relating to functional areas of SMEs have also been devised and implemented to improve the resilience and endurance of SMEs in the face of emerging and more complex environmental dynamics. It is worth noting that as at 31 October this year, 317 graduates and 183 diploma holders have benefitted from the Employment Support Scheme being offered by SME Mauritius. The average amount of money spent on the scheme was Rs7.5 m. 27 additional graduates would be placed in November, that is, this month.

With regard to Support Schemes, it is to be noted that as at 31 October 2023, 513 applications have been approved for an amount of Rs36.2 m., out of which Rs16.2 m. had already been disbursed. The beneficiaries represented a cumulative turnover of Rs1.9 billion, supporting 1,961 full-time employees. Training is also ongoing as at date. 533 entrepreneurs have benefitted from training by SME Mauritius, namely 87 in Business Management and 446 in Communication Skills.

Mr Speaker, Sir, I am sure with the support being offered to the SME Sector, the Informal Sector will definitely be attracted to register as an SME.

**Mr Speaker:** Whose question was that? No supplementary? We move to the next question! MP Boolell! He is not here?

You still want to have your question?

**Dr. Boolell:** Yes, please, with pleasure.

**MAURITIUS TOURISM AUTHORITY – COMMERCIAL PLEASURE  
CRAFT LICENCES**

**(No. B/1611) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the commercial pleasure craft licences, he will, for the benefit of the House, obtain from the Mauritius Tourism Authority, information as to the current number thereof, indicating the number thereof delivered since January 2023 to date, giving the names thereof.

*(Withdrawn)*

**Mr Speaker:** You see how kind I am.

I have been waiting for you; take your time!

**Dr. Boolell:** My apologies. B/1612.

**MODEL UNITED NATIONS – GRADE 12 STUDENTS – POST-COVID**

**(No. B/1612) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes)** asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether she will state if consideration will be given for resuming the Model United Nations activity for Grade 12 students in the post-COVID era, recognising its pivotal role in fostering critical thinking, diplomatic skills, and a nuanced understanding of global affairs among our youth.

**The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun):** Mr Speaker, Sir, I wish to inform the House that the Model United Nations is an extracurricular activity which has been organised by my Ministry for students of Grade 12 from all secondary schools, State-aided and fee paying since decades. This important activity aims at providing a dynamic and immersive educational experience that combines elements of research, diplomacy, public speaking and critical thinking, ultimately, preparing participants for a better understanding of global issues and the skills necessary for effective engagement in international affairs.

Furthermore, the MUN is a platform that empowers the youth with different roles in diplomacy simulation whereby despite the ability to indulge in debates, sometimes controversial, but in the end the enriched deliberations through the cross ventilation of ideas culminate in our learners becoming more knowledgeable individuals. This innovative activity, Mr Speaker, Sir, which met with resounding success after its introduction, was sustained over the years. The Model United Nations is first organised at zonal level in the four educational zones during the first term holidays; the best delegates and best delegations of the zonal MUN then have the opportunity to participate in the national Model United Nations which is organised during the second term school holidays.

Finally, six of the best delegates from the National MUN are selected through an interview exercise carried out by senior officials of the Ministry to participate in an international MUN. The last MUN was held in 2019. In 2020 the implementation of MUN at zonal level had started as per usual practice in January. The different delegations had already started working on their resolutions and were preparing for the merging sessions when the preparations came to a halt with the COVID-19 pandemic. Furthermore, with the sanitary conditions and regulations enforced, the Model United Nations could not be organised in the subsequent years.

Mr Speaker, Sir, today, we see around the world the potency of the youth fighting for global causes and yes, we say the voice of youth is important. What we want is to keep the flames of democratic principles alive in our young people thus with the sanitary situation in the country back to normal, the Model United Nations is being reinstated by my Ministry in 2024. In fact, planning has already started. Zone Directors in January 2024 will liaise with respective Heads of schools so as to sensitise Grade 12 students for the eventual participation in the MUN activity.

**Dr. Boolell:** Thank you very much, Vice-Prime Minister.

**Mr Speaker:** the Table has been advised that PQ B/1616, B/1618, B/1622, B/1630 and B/1634 have been withdrawn.

Next question! MP Quirin!

### **ELECTRIC BUSES – ACQUISITION**

**(No. B/1613) Ms J. Bérenger (First Member for Vacoas & Floréal)** asked the Minister of Land Transport and Light Rail whether, in regard to electric buses to be acquired by the National Transport Corporation as announced in Budget Speech 2022-2023, he will state where matters stand.

*(Withdrawn)*

**SOCIAL HOUSING UNITS CONSTRUCTION – COROMANDEL –  
SPECIFICATIONS**

(No. B/1614) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the construction of social housing units in the region of Coromandel, he will, for the benefit of the House, obtain from the New Social Living Development Ltd., information as to where matters stand, indicating –

- (a) the specifications thereof ;
- (b) the stakeholders concerned therewith;
- (c) the cost thereof;
- (d) the expected selling price per unit, and
- (e) the measures envisaged to alleviate the neighboring residents of the dust pollution on households and health.

**The Deputy Prime Minister:** Mr Speaker, Sir, Phase 1 of the 12,000 housing unit project consist in the construction of 8000 units that is, 400 units per constituency. Accordingly, 400 housing units are to be constructed on the site at Coromandel for inhabitants of Constituency No.20 Beau Bassin and Petite Rivière.

Due to unavailability of suitable and buildable land in constituencies Nos. 1, 2 and 19, the site at Coromandel will also accommodate housing units reserved for inhabitants of those constituencies. Such an option has been made possible by virtue of the fact that the New Social Living Development Ltd. (NSLD) has at its disposal some 41 arpents of land at Coromandel. I am informed by the NSLD that a total of 750 housing units are already under construction and will be allocated as follows –

- Constituency No. 20: 400;
- Constituency No. 19: 200;
- Constituency No. 1: 100, and
- Constituency No. 2: 50.

As regards part (a), I am informed by the NSLD that each housing unit at Coromandel will be of 60 m<sup>2</sup> in area and of a ground +1 configuration. The project includes on-site social amenities and makes provision for essential ecological measures including rainwater harvesting, solar energy panels and appropriate waste disposal systems.

Insofar as part (b) is concerned, I am informed by the NSLD that the concerned stakeholders are obviously, first and foremost, inhabitants in the vicinity of the construction site while other stakeholders would include obviously, the Ministries and departments. If I have to list them, the Ministry of Local Government, the Ministry of Finance, the Ministry of Energy, the Ministry of Environment, the Ministry of National Infrastructure, the Ministry of Labour, Human Resource Development and Training, relevant departments such as the Central Electricity Board, the Central Water Authority, the Wastewater Management Authority, the Land Drainage Authority, the Traffic Management and Road Safety Unit and all the units one could also consider as stakeholders private concerns, NGOs of the area. The list of potential stakeholders is endless.

As regards part (c), I am further informed by the NSLD that the project value of this project at Coromandel stands at Rs2,55,000,000.

Insofar as part (d) is concerned, I do not, at this point in time, have an answer to the question. This is the part relating to expected selling price.

As for part (e), I am informed by the NSLD that measures have been taken to alleviate any inconvenience that may result from dust pollution. These comprise, *inter alia*, –

- placing of green netting – sharlon as we call it – along the boundary of site near Pavé D’amour Street and along Angel Fish Avenue;
- covering stockpiles on site with sharlon as well;
- overall site water spraying 4 to 5 times on a daily basis, and continuously watering the areas where activities are ongoing by way of a water sprayer.

The NSLD, I am informed, holds regular meetings with inhabitants and all the relevant stakeholders to monitor the implementation of these measures.

**Mr Quirin :** M. le président, l’honorable ministre n’est pas sans savoir que la région de Coromandel est sujette à d’importantes inondations. De ce fait, peut-il nous dire quelles sont les mesures prises par le constructeur pour que les futures résidents de ces logements ne subissent pas le même sort que ceux de Vétiver dont les maisons sont régulièrement inondées en périodes de grosse pluie.

**The Deputy Prime Minister :** M. le président, M. le député sait parfaitement bien que je suis toujours à sa disposition pour toute appréhension qu’il pourrait trouver eu égard aux travaux qu’effectue mon ministère mais il reconnaitra sans doute le fait que cette question concernant les inondations ne se pose pas au vu du libellé de la question. Et



donc s'il y avait une question spécifiquement traitant des inondations, je me ferais un plaisir de lui fournir les renseignements nécessaires. Mais à ce stade, je n'ai pas ces renseignements. Je ne possède pas dans ma tête les détails pour toute la quarantaine de sites de construction concernant les mesures pour faire face aux inondations éventuelles.

**Mr Speaker:** So, your main question is composed of five parts. I gave you one supplementary and you could not sustain it. So, I am moving to the next question. MP Ms Tour!

### **STE CROIX REGION – ROAD ACCIDENTS – MEASURES**

**(No. B/1615) Ms J. Tour (Third Member for Port Louis North & Montagne Longue)** asked the Minister of Land Transport and Light Rail whether, in regard to road accidents in the region of Ste Croix, in Constituency No. 4, Port Louis North and Montagne Longue, he will state the measures taken since 2020 to date to curb down the occurrence thereof.

**Mr Ganoo:** Mr Speaker, Sir, I am informed that from January 2020 to 27 November 2023, 30 serious and 14 fatal road accidents have been recorded in the region of Ste Croix including Pamplémousses Road, Cocoterie Road, Riche Terre Road, Caro Lalo, Batterie Cassée and Roche Bois.

The most recent fatal one occurred on 23 November 2023 wherein a speeding scooter crashed into a 9 year old boy along Desbouchers Street, Roche Bois. We extend our condolences to all these victims, Mr Speaker, Sir.

With regard to the measures taken since year 2020 to date –

- In Financial Year 2020-2021, the TMRSU has constructed a bus layby as part of a road safety measure together with footpath and handrails along A1 Road at Abercrombie Sainte-Croix at the cost of Rs6 m.
- In Financial Year 2021-2022, the TMRSU has implemented two raised tables along Bernardin de Saint Pierre Street at Vallée des Prêtres for the cost of Rs1 m.
- In Financial Year 2022-2023, the TMRSU has implemented several traffic calming measures within Constituency No. 4 for an amount of Rs1.1 m. as follows –
  - (i) traffic calming measures along Avenue Père Laval, Sainte Croix;
  - (ii) rehabilitation of existing rumble strips along Avenue Père Laval, Sainte Croix, and

(iii) flat top raised tables along Sainte Marie road, Sainte Croix.

During the same Financial Year, a raised table along Lecornu Street, Sainte Croix could not be implemented due to protest by the inhabitants of the locality upon mobilisation of the contractor on site.

Mr Speaker, Sir, for Financial Year 2023-2024, traffic calming measures for an amount of Rs2.3 m. have been approved and will be implemented by my Ministry within Constituency No. 4 as follows –

1. Flat top raised pedestrian zebra crossing with Belisha near Masjid Sheikh Abdul Qadir Jilani Mosque along Bernardin de Saint Pierre Street, Vallée des Prêtres;
2. Flat top raised pedestrian crossing along Bait-UI-Noor Street, Vallée des Prêtres;
3. Flat raised pedestrian zebra crossing with Belisha near Draupadi Amman Kovil along Bernardin de Saint Pierre street, Vallée des Prêtres, and
4. Flat top raised table at the junction along Batterie Cassée Street with its junction with Sainte Famille Street.

The implementation is to be completed within this financial year. Moreover, a road safety inspection will be carried out in the abovementioned regions in a systematic manner to identify any feature that may lead to future road crashers so that remedial treatment may be implemented before crashes occur.

Thank you.

**Ms Tour:** Thank you, Mr Speaker, Sir. Can the hon. Minister inform if his Ministry is currently making use of any software to enhance its efforts to protect road users and reduce road crashes in Constituency No. 4 or in the country at large?

**Mr Ganoo:** Yes, Mr Speaker, Sir. I appreciate the concern of the hon. Member for the issue of road security in Constituency No. 4, and as she rightly underlined, Mr Speaker, Sir, the TMRSU has recently acquired new software which is called an iMap software which is used to record road crash database through the use of geographical information system.

This analytical tool, Mr Speaker, Sir, uses a scientific and engineering approach to determine accident prone areas. For example, within the road network of Sainte Croix data, data such as frequency of road accidents, severity of road crashes, its location, collision type and number of casualties are recorded. Through this iMap software, the

TMRSU has compiled a list of regions in Sainte Croix which is being given due consideration to analyse the road crashes. This list which summarises the road accidents for a period of 3-5 years basis will be used therefore to identify sections of the road whereby improvements are required to mitigate the risk of occurrence of new crashes.

Therefore, Mr Speaker, Sir, on the basis of these accident crash data, the TMRSU will now carry out road safety inspections and accident black spot investigation within the road network in Sainte Croix whereby particular consideration will be given at the locations of these road crashes. As I just said, the traffic measures that shall be proposed for Sainte Croix region therefore will be creation of speed zones, implementation of flat top raised tables and treatment of black spot areas, implementation of proper traffic signage, road marking and provision of street lighting to ensure night visibility.

Thank you.

**Mr Speaker:** Next question, MP Lobine!

**INDIRA IVF HOSPITAL INDIA – TRAINING IN FERTILITY (O&G) –  
SCHOLARSHIPS**

**(No. B/1616) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Health and Wellness whether, in regard to scholarships awarded for training in Fertility (O&G) at Indira IVF Hospital India to Specialists in the Public service in 2023, he will state the –

- (a) number of applications received therefor, and
- (b) names of the awardees.

*(Withdrawn)*

**DIRECTOR AGRICULTURAL SERVICES – RECRUITMENT**

**(No. B/1617) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Minister of Agro-Industry and Food Security whether, in regard to the recruitment of a Director Agricultural Services on contract from India, he will state –

- (a) the reason therefor, and
- (b) where matters stand.

*(Withdrawn)*

### CONSTITUENCY NO. 16 – PROJECTS

**(No. B/1618) Mr N. Bodha (Second Member for Vacoas & Floréal)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to projects for Constituency No. 16, Vacoas and Floréal, he will for the benefit of the House obtain from the Municipal Council of Vacoas Phoenix, information as to the number thereof which are –

- (a) ongoing, and
- (b) in the pipeline.

*(Withdrawn)*

### CLAIRFOND MEDCO – FOOTBALL PITCH RENOVATION & OPEN GYM CONSTRUCTION

**(No. B/1619) Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the renovation of the football pitch and the construction of an open gym at Clairfond MEDCO, he will, for the benefit of the House, obtain from the Municipal Council of Vacoas-Phoenix, information, in each case as to –

- (a) the total costs incurred;
- (b) the name of the contractor, and
- (c) if consultation was held with the inhabitants prior to proceeding therewith.

**The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo):** Mr Speaker, Sir, I am informed by the Municipal Council of Vacoas-Phoenix that it has not undertaken the renovation of the football pitch at Clairfond MEDCO. However, the Council has undertaken the construction of a mini-soccer pitch at Clairfond.

At first, the contract was awarded to Island Civil and Mechanical Contracting on 06 May 2021 for an amount of Rs4,715,000 but due to its poor performance, the Executive Committee had on 03 March 2022 decided to terminate the contract and payment amounting to only Rs394,956 was effected.

Thereafter, another bid was launched for the construction of a mini-soccer pitch at Clairfond and the contract was awarded to Aimplus Quality Construction Ltd for an amount of Rs4,835,750 including VAT. Thus, the total cost incurred for the project was Rs5,230,506 inclusive of VAT.

With regard to the construction of the open gym at Clairfond MEDCO, I am informed by the Municipal Council of Vacoas-Phoenix that the cost for the project was Rs2,890,013 inclusive of VAT and included 850ltr00n85 work and supply, fixing and commissioning of gym equipment. The contract for the levelling work was awarded to Sonalall & Sons Ltd for an amount of Rs265,000 whereas the contract for the supply, fixing and commissioning of the heavy duty gymnasium equipment at Clairfond MEDCO was awarded to Alive Sports Co. Ltd for an amount of Rs2,625,013.

With regard to part (c) of question, the Municipal Council of Vacoas-Phoenix has informed that since there was an existing sport amenity at that place, no consultation was held with the inhabitants prior to implementing the project. However, it has been noted that once the contractors started the work onsite, a board has been displayed on the subject site with details of the work being undertaken together with the implementing agency as well as the funding agency.

**Mr Lobine:** Is the Vice-Prime Minister aware that the inhabitants were very unhappy that they replaced the grasses with a synthetic pitch over there so without prior consultation because it was one of the best football pitches there with grasses instead of synthetic? Are you aware of that?

**Dr. Husnoo:** I am sorry, Mr Speaker, Sir. I am not aware of that because these projects are done by the Municipal Council of Vacoas-Phoenix. So, I am not aware of these, unfortunately.

**Mr Lobine:** Has the hon. Vice-Prime Minister had the opportunity to visit the open gym? Because he will see that the amount that it has cost does not reflect the value of the works that have been done over there. I will invite the hon. Vice-Prime Minister for a site visit over there.

**Mr Speaker:** No. Hon. Member, this is just an expression of opinion. Somebody may say it costs more or it costs less, but it is expressing opinion. Your question should be laid on factual background.

**Mr Lobine:** But it is factual.

**Mr Speaker:** No, I disallow this question.

*(Interruptions)*

**Mr Quirin:** *Bizin aret poz kestions!*

**Mr Speaker:** No, you have to learn how to ask questions. This is your right!

*(Interruptions)*

This is your right! You are a Barrister! You should know!

*(Interruptions)*

Okay. Next question!

**DIESEL – PRICE INCREASE – POTENTIAL ECONOMIC EFFECTS – IMPACT ASSESSMENT**

**(No. B/1620) Mr R. Woochit (Third Member for Pamplemousses & Triolet)** asked the Minister of Commerce and Consumer Protection whether she will state if Government has conducted any impact assessment or study to quantify the potential economic effects of increase in the price of diesel on various sectors and, if so –

- (a) state the outcome thereof, and
- (b) table reports thereof, if any.

*(Interruptions)*

**Mr Speaker:** You should learn!

**Mr Lobine:** You should learn too!

**The Minister of Finance, Economic Planning and Development (Dr. R. Padayachy):** M. le président...

**Mr Speaker:** Standing Orders there!

**Mr Lobine:** I know! I know!

**Mr Speaker:** I can let you have a copy of Standing Orders!

**Mr Lobine:** You should learn too!

**Mr Speaker:** You are insisting for nothing. It is just lip service!

**Mr Lobine :** You too !

**Dr. Padayachy :** M. le président, mon ministère a demandé à Maurice Stratégie de conduire une étude sur l'impact...

*(Interruptions)*

**Mr Speaker:** Can you stop there? You are going too far! You stop! This is the last warning I am giving you!

*(Interruptions)*

Whose question ?

**Dr. Padayachy :** M. le président, mon ministère a demandé à Maurice Stratégie de conduire une étude sur l'impact de la hausse des prix des produits pétroliers sur l'économie. Je soumettrai les résultats de l'étude une fois connus.

Merci.

**Mr Speaker:** Do you still have a question? Try, we see!

**Mr Wochit:** Okay.

**An hon. Member:** You are being unfair now.

**Mr Wochit:** Can the Minister elaborate on any...

**Mr Speaker:** Can the Minister?

**Mr Wochit:** ... elaborate on any mitigation strategies or proposed intervention outlined in the impact assessment to alleviate the economic burden on sectors like SMEs...

**Mr Speaker:** No, this is a supplementary.

**Mr Wochit:** A supplementary question.

**Mr Speaker:** Go ahead with your supplementary, clarification! You are asking for clarification. Let me remind you, it is not another PQ.

**Mr Wochit:** No, it is not.

**Mr Speaker:** Okay, let me listen to you.

**Mr Wochit:** Yes. Can the hon. Minister elaborate on any mitigation strategies or proposed intervention outlined in the impact assessment to alleviate the economic burden on SMEs sectors?

**Mr Speaker :** Okay.

**Dr. Padayachy :** M. le président, je transmettrai la demande par rapport à ce qui a été dit. Merci.

#### **BAIE DU TOMBEAU CHILD DAY CARE CENTRE – VANDALISM – INQUIRY & ACTIONS**

(No. B/1621) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to the recent acts of vandalism at the Baie du Tombeau Child Day Care Centre, she will state if an inquiry has been initiated thereinto and, if so, indicate the actions taken in relation thereto.

*(Withdrawn)*

**REGIONAL HOSPITALS – FOOD SAFETY – MONITORING MECHANISM &  
REPORT**

(No. B/1622) **Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien)** asked the Minister of Health and Wellness whether, in regard to food safety in regional hospitals, he will –

- (a) state the monitoring mechanism that has been put in place to ensure that food safety hazards are controlled to prevent unsafe food from reaching patients, and
- (b) table copy of the latest report thereof, if any, and, if not, why not.

*(Withdrawn)*

**Mr Speaker:** Next question! MP Dr. Gungapersad! I could not hear you.

**MITD – AG. DIRECTOR & CHAIRPERSON – OVERSEAS MISSIONS**

(No. B/1623) **Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or)** asked the Minister of Labour, Human Resource Development and Training whether, in regard to the Acting Director and the Chairperson of the Mauritius Institute of Training and Development (MITD) Board, he will for the benefit of the House obtain information in each case, as to the number of overseas missions effected since their tenure of office, indicating –

- (a) the countries visited, and
- (b) the respective amount spent in terms of –
  - (i) airfare;
  - (ii) *per diem*, and
  - (iii) other allowances drawn.

**Mr Speaker:** Is Minister Balgobin here?

**The Minister of Information Technology, Communication and Innovation (Mr D. Balgobin):** Mr Speaker, Sir, I am informed that since the appointment of the Acting Director of the Mauritius Institute of Training and Development (MITD) in September 2020 and that of the Chairperson of the MITD Board in April 2018, they have proceeded on overseas missions as follows –

- Acting Director: six missions overseas and three to Rodrigues, and
- Chairperson: one mission overseas and one to Rodrigues.

Mr Speaker, Sir, I am tabling the details thereof as well as the information requested as per part (b) of the question.



**Dr. Gungapersad:** Okay, I will take cognizance of it.

**Mr Speaker:** The Table has been advised that the following questions have been withdrawn: PQs B/1621, B/1624, B/1626, B/1629, B/1631, B/1638, and B/1641.

Time over!

## MOTION

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

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

**The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun)** seconded.

*Question put and agreed to.*

## PUBLIC BILLS

### *Second Reading*

### THE COMBATING OF TRAFFICKING IN PERSONS (AMENDMENT) BILL

#### (NO. XVII OF 2023)

*Order read for resuming adjourned debate on the Combating of Trafficking in Persons (Amendment) Bill (No. XVII of 2023).*

*Question again proposed.*

(4.19 p.m.)

**The Attorney General, Minister of Foreign Affairs, Regional Integration and International Trade (Mr M. Gobin):** Mr Speaker, Sir, thank you for allowing me the opportunity to lend my voice in support of the Combating of Trafficking in Persons (Amendment) Bill. I wish to begin, Mr Speaker, Sir, by commending the hon. Prime Minister for bringing such an important piece of legislation to the House.

The Bill we are debating today is about human dignity. It is about the most fundamental right to exist and live as a human being. It is about protecting the most defenceless individuals whose vulnerability may worsen if the legal system ignores their problems and fails to offer remedies.

It is undeniable, Mr Speaker, Sir, that human trafficking is one of the most heinous crimes of modern times often described as modern-day slavery. Globally, it is estimated

that human trafficking is amongst the most lucrative of criminal activities rivalled only by drug and firearms trafficking. Through a variety of coercive practices, all for the direct profit of their perpetrators, this crime robs its victims of their most basic human rights. Human trafficking is a complex issue with a diverse range of victims and circumstances and is occurring worldwide.

Mr Speaker, Sir, as part of our Government's longstanding commitment to protect the vulnerable, tackle crime and safeguard all victims and their families, this Government is taking action under the high authority of the hon. Prime Minister himself.

Mauritius, it is to be recalled, has acceded amongst other international instruments to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, in September 2023. Guided by such instruments, our efforts through the National Action Plan seek to prevent trafficking from occurring, protect victims, bring perpetrators to justice and build partnerships domestically and internationally.

However, we are aware that our law enforcement agencies are required to better cooperate with each other in identifying offenders and victims. We need to cooperate better in the sharing of information about the methods used by offenders. We need to cooperate on training of investigators and we need to cooperate on the enforcement action as well as on victim support.

Mr Speaker, Sir, no country can tackle trafficking in persons alone. Trafficking in persons is a transnational crime, international cooperation is essential. This is indeed what Government has done. It has secured the cooperation of international partners. I will elaborate on three main cooperation we have secured with international partners –

- (i) the European Union;
- (ii) the US authorities, and
- (iii) the United Nations International Organisation for Migration.

First, Mr Speaker, Sir, the cooperation with Migration EU eXpertise or MIEUX+. It is the Prime Minister's Office, Mr Speaker, Sir, which requested support from Migration EU eXpertise with the aim of strengthening the capacities of public officials to identify and refer victims of trafficking in persons as well as on investigation and prosecution of cases.

Mr Speaker, Sir, MIEUX+ is an initiative since April 2020, which supports regional organisations, national Ministries, local authorities, Parliamentary bodies, judicial actors as well as civil society organisations in improving governance and management of

migration and mobility. It is a demand-driven EU facility for knowledge exchange between the EU and institutions in Africa and other regions worldwide. MIEUX+ responded favourably to the request from the Prime Minister's Office and mounted an ambitious project aimed at strengthening the response of Mauritius to combat human trafficking by improving the overall inter-institutional coordination.

Together with MIEUX+, the project team has adopted a holistic approach involving key stakeholders involved in combatting trafficking in persons in Mauritius. The Mauritius Police Force, the Office of the DPP, the Ministry of Labour, my Office, the Ministry of Gender Equality and Family Welfare as well as civil society organisations, to name a few, have all participated actively throughout the project. MIEUX+ took a holistic approach when it came to the expertise deployed by collaborating with European, regional and local experts who brought in different perspectives and experiences.

Back in 2021, the MIEUX+ team and experts travelled to Mauritius and conducted a capacity and training assessment. Based on the on-site meetings, including visit to a shelter which welcomes and protects male adult victims of human trafficking, the team drafted a report that served as a starting point for the development of the standard operating procedures.

To ensure ownership of the new tools, a series of participative workshops were organised with partners to discuss, on the one hand, the investigation and prosecution of human trafficking cases through increased collaboration and proactive and reactive investigation and on the other hand, on the management of shelters.

Expanding upon the results and recommendations of the workshops, the action also puts emphasis on the role of Mauritian Magistrates. The team arranged online workshop for Mauritian Judiciary Officers in July this year.

This activity aimed at developing the capacities of Mauritian Judicial Officers to hear and decide on cases that come under their remit. Thanks to the International Association of Women Judges, the session consisted in part of a peer-to-peer knowledge exchange.

Consequently, Mr Speaker, Sir, after a series of internal consultations, the standard operating procedures were finalised. Our collaboration with MIEUX highlights the personal commitment of our Prime Minister to ramp up efforts to combat trafficking in persons and address the gaps that were highlighted by the 2021 TIP Report which placed Mauritius in Tier 2 for the 6<sup>th</sup> consecutive year.

The second international cooperation, Mr Speaker, Sir, concerns the Council of Europe. Mauritius, Mr Speaker, Sir, is a signatory to the Budapest Convention on Cybercrime and as a signatory, we have benefitted from the technical assistance of the council of Europe under the GLACY programme standing for Global Legal Advisory on Cybercrime which is a joint project between the Council of Europe and the European Union.

Mauritius has secured the technical assistance in the organisation of important workshops on topics, including law enforcement access to data, judicial and law enforcement training strategies on especially child protection as well as criminal law reform and international cooperation.

Mr Speaker, Sir, we have also engaged in a meaningful dialogue with the US Authorities. It will be recalled that in June of this year, the United States Authorities released the 23<sup>rd</sup> Annual Trafficking in Persons Report and Mauritius was placed in the Tier 2 watch list. It has long been the concern of Mauritius that the US Annual Report is rather arbitrary, I say this because the country reviewed is not offered an opportunity to offer its comments on the contents of the Report prior to its publication and the country reviewed, cannot also inform the US side of remedial action taken based on the findings of such a report.

However, in the case of the latest report of 2023, Mr Speaker, Sir, as a proof of the US Authorities Trust in the commitment of Mauritius to take a remedial action, the United States Embassy in Port Louis, has informed us of the readiness of the United States Authorities to partner with Mauritius in a collaborative approach and a dialogue process on all issues regarding trafficking in persons in the lead up to the annual publication of its report on TIP.

We welcome this dialogue process and look forward to our healthy and productive bilateral engagements to ensure that Mauritius is upgraded from its current listing in the next report in 2024.

Mr Speaker, Sir, to effectively combat trafficking in persons will require the involvement not only of Government but of all stakeholders. Government will therefore also work closely with law enforcement authorities as well as civil society. As I stated earlier, Mr Speaker, Sir, Government secured the collaboration of international partners namely MIEUX, Council of Europe and US Authorities.

Mr Speaker, Sir, we have also secured the collaboration of the United Nation International Organisation on Migration. The assistance of the International Organisation

for Migration was obtained for the preparation of the National Action Plan on Trafficking in Persons 2022-2026. This action plan is based on 5 pillars, namely –

1. Prevention;
2. Protection;
3. Prosecution;
4. Partnership, as well as
5. Data collection and research.

It is important to highlight that under this National Action Plan, a National Steering Committee against Trafficking in Persons has been set up under the chairpersonship of the Secretary for Home Affairs. This National Steering Committee monitors all the aspects that contribute to combatting trafficking in persons alongside other stakeholders such as the Ministry of Labour, Human Resource Development and Training, Ministry of Gender Equality and Family Welfare and the Police Department.

One of the projects currently being implemented is the improvement Trafficking in Persons Referral Outcome in Comoros and Mauritius which aims at enhancing the assistance and referral mechanisms of victims of trafficking in persons. This project is being funded by the Joint Training Incentive Programme (JTIP). This is a programme funded by a grant from the United States Government both for Comoros and Mauritius.

Mr Speaker, Sir, I have chosen to highlight the international collaboration that Mauritius has secured because this is the first time that Mauritius secures, obtains the collaboration of International Partner such as MIEUX, such as the European Union, the US Authorities themselves and also the United Nations International Organisation of Migration. A number of reports has been published in the past, be it Tier x or Tier y but no Government before has secured the collaboration of such high level partnership by international partners. I say it again, I reiterate; Trafficking in Persons is a transnational crime. No country will be able to tackle it alone and we have secured the partnership of these institutions as I have highlighted. This is a testimony of the trust, of the faith these authorities have in the commitment of this Government to fight Trafficking in Persons. We admit there were loopholes to be plugged in our legislation but it is now that it is this Government which has brought this amendment legislation before the House and with this Bill, we are plugging in the loopholes, for example, on a question of the protection of the victims, on the shelters, on the allocation of the necessary financial means to support the victims during the enquiry until the time that the case goes to Court.

So, with this amendment legislation, we are plugging in the loopholes and through this Bill, Mr Speaker, Sir, we are sending a clear message that Mauritius will not tolerate this crime and that victims will be given the help they need and that perpetrators will be brought to justice.

Thank you, Mr Speaker, Sir.

**Mr Speaker:** I now call hon. Mrs Koonjoo-Shah!

(4.33 p.m.)

**The Minister of Gender Equality and Family Welfare (Mrs K. Koonjoo-Shah):** Mr Speaker, Sir, thank you. It is always a privilege to participate in the National Assembly's debates on all proposed legislative amendments particularly, this one being an extremely pertinent one and I completely concur with the orator who spoke before me, the hon. Attorney General that it is indeed a giant leap forward and I thank the hon. Prime Minister, Pravind Kumar Jugnauth, for bringing this important Bill to the House.

Unfortunately, Mr Speaker, Sir, the scene in front of our eyes is a recurrent one with empty seats in the Opposition which is testament to the regard that they hold for debating such important piece of legislation, *toujours en train de briller par leur absence, M. le president*.

Mr Speaker, Sir, Trafficking in Person is not only as has been canvassed by all other orators before me. It's not only a human rights issue; it is in essence, it is a modern form of slavery. In fact, it is not only a social but it also has a huge gender aspect to it because gender differences exist within this very complex crime. It has been observed globally that while trafficking for sexual exploitation relates mainly to women and girls, forced job labour significantly concerns men and boys.

Underlying these observations, Mr Speaker, Sir, we should not only take cognisance but we should be rejecting vehemently the fact that unequal power relations prevailing in society, persistent gender inequality, stigmatisation, discrimination are making women and girls more vulnerable to human trafficking. We should therefore not make any abstraction that a gender-sensitive approach is a *sine qua non* pre-requisite to understanding and tackling this violent crime.

And today, Mr Speaker Sir, in this Assembly, the present Amendment Bill is testimony of the commitment of the Prime Minister and his government to continue prioritising these issues and engaging with multiple international partners to develop comprehensive strategies and policies as earlier stated by my friend, hon. Gobin and, in the fight against Trafficking in Persons, the government also works with non-

governmental organisations to increase and raise awareness, to assist our victims, to enhance law enforcement efforts.

Mr Speaker, Sir, Mauritius requires transformative vision and Combating of Trafficking in Persons is a battle that cannot be fought by governments in isolation; it requires the active involvement of civil society, businesses and every individual. It requires international collaboration like I said and the fight against trafficking demands our shared commitment above all. Prevention is our first line of defence. Therefore we must continue to invest in education and awareness programmes. By fostering this culture of constant vigilance, we can disrupt the traffickers' tactics and hereby protect potential victims before they fall prey to this heinous crime but, our duty does not end with prevention. We must ensure that survivors of trafficking receive the support that they need to rebuild their lives and this includes but is not limited to access to shelter, medical care, counselling, educational opportunities, rehabilitation and reintegration into society. It is our collective responsibility to stand beside survivors to offer them a path towards recovery and empowerment.

Mr Speaker, Sir, even prior to any amendments to this piece of legislation, my Ministry has had and is always having an active role to play in the management of cases of Trafficking in Persons (TIP). Regular meetings on TIP cases are held with the Office of the Director of Public Prosecutions, together with the Police and other key stakeholders. My Ministry provides for psycho-social support to female TIP victims placed in shelters and there is also a fast-track mechanism in place with the Police. This is being institutionalised formally through the setting up of a dedicated Unit at the level of the Mauritius Police Force, which falls under the aegis of the Prime Minister's Office.

This amendment, Mr Speaker, Sir, is a leapfrog measure for our country in our quest to tackle Trafficking in Persons. My Ministry has been a party to the consultations and discussions in bringing about this amendment and we are very satisfied that a representative of my Ministry is going will be sitting on the Steering Committee for Combating Human Trafficking. We have recently and positively been informed that a building has been identified at Vacoas for accommodating male victims. The centre has already been refurbished, furniture and equipment have been provided by the International Organisation for Migration to whom we are very thankful.

Mr Speaker, Sir, unfortunately, the hon. Member is not here but with your kind permission, I would wish to take up some of the points referred to by the hon. Joanna Bérenger during her intervention on the Bill on 21 November, that is, last Tuesday, and I quote –

*“On est signataire de la Convention de la Haye depuis 1993 et signataire de la coopération internationale en matière d’adoption depuis 1998.”*

The hon. Member mentioned those two years, Mr Speaker, Sir. Well, her Party is not even present here, at this material time in the House but all three Parties of the Opposition had, at some point, from 1993 been in power. So, I would kindly ask hon. Joanna Bérenger, whose father was himself, at some point the Prime Minister; did they not discuss or think that the issue of adoption was important enough?

Mr Speaker, Sir, yeah, *c’est ça la démagogie de l’opposition*; day in, day out when we come to this House for debating important matters. Mr Speaker, Sir, the reform of the law for children did not come through any of the awesome threesome. Yes, there is a reference. You have to go back and listen to what hon. Joanna Bérenger said last week. The reform of the law for children did not come from the Opposition Parties, from the awesome threesome, as I call them. It came through the leadership of Pravind Kumar Jugnauth and when I was listening to the intervention of both hon. Uteem and hon. Joanna Bérenger, it is wrong to say that nothing has been done with regard to adoption. One of the steps in the provision of this current Bill being debated at clause 12A encompasses illegal custody of a child and illegal adoption. Therefore, it is so misleading when those two members were purporting that the issue of adoption is not being taken care of.

This Government, my Ministry, the Attorney General’s Office, NGOs and all relevant stakeholders have been working together, and we are, again, grateful to the European Union, which has provided consultancy services to assist us in the preparation of the draft Adoption Bill which is being fine-tuned at the level of the Attorney General’s Office.

Mr Speaker, Sir, the population is well aware of what the Prime minister Pravind Jugnauth is doing because his Government has proven itself time and again and I wish to put it on record and I wish to reassure the House and the population, especially hon. Joanna Bérenger and hon. Uteem that the Adoption Bill will be enacted by this Government and that’s flat!

As far as child trafficking is concerned Mr Speaker, Sir, and again, to reply to the qualms of hon. Uteem whom I took the time to listen to, although I was not in the country at that time; I heard he missed me a lot. We should discard our blinkers! Exploitation is not limited to the tourism spheres only. Mauritius has enacted legislation to protect children from exploitation, trafficking and child abduction. The provision at clause 12(A) in this current legislation will make it an offence for anybody to facilitate or secure the



adoption or custody of a child through illegal methods. So, hon. Uteem, being a learned barrister should be aware or maybe he is deliberately attempting to make as if he is not aware of all the provisions of this currently being debated Bill and the one of Children's Act 2020.

It puts into effect both the United Nations Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. It covers the protection of children from child labour as well as cases of forced labour, slavery, and child trafficking.

Mr Speaker, Sir, very quickly to go over the last item that I wanted to bring to your attention. Drugs, Mr Speaker, Sir, are frequently used by human traffickers as a "bait" to entice victims. We witness these heinous crimes, these criminals using drugs as a tool of control to coerce, to force our women and even our children into addiction. It is unquestionable that human trafficking and drug trafficking are intimately linked and this includes utilising drug, labour, prostitution and violent trafficking networks. For these violent criminals, trafficking women for sexual exploitation is just another way to make money. Moreover, drug gangs frequently smuggle drugs across the border using women and children who have been trafficked.

So, even before the arrival of this Bill, I recall that at Prime Minister's Question Time, there was a question by none other than hon. Reza Uteem again questioning whether a dangerous drug trafficker who was "the object of an Interpol Red Notice" and was a fugitive, for prosecution was being handed over to the Slovakian authorities!

This person was a fugitive who, according to Interpol, was armed and dangerous. Hon. Uteem and the members of the Opposition must sit down and recalibrate their stance on matters of such national urgency. Mr Speaker, Sir, our Prime Minister, hon. Pravind Kumar Jugnauth, he reiterated his commitment and determination during his reply to that PMQT to carry on the combat against drug trafficking and illicit products and today, reiterating his commitment to combat Trafficking in Persons.

Mr Speaker, Sir, Mauritius cannot and will not be a refuge for criminals and this is the very essence, this is the significance of this Bill. We say 'No', loud and clear to slavery and to conclude, Mr Speaker, Sir, I will end my intervention by saying that combating human trafficking is not just a moral imperative. This is why I deplore the absence of the members of the Opposition while we are debating such an important Bill. It is not just a moral imperative Mr Speaker, Sir. It is a fundamental duty that we owe to our fellow human beings, not just in this Republic, but across the world. I am done. I thank you for the opportunity.

Long Live the Republic of Mauritius, Mr Speaker, Sir!

**Mr Speaker:** Hon. Prime Minister!

(4.46 p.m.)

**The Prime Minister:** Mr Speaker, Sir, first of all, I wish to thank all the hon. Members who have intervened during the debate. And, I must say I am comforted by the fact that there is general consensus on the need to have a strengthened legal framework with focus on effective implementation and to wage war against the scourge of Trafficking in Persons. We are coming forward with this new legislation which is not only more severe against the perpetrators but which also shows more compassion towards the victims of human trafficking by providing them with the required protection and assistance. It is also a legislation which empowers and gives the means to the enforcement agencies to ensure implementation of same.

Moreover, the proposed amendments to the Combating of Trafficking in Persons Act is expected to enable all the stakeholders concerned to adopt a more holistic approach towards the issue of Trafficking in Persons.

Mr Speaker, Sir, I have carefully listened to all the views expressed during the debates on this Bill. Let me refer to the pertinent points and dispel some of the confusion which seem to be still latent in the mind of some of the hon. Members on the other side of the House, despite the extensive and comprehensive details I have given during the Second Reading.

Mr Speaker, Sir, as Members would recollect, reference was made to the 2023 Trafficking in Persons Report from the United States Department of State. Hon. Dr. Boolell who intervened just after me even stated that I did not make any mention of this Report in my speech. I guess he was not listening at that time, and earlier I said that maybe his ears are blocked. So, he should try to see whether he could unblock that.

The other Members of the Opposition who made reference to the report, and I must say maybe out of bad faith, failed to make mention of some of the positive actions taken by my Government in addressing the issue of Trafficking in Persons, as acknowledged by the United States Department of State. I would like to enlighten these hon. Members that at the very outset, the Report highlights the efforts made by my Government in partnering with an international organisation to adopt Standard Operating Procedures (SOPs) for victim identification and referral; enhancing efforts to screen for trafficking indicators during routine labour inspections, and adopting a National Action Plan 2022-2026.

Hon. Dr. Boolell also pointed out that there has been no meeting of the Inter-Ministerial Committee for the past 3 years. Let me inform the House that the Inter-Ministerial Committee did meet in 2022 and this year as well to take stock of the work, the findings and the deliberations of the Steering Committee which deals with coordination and monitoring of actions taken by the stakeholders. The Steering Committee has been meeting regularly and it is pursuing its actions as per its mandate.

The same Member stressed on the need to rope in international organisations, private sector, academia, media and NGOs. Let me inform him that engagement and partnership with these bodies are an integral part of our strategy in the implementation of our National Action Plan. We have worked in close collaboration with private sector organisations and also engaged in discussions with representatives of the National Social Inclusion Foundation and NGOs as well as international organisations like the International Organisation for Migration (IOM) and the European Union amongst others. I will further elaborate on the effective partnership on this issue later on.

The hon. Member in question has alleged that in Mauritius, diplomats now unfortunately get away with regard to the exploitation of their personal employees. Mauritius which is a country where the rule of law prevails, Mr Speaker, Sir, has no tolerance for such cases, and does not, of course, condone any act of exploitation of these workers. In Mauritius, we have had foreign diplomats of good repute and we have maintained good relationship with them and their countries. I consider it totally improper to make such unwarranted remarks against members of the Diplomatic Corps, especially in the context of the presentation of such an important Bill.

I should inform the House that in each of its Annual Report, it is the usual practice of the US Department of State to make mention of both the progress made and the issues that remain to be addressed with regard to each country under review on the issue of Trafficking in Persons (TIP). This has been the case for the previous reports as well and on which not a single word has been uttered by the hon. Members on the other side, as rightly pointed out by hon. Mrs Luchmun Roy and hon. Dhunoo.

Hon. Dr. Boolell has also made mention of the Celerine (also known as Franklin) case, although it bears no relevance to this Bill. But, as the House is aware, the case of Mr Celerine is at the level of the Judiciary.

It is also very unfortunate that hon. Joanna Bérenger, who unfortunately – I think maybe she knew that I was going to reply to what she has been saying – has decided not to be present and I must say in her intervention, with her usual presumptuous arrogance, has deliberately painted a dark picture of the human rights situation in Mauritius, especially

human trafficking, domestic violence and child abuse. Let me remind her that Mauritius upholds human rights as per the Universal Declaration of Human Rights which is enshrined in our Constitution. Mauritius is a party to 9 Conventions/Treaties/Mechanism on Human Rights including the African Charter on Human Rights and is rated by these Human Rights Institutions on matters pertaining to human rights including combatting trafficking in persons.

Mr Speaker, Sir, it is a matter of public knowledge that my Government is dealing proactively with Gender-Based Violence (GBV) and has a new strategic orientation with regard to the elimination of GBV. We have come up with a National Strategy and an Action Plan to address the issue. During my intervention on Saturday last on the occasion of the International Day for the Elimination of Violence against Women 2023, I clearly stated that Mauritius is taking measures to put a halt to such inhuman behaviours and to win such a battle, we should join forces and work collectively. It is therefore our responsibility to respond proactively to such a reprehensive behaviour and bring the perpetrators to justice.

In this regard, we strongly encourage victims to fearlessly denounce such barbarous acts and move forward and to refrain from retracting after making formal complaints to the authorities.

On Thursday last, I presided over the 7<sup>th</sup> meeting of the High-Level Committee on the Elimination of Gender-Based Violence. This important platform, Mr Speaker, Sir, involves the participation of 14 Ministries and Departments.

A National Strategy and Action Plan has already been elaborated and is being actively implemented ever since November 2020. About 64% of actions contained in the Action Plan have been implemented. We are placing a lot of focus on Prevention and through the campaign 'We Remember', which has been launched, we wish to encourage victims of violence to come forward forcefully. Appropriate training has been provided to staff of the Ministry of Gender Equality and Family Welfare and, of course, other stakeholders to provide assistance and psychological support to victims of GBV. The Ministry of Public Service, Administrative and Institutional Reforms is currently carrying out an assessment, which will be followed by an evaluation of the actions that have already been taken with a view, of course, to improving the situation. We have also decided that the Protection from Domestic Violence Act be reviewed. And I can inform the House that the Attorney General's Office, in consultation with the Ministry of Gender Equality and Family Welfare, is presently working on the amendments.

M. le président, certains membres de l'opposition se sont présentés en défenseurs de femmes victimes de violences. Pourtant, ils sont fiers de s'être alliés à un bourreau qui n'a aucun respect pour les femmes et pour qui les femmes ne sont qu'un objet. Ce bourreau qui porte le manteau de leader politique est connu pour ses frasques envers les femmes. Qui ne se souvient pas comment il avait pourchassé des jeunes filles sur la plage d'Albion suivant une « *Macarena Party* » bien arrosé au *Blue Label* !

Comment la pauvre Nita peut oublier le juron du leader bourreau sur une plateforme électorale publique en guise de reproche, parce que le micro ne marchait pas ? Et que dire de ce juron employé par le leader à l'égard d'une femme, la qualifiant de « P... ». Moi, je n'ai pas ce genre de – j'allais dire un autre mot – bouche pour répéter des mots pareils. Je me demande ce que pense Madame Bérenger par rapport à ce genre de qualificatif que son cher leader d'Alliance réserve aux femmes.

**Mr Toussaint:** *Enn bon leader!*

**The Prime Minister:** C'est dire tout son mépris et sa mentalité d'une époque heureusement révolue. Est-ce que Madame Bérenger souhaite remettre ce genre de mentalité au gout du jour ? Je me demande si elle est fière de se tenir sur la même plateforme que ce grossier personnage qui estime que chaque femme a un prix. Est-ce cela le message d'espoir qu'elle souhaite porter à la jeunesse, à nos jeunes filles, nos mères et nos sœurs ?

Et comment le pauvre receveur de Carreau Laliane peut-il oublier que ce même leader a abusé de son hospitalité pour voler sa bien-aimée ? Est-ce que Madame Bérenger a décidé de faire l'impasse sur ce trait de caractère connu de son cher leader d'Alliance ? Est-ce que Madame Bérenger a pris la peine d'écouter le témoignage de la fille de cette épouse arrachée à son mari ? Et je dois dire, ici, à la Chambre, j'ai la permission de la fille de la citer, non seulement son nom, mais de citer ce qu'elle-même a vécu. ; elle a témoigné, M. le président. Et, donc, est-ce que l'honorable Bérenger a décidé de faire la sourde oreille face aux accusations de coups et de dénigrement que son cher leader d'Alliance réservait à cette femme ? Je ne vais pas entrer dans les détails.

M. le président, Madame Bérenger a pris place au sein de cette auguste Assemblée en 2019, et elle s'évertue depuis à projeter l'image de quelqu'une déterminée à se battre pour la cause féminine. Il est en effet assez facile de venir publiquement faire de telles affirmations. L'important c'est de mettre en pratique ce que l'on prêche. Je dis cela, parce que cette même défenseuse autoproclamée de la cause féminine n'a visiblement eu aucune hésitation, et ne parlons pas de scrupule, avant de s'affirmer fièrement aux côtés de ce nouveau leader qu'elle vient de découvrir. Et ce même leader qui, pas plus tard que

dimanche dernier, M. le président, a affirmé qu'il mettra en place un projet de réhabilitation des agresseurs de femmes si jamais il revenait au pouvoir.

*(Interruptions)*

**Mr Balgobin:** *Pou li mem !*

**The Prime Minister :** Alors, M. le président, si l'honorable Joanna Bérenger a un minimum de sincérité dans l'image qu'elle s'efforce de projeter, elle devrait sans tarder et publiquement demander à son leader d'Alliance de faire de sorte à être le premier à s'enregistrer dans ce programme de réhabilitation d'agresseurs de femmes. J'attends voir, et les femmes de notre République également veilleront. On saura alors si Madame Bérenger est honnête et sincère dans ses dires ou si elle ne fait que mener nos concitoyennes en bateau.

Mr Speaker, Sir, it is a matter of regret that the hon. Member in the Opposition is trying to teach me lessons on morality in matters pertaining to domestic violence, abuse, especially respect towards women.

We, on this side, my Government, we stand strong. We want to set the example at the highest level of the State, contrary to what was prevailing previously, in terms of respect towards women, children and our elders.

Mention has also been made by the hon. Members on the other side of the Report of the UN Special Rapporteur, Mama Fatima Singhateh, on the Sale and Sexual Exploitation, including Child Prostitution, Child Pornography and other Child Sexual Abuse Material published on 30 January 2023, following her visit to Mauritius from 21 to 30 June 2022. Here again, there was selective reading. The hon. Members failed to mention that the Special Rapporteur also commended Government for the significant efforts made with regard to legislative initiatives, the institutional framework and child protection policies implemented to combat and prevent the phenomena, as well as the measures taken to provide care for and ensure the recovery and reintegration of child victims. The Special Rapporteur also made recommendations to strengthen efforts to prevent and eradicate the sale and sexual exploitation of children.

As regards Protection of the Child, I wish to highlight that during the last review of Mauritius before the UN Committee on the Rights of the Child, in early 2023, the Committee welcomed the enactment of the Children's Act 2022, the Child Sex Offender Register Act 2022 and the Children's Court Act 2022.

It is unfortunate that hon. Uteem – well, he is not here – again has criticised the Minister of Gender Equality and Family Welfare who was on official mission and,

therefore, could not be present in the House. And today, she has participated in the debate on this Bill. So, I consider it to be most improper and unethical from hon. Uteem.

Mr Speaker, Sir, if one listens to only Members of the Opposition, it is as if nothing has been, or is being done by this Government to address the issue of human trafficking in Mauritius. It is so easy to criticise when you are not in the driving seat but have remained on the side line for so long. Let me remind those who are not aware that, we on this side of the House, have taken this issue very seriously and have come up with a 5-year National Action Plan elaborated in collaboration with the expert assistance of IOM, and which we have already started to implement.

The National Action Plan revolves mainly around three Ps, namely Protection, Prosecution and Prevention but also around a fourth one, that is, Partnership as rightly highlighted by hon. Dhunoo.

The House would recall that in my speech during the Second Reading, I made mention of the recommendations made under the core areas of intervention so as to improve the situation and to take on board the prioritised recommendations in the US Department of State 2023 TIP Report.

The implementation of the National Action Plan has already started. Under Protection, significant efforts are being made to protect and provide necessary support to the victims of human trafficking. In fact, the welfare and protection of victims of trafficking in persons are high on the agenda of my Government.

We intend to provide protection and assistance to victims and survivors of human trafficking. This is why we have paid particular attention to the drafting of new clauses regarding the wellbeing and protection of victims who should not in the very first instance, be considered as accused parties which may add up to their trauma. Hence, the new Clause 4C makes provision for the protection of witnesses who are most of the times, the victims themselves.

So, I fail to understand the logic of hon. Lobine when he gives the impression that the sanctity of the Office of the DPP is not being preserved, although witness protection is granted by the Commissioner of Police upon prior advice of the DPP.

Moreover, it appears that hon. Uteem has misconstrued the new Section 6 regarding the stay of victims. And as a lawyer himself, he should have read this Section in conjunction with Section 11A which pertains to financial and legal assistance to victims in Trafficking in Persons. The objects of these two Sections are precisely not to compel any victim to stay in Mauritius but to rather encourage their stay by providing them with the

necessary facilities, if required. This will be also a motivation for them to come forward as witnesses during Court proceedings as I have been informed by the Police that, unfortunately, several investigations in recent cases of human trafficking could not proceed further as the victims had shown their unwillingness to stand as witnesses and adduce evidence at the stage of prosecution out of probably, I would say fear, apprehension and financial constraints.

This is why, hon. Minister Callichurn has also ensured that the Non-Citizens (Employment Restriction) Act, as amended in 2021, makes provision for a victim or a presumed victim of trafficking or a non-citizen who is in a stranded situation to be granted with a special work permit to be able to earn a living and lead a decent life.

It is also to be noted that consequential amendments will be brought to the Courts Act to allow victims of Trafficking in Persons to depone through live video or live television link systems, especially in cases where there are offences of sexual nature.

Furthermore, hon. Uteem had referred to the intervention made by hon. Joanna Bérenger on the issue of exploitation of children. Let me inform the hon. Member that at the level of the Ministry of Gender and Family Welfare, a multidisciplinary emergency child protection team comprising social workers and psychologists is on call on a 24 hours' basis to intervene in child abuse cases. An Integrated Support Service is also operational to provide 24-hour free Hotline Services to children victims of violence that includes first hand intervention and referral to the *Brigade Pour La Protection de la Famille* (BPF) and the Child Protection Services.

In addition, preventive measures are also taken by the Police as follows –

- (a) Widespread and regular sensitisation/awareness campaigns have been maintained island-wide to create awareness on the dangers and consequences of child sexual abuse;
- (b) With a view to targeting the public at large, Police Safety and Security Exhibitions are organised throughout the island. The *Brigade Pour La Protection de la Famille* and other units of the Police participate in these Security Exhibitions through the delivery of lectures, pamphlets, posters, clips and other materials to create awareness among the public on child protection and child exploitation. Moreover, the Police respond to queries from the public and also provides them with the necessary information about the services provided at their level and other stakeholders as regards child protection, and



- (c) The media is also being used to sensitise and create awareness among the community.

Mention was also made by hon. Uteem about the need to come forward with the Adoption Bill. And I wish to inform hon. Uteem and hon. Joanna Bérenger that the Ministry of Gender Equality and Family Welfare is in the process of finalising the Bill with the Attorney General's Office. The Government is an action-oriented one. We deliver on our promises. *Alors, un peu de patience s'il vous plaît!*

Mr Speaker, Sir, contrary to what has been uttered from the other side of the House on the absence of shelter facilities, I wish to confirm to the House that a refurbished and equipped shelter for male victims has already been set up at Vacoas, with the assistance of the IOM. As proposed in the Bill, the shelter for male victims will be under the authority of the Police but will be managed by an NGO having the required expertise and skill. As regards shelter facilities for women, the Ministry of Gender Equality and Family Welfare is facilitating consultations with registered NGOs to accommodate female victims and every effort is being deployed towards the operationalisation of the shelter.

In the context, the EU through its MIEUX+ Programme, after consultation with all stakeholders concerned, has submitted Standard Operating Procedures (SOPs) for the management of both male and female shelters. The SOP provides a framework for the operation of shelters to reach the minimum applicable standards for the accommodation, assistance and protection of victims, and providing integrated victim-centred services.

This framework is based on international standards and good practices and has been complemented and further developed through a participatory approach based on workshops with the stakeholders concerned. International standards and good practices delineate the following main principles for the operation of shelter facilities for victims of trafficking –

- a safe and secure temporary living environment for victims of trafficking and for shelter of staff;
- well-trained and qualified staff working in a collaborative and interdisciplinary manner to provide effective support and protection to victims;
- a holistic approach to assisting the victims of trafficking based on individual needs assessment and individually tailored rehabilitation plans;
- assistance to the victims of human trafficking through cooperation among the key stakeholders (government institutions and NGOs);

- human rights-based approach in the provision of assistance process and rehabilitation of victims of human trafficking.

On the basis of these SOPs, my Office has initiated procedures with the assistance of the National Social Inclusion Foundation, to enlist the appropriate NGO to manage the shelters.

I have also heard several comments from the other side of the House that there may be no justification for repealing section 4(4) of the principal Act, regarding authorisation of a Judge in Chamber for the admission of a victim in a Shelter and replacing it by a new provision to empower an authorised officer, who is a Police Officer not below the rank of an Assistant Superintendent of Police to admit a victim to the Shelter.

Many a times the Opposition has been criticising the law enforcement agencies for their lack of promptness and pro-activeness in admitting victims in shelters so as to protect them from the clutches of their perpetrators, more particularly when these cries of despair for assistance are made at very odd hours late at night or very early in the morning. Most of these cases are unfortunately related to sexual abuses. And now when we are taking corrective measures so as to have a more flexible system of admission of victims, the same persons are again against this measure. I would like to emphasise that this important measure is being taken because, as a responsible Government, it is our duty to protect the lives of those victims and to stop treating them like criminals because they have committed no criminal offence when they are in such situations.

Hence, it is not appropriate to say that nothing is being done by Government with regard to support to victims.

Mr Speaker, Sir, the concept of debt bondage, which is new, has been added to Section 2 of the Act as one additional and important criterion for the offence of trafficking in persons which is not found in the current Act. Debt bondage also includes working for no wages for the debt contractor, for long hours without additional pay which affect more particularly migrant workers who may find themselves in such an arrangement with little or no control over their conditions of work. Very often, their passports may also be withheld and they may be subjected to physical or psychological abuse, and experience the worst form of exploitation as indicated by the hon. Minister of Labour, Human Resource Development and Training.

With a view to harmonising case management it is imperative to coordinate approaches across all stages of prosecution, starting with investigation and ending with the conviction of the perpetrators. To this end, several steps have already been taken –

- (i) The Office of the DPP has set a Special Trafficking in Persons Cell at its level so as to fast track cases of Trafficking in Persons referred to it. Moreover, the said Office is convening regular meetings with the Police, the Attorney-General's Office, the Ministry of Labour, Human Resource Development and Training, the Ministry of Gender Equality and Family Welfare and other stakeholders, including NGOs in the endeavour to harmonise case management;
- (ii) A dedicated Trafficking in Persons Unit has already been set up administratively within the Police Force. The enactment of Clause 4B will thus ensure its statutory establishment. It is a Unit whereby not only different adjuncts of the Police will be called upon to work together, but the officers posted therein will also collaborate with the Office of the Director of Public Prosecutions, the Judiciary and the Ministry of Gender Equality and Family Welfare, as well as with the Non-Governmental Organisations, among others.

Arrangements will also be made for this Unit to benefit from international best practices and team up with similar regional and international bodies.

Hon. Lobine can therefore rest assured that the officers who are posted to that Unit are trained and experienced ones. Many of the officers of not only the Police Force but also of other enforcement agencies have already benefitted from relevant training and locally through the Police Training School. Training is also imparted by international organisations such as the IOM, the SADC and the African Union and under the MIEUX project as already mentioned during my previous intervention. We have also tapped training opportunities from friendly countries mainly from India and the USA. Hence, training has already been imparted on the identification of victims of trafficking, investigation, prosecution of perpetrators and the management of shelters for victims.

However, notwithstanding training which the officers have so far benefitted from, it should be understood that training in this complex area is an ongoing process due to the dynamic nature of Trafficking in Persons. My Office is thus making sure that there is sustained capacity building so as to maintain effectiveness and efficiency.

- (iii) The amendments proposed in Section 14 of the Act which provides for an increase in penalty for aggravating circumstances are meant to send a strong message to the perpetrators that we will not tolerate human trafficking involving the most vulnerable victims who are physically or mentally handicapped persons and

pregnant women among others. Also this Bill ensures, through the consequential amendments to section 15A of the Reform Institutions that persons convicted for the offence of human trafficking will no longer be eligible for remission or release on parole.

Prevention is an essential part of the holistic approach towards the war against trafficking in persons. Worldwide best practices to fight human trafficking lays strong emphasis on prevention. Accordingly, Mauritius is giving much attention to this area. As at now, Mr Speaker, Sir, many awareness campaigns have been organised by different stakeholders to sensitise the public in general about the scourge of human trafficking. In this context, some 1503 sensitisation campaigns targeting 125,868 persons have been conducted by the Police.

Moreover, there is ongoing sensitisation of the migrant workers with respect to their rights. A “Know your Rights” pamphlet intended for migrant workers has been produced and published in collaboration with the British High Commission in six different languages, namely English, French, Hindi, Tamil, Bangla and Mandarin in 2019. The main objective of the pamphlet is to inform migrant workers working in the secondary economic activities of their rights, the possible remedial actions to be taken in case of violations and also to sensitise them about the dangers of human trafficking. I am informed that the Ministry of Labour, Human Resource Development and Training is currently updating the “Know Your Rights” pamphlet in view of the factual issues related to migrant workers’ rights and human trafficking being a transnational crime, which are of a dynamic nature.

Mr Speaker, Sir, more recently, several activities were organised by the different stakeholders on the occasion of the World Day against Trafficking in Persons 2023.

As the House is aware, the World Day against Trafficking in Persons is observed on 30 July, since 2014, following its designation at the United Nation’s (UN) General Assembly on 18 December 2013, during which the UN reiterated its strong condemnation of trafficking in persons, especially women and children, which constitutes an offence and a serious threat to human dignity and physical integrity, human rights and development. The theme of this year was “Reach every victim of trafficking, leave no one behind”.

The activities organised by the different institutions were as follows –

- (i) Ministry of Education, Tertiary Education, Science and Technology –
  - (a) The University of Mauritius held a forum debate by the Faculty of Social Sciences and Humanities on the subject matter of trafficking in persons, targeting all the students of the Faculty;

- (b) The University of Technology organised an “*assises*” on the subject matter, and it has also included a topic on human trafficking in the curriculum of BSc (Honours) Applied Social Sciences and Counselling.
- (ii) The Ministry of Labour and Human Resource Development and Training which conducted sensitisation campaigns and distributed the “Know your Rights” pamphlets to the public;
- (iii) The Ministry of Gender Equality and Family Welfare conducted 15 mass awareness campaigns on commercial, sexual exploitation of children, including child trafficking, child prostitution and other child sexual abuse;
- (iv) The Police conducted sensitisation campaigns through the Crime Prevention Unit and *Brigade Pour la Protection de la Famille* in shopping malls, community centres and educational institutions;
- (v) Office of the DPP held a workshop in collaboration with IOM to raise awareness on Trafficking in Persons.

As rightly mentioned by hon. Dhunoo, the 4<sup>th</sup> P, Partnership is also very important in our action towards the elimination of human trafficking. The National Action Plan places partnership with local and international organisations as an important element to take on board with respect to human trafficking as it is a global phenomenon. With regard to close engagement and partnership with international organisations, my Office has been working in close collaboration with not only international organisations but also with private sector organisations namely MEXA which is an association which regroups export oriented textile manufacturers.

And, in this context of the World Day against Trafficking in Persons, we have also collaborated with the MEXA and the Ministry of Labour, Human Resource Development and Training to organise a workshop on 10 August 2023, on the recruitment and management of workers in Mauritius on the theme, I quote –

“Regulatory frameworks and best practices.”

The Regional Director of the IOM participated in the workshop.

Moreover, MEXA, in partnership with the International Organisation for Migration, has developed an industry-led Code of Conduct after research and multi stakeholder consultation, to guide export-oriented enterprises in the recruitment and

employment process of migrant workers that covers all stages of the migration cycle. The code of conduct seeks to –

- (a) set out and ensure humane hiring and employment conditions to protect migrant workers in Mauritius, in line with international standards on recruitment and migrant worker's protection;
- (b) ensure that export companies adhere to and implement the code of conduct/standards;
- (c) build the trust of international clients on Mauritian export companies, and
- (d) place Mauritius as one of the best host countries for the hiring and employment of migrant workers while taking into consideration the economic and social factors of Mauritius.

My Office has also partnered with international organisations like the IOM, the European Union, the SADC and the African Union so as to benefit from their expertise in the fight against Trafficking in Persons.

In fact, the IOM under the Improving Trafficking in Persons Referral Outcome in Comoros and Mauritius Project has assisted Mauritius to develop Standard Operating Procedures for identifying and assisting of the victims of trafficking. And, the SOPs build upon existing efforts by Government to develop standardised tools for identifying and assisting victims of trafficking. It sets out the steps to be followed during critical stages in the management of the cases of victims of trafficking. Each stage of the SOP involves a different set of stakeholders and promotes effective operational coordination and management amongst those stakeholders.

The SOPs for handling TIP cases operate within the guiding principles of the Universal Declaration of Human Rights, the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and the Combatting of Trafficking in Persons Act. All the various stakeholders concerned have received extensive training on the use of the SOPs and their implementation is, in fact, ongoing.

Moreover, Technical assistance has been provided by the European Union under the Migration EU Expertise (MIEUX+) initiative to enhance the capacity of the Mauritian authorities to combat Trafficking in Persons. My Office has been collaborating with MIEUX+ to develop SOPs on investigation and prosecution of TIP cases and for the management of shelters for adult victims. Onsite training has also been provided to the Police, the Ministry of Labour, Human Resource Development and Training, the Ministry

of Gender Equality and Family Welfare and other stakeholders by the MIEUX+ experts. The objective of the training was to enhance the collaboration between institutions to enable investigation and prosecution of cases of TIP to be carried out promptly.

Mr Speaker, Sir, Trafficking in Persons, as recognised by policy makers worldwide, is a complex and sensitive issue. My Government has so far made significant efforts to combat this phenomenon. We will leave no stone unturned to address the issue, bring the perpetrators to justice and provide our full support to the unfortunate victims. The passing of this Amendment Bill is a clear testimony of our commitment and seriousness of purpose towards this common objective.

Unfortunately, some Members of the Opposition, instead of making constructive contributions to the debate, have deliberately based themselves on only one Report to draw negative conclusion on the situation in Mauritius. *C'est comme s'ils portaient des visières.*

This same Opposition is continuing with its mudslinging campaigns, trying to make the population believe that democracy and human rights are being systematically baffled in the country. Fortunately, many of the ratings the country is obtaining from international institutions are here to prove the contrary.

In fact, Mauritius has been obtaining international recognition in different fields. We take for example, the Democracy Index 2022, published by The Economist Intelligence Unit, whereby Mauritius has maintained its “Full Democracy” status, ranking 1<sup>st</sup> in Africa and 21<sup>st</sup> worldwide with a score of 8.14. Mauritius is the only African country to be classified as a “full democracy” within the 24 countries identified, featuring, Mr Speaker, Sir, in the same league as G20 member countries like Australia, Canada, Germany, Japan, South Korea, and the United Kingdom.

Mauritius also ranks 13<sup>th</sup> globally in the World Bank’s Ease of Doing Business Report 2020, consolidating its first position as the best place for doing business on the African continent.

In terms of good corporate governance, the country ranks 1<sup>st</sup> in Africa on Mo Ibrahim’s Governance Index for the 10<sup>th</sup> consecutive year with an overall score of 74.9.

On the 2022 Social Progress Index, Mauritius with a score of 75.44 ranks 1<sup>st</sup> in Africa and 47<sup>th</sup> worldwide.

Moreover, according to the third edition of the Chandler Institute of Government (CIG) Index, Mauritius is ranked 1<sup>st</sup> in Africa and 37<sup>th</sup> globally. The indices focus on seven pillars notably, leadership & foresight, robust laws & policies, strong institution,

financial stewardship, attractive marketplace, global influence & reputation, and helping people rise.

Mauritius has also retained its first position as a leading magnet for Innovation in Africa in the 2023 Global Innovation Index (GII). We are equally ranked the 57<sup>th</sup> most innovative economy globally as per the GII. The GII provides an evaluation of the performance of 132 global economies across seven criteria: institution, human capital and research, infrastructure, market sophistication, business sophistication, knowledge and technology outputs and creative outputs.

Mauritius's economic freedom score is 70.6, making its economy the 26<sup>th</sup> freest economy in the 2023 Economic Freedom Index. Mauritius is ranked 1<sup>st</sup> in the Sub-Saharan African region, and its overall score is well above the world average.

Mr Speaker, Sir, the Global Peace Index (GPI) is produced by the Institute for Economics & Peace (IEP), an international think tank. The Global Peace Index (GPI) report presents the most comprehensive data-driven analysis to date on peace trends, the economic value of peace, and how to develop peaceful societies. It ranks 163 independent States and territories according to their level of peacefulness using 23 qualitative and quantitative indicators. In its 17<sup>th</sup> Edition of 2023, Mauritius has ranked as 1<sup>st</sup> in Africa and the 23<sup>rd</sup> most peaceful country with a score of 1.546. 23<sup>rd</sup> out of 163, Mr Speaker, Sir.

According to the Index, Mauritius shines as a beacon of peace and harmony in Africa. It has placed Mauritius in the league of High State of Peace Nations which includes Germany, Netherlands, Belgium, Norway, Sweden, Spain, Italy, and the UK, amongst others.

On this Index, Mauritius has gained 5 places as compared to last year, which represents an improvement of 1.8% on the GPI score owing to its progress made in, amongst others, the safety and security domains. I hope they can hear all of what I am saying.

Mr Speaker, Sir, peace can only be achieved through adherence to sound policies in terms of human rights, maintenance of law and order, promotion of democratic and ethical values and a strong leadership spearheading programmes and projects for socio-economic development. This is precisely what this Government is doing.

So the picture is far from being bleak as opposed to what the hon. Members on the other side of the House are trying to portray. It is a matter of pride for every citizen of this country to hear, not from us, from an international perspective, the progress and achievements of Mauritius. This is a boost to our sense of belonging *envers la patrie*.



However, we are not resting on our laurels, we are aware that there is still more work to do and my Government is sustaining its efforts in the right direction.

Mr Speaker, Sir, the life of each and every one matters to us. As I said earlier, the UN proclaimed the theme of the World Day against Trafficking in Persons 2023 as, and I quote –

“Reach every victim of trafficking, leave no one behind.”

With this Bill, Mr Speaker, Sir, no one is left behind.

Thank you.

*Question put and agreed to.*

*Bill read a second time and committed.*

### **COMMITTEE STAGE**

*(Mr Speaker in the Chair)*

### **THE COMBATING OF TRAFFICKING IN PERSONS (AMENDMENT) BILL**

**(NO. XVII OF 2023)**

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

*Clause 4 (Section 3 of principal Act amended)*

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

**The Prime Minister:** Mr Chairperson, I move for the following amendment –

“By deleting clause 4 and replacing it by the following clause –

4. Section 3 of principal Act amended

Section 3 of the principal Act is amended by deleting the words “the Children’s Act 2020” and replacing them by the words “the Children’s Act 2020, the District and Intermediate Courts (Criminal Jurisdiction) Act, the Immigration Act 2022, the Passport Act and the Police Act”.”

*Amendment agreed to.*

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

*Clauses 5 to 19 ordered to stand part of the Bill.*

*The title and enacting clause were agreed to.*

*The Bill, as amended, was agreed to.*

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

*Third Reading*

*On motion made and seconded, the Combating of Trafficking in Persons (Amendment) Bill (No. XVII of 2023) was read the third time and passed.*

**Mr Speaker:** Hon. Members, I will suspend the Sitting for half an hour.

*At 5.46 p.m., the Sitting was suspended.*

*On resuming at 6.24 p.m. with Mr Speaker in the Chair.*

**Mr Speaker:** Please remain seated and be seated!

**ANNOUNCEMENT**

**HON. R. BHAGWAN – UNPARLIAMENTARY BEHAVIOUR – NAMING**

Hon. Members, I named hon. Bhagwan earlier today for his grossly disorderly conduct and for disregarding the authority of the Chair for refusing my request to withdraw words “You are being biased, Sir. You are a laughing stock.”

Moreover after being named while leaving the Chamber, the hon. Bhagwan uttered the words ‘*To ene poltron! To ene lache!*’ ‘*Ene kouyon!*’ to the address of the Chair.

**Mr Hurreeram:** *Boolell gagne rier!*

**Dr. Boolell:** *B ki mo fer? Mo plorer?*

**Mr Toussaint:** *Komik!*

**Mr Speaker:** Hon. Prime Minister!

**MOTIONS – S.O. 17(3) & S.O. 29(1)**

**The Prime Minister:** Mr Speaker, Sir, in view of your decision to name the First Member of Beau Bassin and Petite Rivière, hon. Rajesh Bhagwan, I beg under Standing Order 17(3), to take the time of the House for urgent business.

**The Deputy Prime Minister seconded.**

*The motion was, on question put, agreed to.*

**The Prime Minister:** Mr Speaker, Sir, having obtained your permission, I beg to move, under Standing Order 29(1), to present a motion without notice.

**The Deputy Prime Minister seconded.**

*The motion was, on question put, agreed to.*

**The Prime Minister:** Mr Speaker, Sir, in view of your decision to name the First Member for Beau Bassin and Petite Rivière, hon. Rajesh Bhagwan, I beg to move that the hon. Rajesh Bhagwan be suspended from the service of the Assembly for today's Sitting and the next four Sittings, unless unreserved apologies are tendered to the House.

**The Deputy Prime Minister seconded.**

*The motion was, on question put, agreed to.*

## **PUBLIC BILLS**

### *Second Reading*

## **THE CONSTRUCTION INDUSTRY AUTHORITY BILL**

**(NO. XIX of 2023)**

*Order for second reading read.*

(6.26 p.m.)

**The Minister of National Infrastructure and Community Development (Mr M. Hurreeram):** Mr Speaker, Sir, I move that the Construction Industry Authority Bill (No. XIX of 2023) be read a second time.

Mr Speaker, Sir, we have before this House today a very important legislation; a legislation which will remain a landmark in the history of the construction industry in Mauritius; a legislation which will be a game changer – a game changer not only for the construction industry but for the whole economy.

I am referring here, Mr Speaker Sir, to the Construction Industry Authority Bill, primarily aiming at creating an apex body for the industry that is, the Construction Industry Authority.

I wish, therefore, Mr Speaker, Sir, to thank the hon. Prime Minister, the National Assembly and your esteemed office, for providing me with this privilege and opportunity to present in front of this House, this very important piece of legislation.

Mr Speaker, Sir, no doubt, this Bill comes at an opportune time when the Construction Industry is booming with a two-digit growth, which is expected to reach as high as 28.6% by the end of this year. This industry is currently contributing almost 6% to the GDP compared to the 4.3% in 2020. It further offers direct employment to more than 60,000 people, representing around 10% of the labour force of this country.

When the country was severely struck by the COVID-19 pandemic in 2020 and 2021, this Government did not lose hope and saw in the construction industry, the best

avenue to get out of the economic downturn. And today, we have been proven right. In fact, it is this sector that gave a boost and life to the economy while all other sectors were almost at a standstill.

Mr Speaker, Sir, it is worthwhile pointing out here that this responsible and daring Government, under the able and visionary leadership of the Prime Minister took the bold decision to invest massively in public infrastructure development.

Since then, the Government has spent around Rs60 billion in national infrastructure. Undoubtedly, such investments have helped this country to reach the development level that we see today. This is why we say, Mr Speaker, Sir, « *Quand le bâtiment va, tout va.* »

Mr Speaker, Sir, this remarkable performance of the Construction Industry bears testimony to the fact that this sector can become one of the main economic pillars that will significantly contribute towards the objective of attaining a high-income economy.

In this regard, the hon. Minister of Finance, Economic Planning & Development, in his Budget Speech 2022/23, referring to the Construction Industry stated, I quote –

“The industry needs to reinforce its capacity and improve the skills of its workforce. To this end, a Construction Industry Training Council (CITC) is being set up.”

He further added, I quote again –

“Moreover, the Construction Industry Development Board (CIDB) and the Building Control Advisory Council (BCAC) will be merged into the Construction Industry Authority.”

Mr Speaker, Sir, these bold decisions were taken in the light of the recommendations of my Ministry in the context of budget preparation for the year 2022/23. We were fully aware that these two institutions, namely the CIDB and the Building Control Advisory Council which operate under the aegis of my Ministry, needed to be reinvigorated so that they can become more efficient to support the prospering Construction Industry in its two-digit growth trajectory.

For recall of the House, Mr Speaker, Sir, the Construction Industry Development Board was first established under the Construction Industry Development Board Act of 1997 but came into operation only in 2004 with limited means to move forward. In 2008, the Construction Industry Development Board Act was repealed and replaced by a new Act. However, in view of the lack of vision of the then Government, the CIDB was not given the necessary resources to deliver on its objectives.

Mr Speaker, Sir, it is only when this Government came in power in December 2014 that the Construction Industry Development Board was given sufficient means to start shouldering its responsibility and assume its role as the regulatory body of the Construction Industry. Since then, it embarked on the registration of Consultants and Contractors involved in construction works and services. And today, I can proudly say that it has become an important institution in the construction industry and has earned its respect.

On the other hand, the Building Control Advisory Council which is established under the Building Control Act has been operating in the shadow of my Ministry for years, providing only advice on how buildings should be designed, constructed and maintained to guarantee people's safety, society's well-being, the protection of the environment and aesthetic value. Being only an advisory body, without any executive power, this institution has not been empowered in any way to fulfil its role as required.

Accordingly, the Construction Industry Authority (CIA) Bill before this House today, has been carefully drafted taking into consideration the limitations of the two legislations, namely the Construction Industry Development Board Act and the Building Control Act.

I wish, however, to stress that it is not only a simple merger of these two legislations but a more thorough exercise that has been carried out to determine the present and future roles of such an institution in line with international best practices.

Mr Speaker, Sir, the CIA Bill has been drafted after extensive consultations with all the relevant stakeholders in the Construction Industry. These include the organisations representing the different professions in the industry namely the Architects, the Engineers, the Quantity Surveyors, the Consultants, the Contractors and other industry associations. Consultations have also been held with the Ministry of Local Government and Disaster Risk Management which plays an important role in building control through its local authorities.

The Economic Development Board which promotes the ease of doing business has also been consulted and it has brought its share of relevant contribution in the preparation of this Bill.

Mr Speaker, Sir, with your permission, I will now briefly highlight the salient features of the CIA Bill.

Clause 2 - this Interpretation Clause, many of the terms of the Bill have been taken from the Construction Industry Development Board Act and the Building Control Act.

These have, however, been reviewed, updated and made more comprehensive to avoid any misinterpretation.

Mr Speaker, Sir, in this Bill, we have also introduced the concept of “Micro-Contractor” for which an interpretation has been provided in the Clause.

Mr Speaker, Sir, as a Government which cares for the most vulnerable, we have given due consideration to all the operators at the different levels of the construction industry. We found that there is one category of operators which has, for long been left on its own. They are the very small contractors who operate at the micro level.

To address this gap, the Bill has taken on board these contractors who shall now be known as Micro-Contractors, that is, contractors undertaking construction projects of less than one million rupees.

Clause 3 provides for these Micro-contractors to be exempted from registration. However, although they will not be required to go through this process of registration, they shall be deemed to be registered as is the case for certain bodies under the current legislation. In addition, these micro contractors will be eligible to the facilities and support provided to registered contractors. They will, *inter alia*, be given training to improve their service delivery.

Clauses 5 and 6, Mr Speaker, Sir, of this Bill provide for a new set of objects and functions, based on those of the Construction Industry Development Board Act and the Building Control Act and taking into consideration the very important and key role the Construction Industry Authority will be called upon to play. The CIA will play a pivotal role in –

- regulating
- developing;
- promoting;
- facilitating, and
- transforming the construction industry.

Mr Speaker, Sir, this landmark legislation is one that aspires to lead our construction industry into a new era. It comes with a set of visionary and comprehensive objects and functions that will build the future of Mauritius. I will therefore, dwell more specifically on these two clauses for some time.

Mr Speaker, Sir, the first objective of the CIA shall be to regulate the construction industry comprehensively. This includes overseeing providers of construction works and services, as well as suppliers of construction materials, equipment, plant, and labour. By establishing clear and enforceable regulations, the CIA will ensure the highest standards of quality and safety throughout the construction process.

The CIA shall be committed to formulating and developing policies and standards that guide the construction industry towards safe, efficient, high-quality, cost-effective, climate-resilient and sustainable practices. This is not just about meeting basic requirements; it is about setting ambitious goals that will propel our construction industry to global leadership in excellence and sustainability.

In addition, the CIA will be facilitating our stakeholders to pool together in order to venture on contract projects in the region and, why not beyond. This will provide new opportunities for our local consultants and contractors as well.

Mr Speaker, Sir, this Government has placed Sustainable Development at the heart of its vision as defined at Clause 5. The CIA shall, therefore, have an important role to play in this respect. It will, *inter alia*, aim to promote green building practices, reduce waste, encourage circular economy principles and implement sustainability rating tools and certifications. This objective reflects our commitment to leaving a lasting, positive impact on our environment while fostering economic growth.

Mr Speaker, Sir, we seek through this Bill and the upcoming CIA to promote Environmental, Social and Governance practices in the construction industry in Mauritius as it provides a holistic framework for sustainable and responsible business practices. Mauritius will ensure that its infrastructure development aligns with environmental conservation, social well-being and ethical governance. This not only contributes to the long-term resilience of the construction sector but also aligns with global sustainability goals, promoting a positive and lasting impact on the nation and its people.

Moreover, to ensure a skilled and capable workforce, Mr Speaker, Sir, we are committed to promoting training and capacity building in the construction industry. This includes a focus on technical and vocational education, empowering individuals to contribute meaningfully to the growth and development of our construction sector. For this purpose, the CIA will, through the Construction Industry Training Council (CITC), play a pivotal role in promoting capacity development within the construction industry. It will come up later in my intervention with details about this new entity.

This Government, Mr Speaker, Sir, recognises the vital role of small enterprises in our economy. This is demonstrated by the various measures that have been introduced in the last Budget to support Micro, Small and Medium Enterprises. The CIA will actively promote their participation in the construction industry as it is crucial for fostering economic growth, encouraging innovation and enhancing overall industry resilience. For example, large enterprises will be called upon to provide opportunities for their smaller counterparts to participate in their projects, thus, fostering a more inclusive and dynamic construction sector. This provision is in line with the recent re-grading of our contractors whereby the small and medium categories are now able to bid for contracts up to Rs20 million and Rs500 million, respectively.

Mr Speaker, Sir, the future of the construction industry lies in innovation and continuous improvement. The CIA will actively promote research, innovation and studies within the construction sector, driving advancements that keep our industry at the forefront of global progress. Embracing change is crucial for staying competitive. This Bill encourages the construction industry to adopt emerging technologies and new methods, ensuring that we harness the full potential of innovation to build better, faster and smarter.

In this respect, the Bill provides for the introduction of new technologies, such as Building Information Modelling (BIM) and artificial intelligence for smart engineering and construction. Incentives will thus be provided to encourage the adoption of those technologies in construction. For the information of the House, I wish to inform that the CIDB has already initiated actions to commission a study on the promotion and implementation of a BIM platform in the construction industry.

Mr Speaker, Sir, the CIA will focus on identifying, evaluating, and promoting emerging technologies and novel construction methods. This will include collaboration with industry experts and universities to stay abreast of the latest developments. These industry stakeholders and experts will assist the CIA to define a comprehensive roadmap for the phased adoption of emerging technologies in the construction sector. I am referring here to a roadmap which will guide construction companies in implementing technologies at a pace that aligns with industry trends and market demands.

By actively promoting and facilitating the integration of emerging technologies and new construction methods, the CIA will contribute to a more efficient, sustainable and competitive construction industry, ensuring that the sector remains at the forefront of global advancement.



Mr Speaker, Sir, this Government recognises the under-representation of women in the construction industry and aims at changing this narrative. Our objective is to actively promote the participation of more women in the construction industry.

To this regard, the CIA will undertake various initiatives to encourage and support the involvement of women in the construction sector. This will include working with construction companies to implement diversity and inclusion policies that actively promote gender balance in recruitment, promotion and decision-making process.

The CIA will also come up with measures to encourage and support women entrepreneurs in the construction industry. Initiatives such as financial support and mentorship programmes for female entrepreneurs will be promoted. In this connection, the CIA will also work in close collaboration with the Ministry of Gender Equality and Family Welfare and the Ministry of Industrial Development, SMEs and Cooperatives.

There is no doubt that by implementing a combination of strategies, the CIA will contribute to breaking down barriers and creating a construction industry in Mauritius that attracts, retains and promotes the participation of women at all levels. I must say here, Mr Speaker, Sir, that diversity not only benefits individual professionals but also enhances the industry's overall innovation, productivity and resilience.

Mr Speaker, Sir, Safety and Health in the construction industry constitute an important element in the sector. The safety and wellbeing of our workers are paramount. The CIA will vigorously promote occupational safety and health standards in the construction industry, creating a work environment where every worker returns home safely at the end of the day. In this respect, the CIA will work closely with the Ministry of Labour, Industrial Relations and Employment and other relevant authorities to establish and enforce robust safety standards for the construction industry. These standards will cover various aspects, including work site safety, equipment safety and health regulations. It will also be ensured that safety and health considerations are taken on board as from the design stage of any construction project.

The CIA will, through its training arm, namely the CITC implement training programs that educate construction workers, supervisors and management on safety protocols, hazard identification and emergency response procedures. It will ensure that workers are well-informed about the potential risks associated with their task.

By adopting a multifaceted approach that combines regulatory measures, educational initiatives and industry collaboration, the CIA will contribute significantly to promoting safety and health in the construction industry of Mauritius. A proactive

commitment to safety enhances the reputation and sustainability of the construction sector in addition to protecting the workers.

Mr Speaker, Sir, the objects and functions of this Bill on which I have elaborated are not mere aspirations, they are the pillars upon which we will build a safer, more sustainable and socially responsible construction industry.

Clause 7, Mr Speaker, Sir, the CIA Bill introduces a very useful mechanism to assist in resolving disputes in the Construction Industry, the Alternative Dispute Resolution (ADR). This is a strategic initiative that aligns with the regulatory role of the CIA. The ADR will be an effective mechanism for resolving disputes in a timely and cost-effective manner, fostering a more cooperative and constructive relationship between parties involved in the construction industry. By providing ADR services, the CIA shall contribute to the timely resolution of complaints, preventing unnecessary delays and disruptions in construction projects.

Mr Speaker, Sir, we are all aware of so many cases where individuals are victims of malpractices and abuses of few contractors. On the other hand, a few contractors also have difficulties with some individuals with whom they have construction contracts. This Bill, therefore, provides a mechanism for quick and less costly resolutions to disputes between the aggrieved parties.

Clause 8 of the Bill, Mr Speaker, Sir, provides for the setting up of a Construction Industry Training Council under the aegis of the CIA. As at date, the sector is facing the following difficulties –

- a) acute shortage of local labour force;
- b) lack of skilled labour in specialised fields;
- c) over-reliance on foreign workers, and
- d) ageing workforce.

In this respect, the CITC will serve as a dedicated entity, focused on enhancing the skills, knowledge and capabilities of individuals within the sector. It will support the industry in its endeavour to foster a skilled, adaptable and resilient workforce that not only meets current demands but is also well-prepared for the challenges and opportunities of the future. This investment in capacity development will contribute significantly to the overall growth and sustainability of the construction sector in Mauritius.

Mr Speaker, Sir, I have to stress here that the CITC will neither work in isolation nor will it directly build capacity for the industry. It will in fact work in close collaboration

with other academic and training institutions, such as MITD, the HRDC to address the issue of skilled and competent resources for the industry.

Clause 9 provides for a 14-member Board to administer and manage the CIA with a fair representation of the relevant sectors of the construction industry. For the first time, a representative of the academia will form part of the Board.

Clauses 15 and 16 of the Bill encompass the building control requirements. The responsibility for building control is now being assigned to the CIA. This will allow for a holistic approach in the monitoring and implementation of the building regulations and standards.

Mr Speaker, Sir, as at now, we have been using the British standards in designing our buildings. Since these standards have become obsolete with the adoption of the Euro codes, there is a need for Mauritius to develop its own building standards, taking into consideration our local specificities and, in particular, the impact of climate changes. In this respect, the CIA will develop the Mauritian Building Codes and Guidelines.

Clause 17, Mr Speaker, Sir, addresses the issue of mandatory guarantees in terms of Property Damage Insurance Policy that will be required from contractors, owners and property developers for some types of buildings. In this respect, the CIA will come up with appropriate regulations.

Clauses 18 to 25 deal with the registration of Consultants, Contractors, Service Providers and Suppliers of construction materials, plant and equipment. A new approach is being adopted for the registration of these stakeholders. A Registration Panel will be set up as a formal structure for the purpose of determining any application for registration or renewal of a registration.

Mr Speaker, Sir, so far, applications for registration are examined by a sub-committee of the Council of the CIDB. This process will now be reinforced and modernised with the setting up of a statutory Registration Panel.

Mr Speaker, Sir, clause 19(2)(b) of the Bill provides for any contractor, whether local or foreign, to ensure that a valid Building and Land Use Permit (BLUP) is duly available before starting works on site. As the House may be aware, there are many construction works or major renovation works that have been undertaken without any valid BLUP. These have been the causes of obstruction and flooding in several localities. This provision will accordingly help to deter such construction works.

Clause 30 provides for an applicant who is not satisfied with the decision of the CIA regarding his application for registration to make an appeal to the Supervising Officer

of my Ministry who shall determine the appeal within a period of 60 days. This replaces the previous mechanism whereby the Minister had the responsibility to set up an *ad hoc* appeal committee for every case of appeal. This was both costly, time consuming and cumbersome for the applicant.

Mr Speaker, Sir, with the introduction of this new Bill, provisions for consequential amendments to related legislations are being made at Clause 50. These concern namely the Local Government Act, The Professional Architects' Council Act, The Professional Quantity Surveyors' Council Act, The Statutory Bodies (Accounts and Audit) Act and the Statutory Bodies Pension Funds Act.

Mr Speaker, Sir, with your permission, I would like to highlight a few changes that have been made to the existing Schedules under the Construction Industry Development Board Act.

The Second Schedule of the CIA Bill provides for a list of fields of Specialisation of Consultants that are required to be registered. In this list, two specialisations have been added, namely –

- Building Surveying, and
- Strategic Environmental Assessment.

Building Surveyors are professionals with specialised expertise in inspecting and assessing the condition of buildings. Their knowledge covers various aspects, including structural integrity, building materials and compliance with construction standards. Registering them with the CIA acknowledges and formalises their role in the construction process. By adhering to CIA registration requirements, Building Surveyors will demonstrate their commitment to quality assurance, ethical conduct and compliance with industry standards.

Mr Speaker, Sir, the other new field of specialisation is Strategic Environmental Assessment. Consultants in this field play a crucial role in assessing and ensuring environmental compliance in construction projects. Registering these consultants with CIA will reinforce the commitment to environmental standards, promoting responsible and sustainable practices within the construction industry.

Registering Strategic Environmental Assessment consultants will be in compliance with the broader goal of achieving sustainable development. Their expertise contributes to projects that balance economic, social and environmental considerations, supporting the achievement of sustainable development goals at both local and national levels.

Mr Speaker, Sir, the Fourth Schedule of the Bill also introduces two new items, one in the list of Construction Materials and the second one in the list of Construction Plant and Equipment.

- ‘Boulders’ has been added to the list of construction materials. This follows requests from suppliers who have been supplying boulders to crushing plants for the production of aggregates and to contractors for road construction and infrastructure projects among others.

The registration of suppliers of boulders will provide an avenue to address environmental considerations related to the sourcing of boulders. Suppliers will be encouraged to follow sustainable practices, minimising environmental impact during extraction, transportation and utilisation of boulders in construction projects.

Registration of those suppliers will also act as a preventive measure against unscrupulous practices in the sourcing and supplying of boulders, including over-exploitation and export. It establishes a level of scrutiny that helps mitigate the risk of unethical or substandard practices within the construction materials supply chain.

- ‘Lifts, hoists cranes, piling equipment and rigs’ have been added to the list of construction plant and equipment as they are commonly used in construction projects. This makes the list more comprehensive.

Allow me, Mr Speaker, Sir, to conclude my speech on this legislation which aims at positioning Mauritius to another level of development in the construction sector.

The CIA Bill establishes an Authority with a comprehensive mandate to regulate and foster the growth of our construction industry. By focusing on key objectives such as regulatory oversight, sustainable development and the promotion of inclusive practices, the Authority aims to propel our construction sector towards a future marked by safety, efficiency, and environmental responsibility.

Mr Speaker, Sir, through its diverse functions and powers, the Authority is poised to be a catalyst for positive change. This Bill envisions a construction industry that not only meets the highest standards but also actively contributes to the broader goals of our nation.

By addressing the unique needs of micro-enterprises, small and medium enterprises and mid-market enterprises, we aim to create an environment where we can thrive, fostering innovation and competitiveness.

As we strive for sustainability, the Bill places a premium on green building practices, waste reduction and circular economy principles.

Mr Speaker, Sir, the Bill introduces special functions for the CIA such as ADR services to resolve disputes between micro and small contractors and their clients. This confirms our commitments to provide supports to those contractors and at the same time, a mechanism for project owners to sort out their disputes.

The Bill also assigns the CIA the responsibility for Building Control to ensure that buildings in Mauritius are constructed in accordance with international norms and standards.

Mr Speaker, Sir, this Bill not only addresses the immediate challenges faced by the construction industry but also sets the stage for a dynamic and forward-looking sector. By championing innovation, sustainability and inclusiveness, we can unlock the full potential of our construction industry, contributing to the overall prosperity and resilience of our nation.

Mr Speaker, Sir, this Bill is about a modern framework for the construction industry. It is about bringing all stakeholders together, building their capacity and providing them state-of-the-art emerging technologies to bring the construction industry to still further heights. It is about encouraging more women to join the sector and contribute to its development as they did for the textile sector some time back for which they are still remembered. It is about making the construction industry contributing further to the economic growth of our country.

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

Thank you.

**Mr Seeruttun seconded.**

**Mr Speaker:** Next orator would be hon. Mr X. L. Duval!

(7.04 p.m.)

**The Leader of the Opposition (Mr X. L. Duval):** Mr Speaker, Sir, with the introduction or creation of our own CIA, the Opposition is unanimous in saying that this country does not need yet more regulations, yet more authorities. We are, Mr Speaker, Sir, crumbling under the weight of regulations giving more and more power to be wielded by Ministers and Ministries and parastatal bodies, and this will be the bulk of my speech.

Yet, all around us, what do we see? We see *passe-droit*. We see special consideration to friends and family. There is no more level playing field and part of the

reason for that is the creation of these so-called quangos, and I will explain what a quango is in a moment. So, Mr Speaker, Sir, we see no more level playing field and no wonder, there is such an exodus of the youth out of this country. So, we are unanimous in the Opposition against the creation of yet more authorities and, in fact, we are displeased with the explosion of these new entities which are being created weekly in Parliament or through an abuse of the Companies Act.

In fact this is the opposite direction to what is required for the country. In fact, the Prime Minister himself when he was Minister of Finance, in his Budget Speech of 2016-2017 said you know we are looking for modern ways of doing things. We are requiring a Public Sector that is more efficient, that is more nimble; nimble being smaller and more effective. Nimble enough to adapt fast to change. To this end, Mr Speaker, Sir, he announced fundamental reforms of public sector institutions.

In fact, he announced a merger of a number of institutions, many of which actually never happened. ICTA was supposed to be merged with IBA, didn't happen. The Registrar General was supposed to be merged with the Mauritius Revenue Authority, did not happen. The Mauritius Housing Company (MHC) was supposed to be merged with the NHDC. It never happened. Instead, Mr Speaker, Sir, we have an illegitimate child which is the National Social Housing Development Ltd. Anyway, we have this illegitimate child. The National House Gallery supposed to be merged with Mauritius Museum Council, not at all, Mr Speaker, Sir. Instead what we have and this is the body of my speech, we have a proliferation of entities which in the UK, at least or everywhere are called quangos. Now, what are quangos? I think most of us know what quangos are. Quangos, Mr Speaker, Sir, are quasi-autonomous, non-governmental organisation. Quasi meaning apparently but not really, meaning seemingly pretending to be autonomous and this is, Mr Speaker, Sir, a new quango which is being created by this Bill today.

Now, every new quango, each one of these new entities creates enormous cost for the tax payer because it is the tax payer and the consumer who are going to pay this. So, every new parastatal body, every new company that is created, every new authority that is created, every new agency that is created, all of them, they have to have a board of many people and this board is staffed mostly by civil servants as is this board and some of the senior civil servants, Mr Speaker, Sir, they sit on so many boards that at the end of the day, their take home pay runs into nearly Rs10 million or more rupees per annum. That is the situation with senior civil servants today, they have so many boards.

Now you have the board which is paid an amount which depends on the Minister and the Government, you have a CEO and for every one of these parastatal bodies that is

being created, a Secretary to the board, assistants, messengers, drivers, technical staff, admin staff, accountants, auditors, expensive offices, Mr Speaker, Sir. Do you know, Mr Speaker, Sir, that for Metro Express they have an office in Ebène for 30 people working in the admin and this costs the consumer and the tax payer Rs650,000 per month, just for the office, luxury offices of and this company, Metro Express is losing nearly a billion rupees...

**Mr Speaker:** No, currently you are departing from the Construction Industry.

**Mr X. L. Duval:** But I am explaining there is absolutely no need for new companies and it's important that the public understands the real issue because every single week, this is happening. It's not just this week. So, Mr Speaker, Sir, this is what we have and recruitment, Mr Speaker, Sir, is another major issue in these parastatal companies that are being created. Recruitment is opaque and in this particular Bill, section 13 –

“13. Appointment of staff

(1) The Board may employ, on such terms and conditions as it thinks fit, such officers as may be necessary for the proper discharge of the functions of the Authority.”

with the approval of the Minister, where necessary. This is a very far cry from the Public Service Commission and the PRB, because not only can it recruit whoever you like but there is no limit, the Pay Research Bureau no longer has any effect on these companies.

So, you have these companies which are created and it would be the Minister, it would be the board who decides who is going to be appointed, who is going to be employed and what the remuneration is. And remuneration is often excessive and as I mentioned completely out of the ambit of the Pay Research Bureau that sets the remuneration for the civil service, Mr Speaker, Sir.

So, that is one issue, the cost to the tax payer, remuneration and the appointment of staff but there is also probably as worrying another issue - the decision making, completely opaque. You lose the audit trail completely because Mr Speaker, Sir, often, it is the Minister who will have a senior civil servant on the board who would have his Chairman, his appointee at least, he will permit to allow himself to phone and say, you know I think you should do this, I think you should do that and in my experience, its extremely rare for the Chairman or the civil servant who is sitting on that Board and who actually wheels the power because its civil servant who is in fact representing the Ministry on that Board has enormous power and it is extremely rare for that person to refuse and yet there is no audit trail between what the instruction the Minister has given and the actual



action of the Board and in Parliament here, he will be informed, we will be informed it is the decision of the Board. It is the decision that has been taken by the Board whereas Mr Speaker, Sir, here again in section 40 of the CIA, it says here –

“The Minister may give directions of a general character to the Authority, not inconsistent with the objects of this Act, and the Authority shall comply with such directions.”

Now this is what the law says but in practice it is far more than the general character because the Minister, with the help of Cabinet, will appoint and actually fire, not only the Board, the CEO but anybody else he doesn't like at that parastatal body and so, the decision-making is opaque, directions are given and even this section 40, directions are given of a general character. It doesn't say in writing. Now, some Acts that have been passed in this Parliament specify that instructions given by the Minister shall be in writing which is much better. Others say it is by general notice so the public wholly knows what actual instructions the Minister is legally allowed to give and has given under whatever legal provisions there are. So, the Minister may give directions of a general character, it does not say whether it is verbally. I believe Minister, it is wrong and it should be in writing and these directions should be made public by a Government Notice.

So, Mr Speaker, Sir, the possibility of abuse is enormous. It is often shrouded in confidentiality and we have had, for these companies, generally a proliferation. These parastatal bodies are generally and companies too, a proliferation of so-called confidentiality clauses which again reduce scrutiny by this Parliament whether it is purchase of MOGAS, whether it is Metro Express, the construction, whether it is the famous safe city or whether it is the construction of the Côte D'or Stadium.

So, Mr Speaker, Sir, these parastatal bodies, these new companies that are being created restrict substantially, at least parliamentary scrutiny. Checks and balances are, Mr Speaker, Sir, reduced and we are often told that Ministers will refuse to answer because there are commercial implications involved.

So, goodbye transparency! Goodbye accountability! Commercial considerations takeover! Confidentiality clauses takeover! So, Mr Speaker, Sir, the first point of my speech is that it is high time to tighten parliamentary scrutiny including on the CIA. It is high time to tighten parliamentary scrutiny.

Mr Speaker, Sir, as I mentioned at the start of my speech, adding insult to injury, we also have a proliferation of companies that are created under the Companies Act and in this parliament we have selective use of the Companies Act. Sometimes, answers are

given, accountability is there; often there is no answer given because they are companies and their Board of Directors supposedly controls everything.

Mr Speaker, Sir, there is so much red tape these days, so much bureaucracy that businesses can often go bankrupt without ever having starting business because they are waiting for their permits. Mr Speaker, Sir, in his latest report at page 343, this is what the Director of Audit had to say concerning accountability of parastatal bodies falling under his responsibility and it makes interesting reading for the population –

“As of 21 February 2023 -

(a) 43 SBs have not yet submitted a total of 143 Financial Statements to my Office for audit purposes;”

So, 21 February 2023, 43 statutory bodies had not yet submitted a total of 143 Financial Statements to his Office. He goes on –

“(b) 78 Financial Statements in respect of 36 SBs were certified by NAO but have not yet been laid before (this parliament by their respective ministers);”

78 Financial Statements, Mr Speaker, Sir! This is what the Director of Audit said about these parastatal bodies. This is what he goes on to say –

“This is viewed with concern as, despite legal provisions, Financial Statements were either not submitted for audit or not laid before the National Assembly. In some cases, financial statements for more than 15 financial years have not been submitted to the NAO for audit purposes.”

This is in the last report of the Director of Audit. That gives you an idea of the loss of control of this parliament over such bodies that, Mr Speaker, Sir, some financial statements have not been submitted for the last 15 financial years. And in fact, Mr Speaker, Sir, I will go on with this particular audit report and you will see, Mr Speaker, Sir, that some major authorities like the Central Water Authority has been audited but since 2019, their reports have not been laid before this Parliament. The Information Communication and Technology Authority (ICTA), same thing since 2020; Mauritius Examination Syndicate since 2020; Mauritius Film Development Corporation – a major corporation these days – has not been laid before this House since 2017; Mauritius Museums Council since 2015; State Trading Corporation since 2020/2021. These, Mr Speaker, Sir, are major companies and parastatal bodies which have not thought it right through their ministers to have their accounts tabled in front of this House.

Mr Speaker, Sir, I will go on again with the Report of the Director of Audit. Financial Statements not yet submitted to the National Audit Office for audit: Mauritius Film Development Corporation since 2018, five years ago; Mauritius Research and Innovation Council since 2020; Mauritius Society for Welfare of Animals (MSAW) since 2013. Since 2013, MSAW has not submitted financial statements, Mr Speaker, Sir.

**Mr Speaker:** Okay, this is enough. You come back to the construction industry!

**Mr X. L. Duval:** I am giving you an idea that, in fact,...

**Mr Speaker:** Too much idea!

**Mr X. L. Duval:** ... it is an extreme loss of control by this Parliament and it is very serious.

Now, I have also taken the trouble of going back to the last few years to see which new entities have been created by this Government, Mr Speaker, Sir. We have the National Insurance Company Ltd, the National Property Fund Ltd, MauBank, Metro Express Ltd., Mauritius Investment Corporation Ltd, Mauri-Facilities Ltd, Landscape ...

**Mr Speaker:** So, hon. Leader of the Opposition, if I understand well, you are making a *procès* ...

**Mr X. L. Duval:** Yes!

**Mr Speaker:** ... of the Government. Now we are talking about the construction industry. You do not have much to say about the construction industry...

**Mr X. L. Duval:** Well, be patient!

**Mr Speaker:** ... but you want to question the policy of Government by creating institutions?

**Mr X. L. Duval:** Yes!

**Mr Speaker:** No, but this is Government! They are elected for one purpose.

**Mr X. L. Duval:** And this is the Opposition!

**Mr Speaker:** Bringing policies in the country!

**Mr X. L. Duval:** But this is the Opposition!

**Mr Speaker:** And you, as Opposition Leader, there is a Bill in front of you on construction industry. You have to talk on the construction industry and you rightly said that you are against; show how you are against and do not make a whole literature about all the policies of Government! This is irrelevant!

Please continue with construction industry!

**Mr X. L. Duval:** I will continue, Mr Speaker, Sir, to tell you that in the last few years 54 such corporations, parastatal bodies have been created and I do not agree with a 55<sup>th</sup>. Is that a problem for me to say that?

**Mr Speaker:** This is okay.

**Mr X. L. Duval:** Good! 54! I will tell you which ones because they are major ones. That is why I do not agree with a 55<sup>th</sup> especially since the Government has not been submitting these accounts for the last 15 years according to the Director of Audit!

**Mr Speaker:** You have already said that!

**Mr X. L. Duval:** Yes!

**Mr Speaker:** Move on!

**Mr X. L. Duval:** Yes.

**Mr Speaker:** Move on! Don't repeat!

**Mr X. L. Duval:** Do you want to do my speech?

**Mr Speaker:** No, I don't want!

**Mr X. L. Duval:** Good!

**Mr Speaker:** I want to regulate your speech!

**Mr X. L. Duval:** Let me finish my speech and...

**Mr Speaker:** And this is why I am here!

**Mr X. L. Duval:** I don't know why you are here but I'm telling you why I am here!

**Mr Speaker:** I don't know why you are here with that type of speech!

**Mr X. L. Duval:** I am telling you why I am here!

**Mr Speaker:** Your speech is irrelevant!

**Mr X. L. Duval:** I am here to say to this Government...

*(Interruptions)*

Now I will continue. The New Social Living Development Ltd., a Rs40 billion project, never submitted accounts since June 2021. Do you think that is normal? Mauritius Multisports Infrastructure Ltd...

**Mr Speaker:** No, now I will stop you there! The Bill is about the construction industry! Standing Orders make provision for relevance of speech, debate in this House. I will stick to my Standing Orders and you don't have the right to enlarge on this debate!

**Mr X. L. Duval:** I will just therefore conclude if I may be allowed to conclude since you do not agree that I should give the list of the 55...

**Mr Speaker:** Of course I will not agree because you are irrelevant!

**Mr X. L. Duval:** According to you, I am irrelevant.

**Mr Speaker:** According to Standing Orders, you are irrelevant! According to Erskine May, you are irrelevant!

**Mr X. L. Duval:** Now, I am saying...

**Mr Speaker:** According to parliamentary practice, you are irrelevant!

**Mr X. L. Duval:** I will keep my thoughts to myself. It is better that I do so.

**Mr Speaker:** It is better, yes!

**Mr X. L. Duval:** It is better for everyone...

**Mr Speaker:** It is better and myself, I keep my thoughts for me also...

**Mr X. L. Duval:** ... that I give my thoughts to myself; otherwise, there will be trouble in this House.

**Mr Speaker:** You continue! Don't be irrelevant! Continue!

**Mr X. L. Duval:** Now, the weight of regulation, Mr Speaker, Sir, with these 55 new companies, new parastatal bodies that are being created are strangling this country. Mr Speaker, Sir, one international indicator which is coming soon which used to be called the World Bank Ease of Doing Business, unfortunately – as you know I am sure – did not survive COVID-19. I am sure you are aware of that but I am telling you anyway.

**Mr Speaker:** Do not refer to me!

**Mr X. L. Duval:** It did not survive COVID-19.

**Mr Speaker:** Do not lose your time referring to the Speaker! Refer to your speech!

**Mr X. L. Duval:** I am not losing my time. My time is mine to lose if I want to!

Now, Mr Speaker, Sir, the World Bank is replacing this Ease of Doing Business Report with a new report, which is called the Business Ready Report. It will be out in spring 2024. I hope that Mauritius will be included in that because not all countries will be included in the Business Ready Report. Mr Speaker, Sir, I am very worried for this

country, given that we were quite well respected internationally before and I have no idea what the Business Ready Report will say about all these new Regulations and Bodies that are being created every day.

I also just mention, before I complete my speech, that Mauritius was ranked 52<sup>nd</sup> out of 137 economies in the 2019 – that is the last one I have – World Economic Forum Global Competitiveness Report, which deals with competitiveness of the economy. In 2014, when we were in Government, it was 45<sup>th</sup>. So, Mr Speaker, Sir, this Government has lost us seven places in the Global Competitiveness Report and we wait to see what will happen in the new World Bank Business Ready Report.

Thank you.

**Mr Speaker:** Hon. Doolub!

(7.27 p.m.)

**Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien):** Merci, M. le président. En écoutant l'orateur qui m'a précédé, je l'ai entendu parler très peu de ce projet de loi.

Il a aussi parlé au nom de l'opposition, et je comprends maintenant la performance dans le secteur de la construction alors qu'ils étaient au pouvoir comparativement à la nôtre. A titre d'exemple, M. le président, entre 2006 et 2014, si on parle de construction de logements sociaux, à peu près 2,400 maisons de la *NHDC* ont été livrées. Alors, M. le président, entre 2015 jusqu'à ce jour, tenez-vous bien, plus de 4,400 maisons de la *NHDC* ont été livrées.

M. le président, nous connaissons tous l'adage, et du reste le ministre...

**Mr X. L. Duval:** Is this relevant?

**Mr Doolub:** ...Hurreeram l'a mentioné...

**Mr Speaker:** Did you make a point of order?

**Mr Doolub:** ...dans son introduction...

*(Interruptions)*

**Mr X. L. Duval:** On a point of order, Mr Speaker, Sir.

**Mr Doolub:** ...quand le bâtiment va...

**Mr X. L. Duval:** Is this relevant?

**Mr Speaker:** No, put your point of order in a proper way!

**Mr X. L. Duval:** You mentioned point of orders earlier, did you not? I am asking you whether, in your opinion, this is relevant.

**Mr Speaker:** Hon. Member, try to be relevant to the debate. You may continue.

**Mr Doolub:** Mr Speaker, Sir, I was referring to the construction industry actually.

Je reprends, M. le président. Nous connaissons tous l'adage, et du reste le ministre Hurreeram l'a aussi mentionné dans son introduction, quand le bâtiment va, tout va. Et cette vérité consacrée qui date du 19<sup>e</sup> siècle pose la construction comme principal moteur de la croissance, capable d'entraîner et de faire prospérer le reste d'une économie.

Le secteur de la construction, M. le président, est un pilier important de notre économie. Il représente entre 5 à 8 % du PIB de notre pays, ce qui est fort appréciable, en dépit du fait que le secteur subit depuis la crise du Covid des hausses de prix provoquées par des facteurs externes, hélas hors de contrôle. Les opérateurs du secteur sont unanimes, M. le président, à reconnaître que le BTP mauricien connaît une dynamique soutenue grâce notamment aux bonnes décisions prises par ce gouvernement pour relancer et maintenir le secteur à flot. Par exemple, M. le président, les présents chantiers de logement sociaux, les différents projets publics et privés et d'autres grands chantiers d'infrastructure ont dopé et continuent de doper la croissance du secteur mauricien de la construction qui emploie, il faut le souligner, un peu plus de 60,000 personnes directement.

M. le président, la construction n'a jamais aussi tant pesé dans la croissance de notre pays. De la petite structure familiale, réduite à la figure du père et de ses enfants, voire à l'artisan unique, aux grandes entreprises qui s'imposent sur le marché, une grande variété de situations a modelé et transforme encore le monde de la construction à Maurice. La complémentarité et les compétences, la constitution entrepreneuriale de structures gigantesques posent toutefois de nombreuses questions. Par exemple, comment s'assurer que la main-d'œuvre réponde à certaines exigences propres au secteur ? Comment les entreprises s'assurent-elles de leur responsabilité civile ou encore de la disponibilité de la main-d'œuvre ? Quels sont les outils dont nous disposons pour régler et gérer la mobilité de celle-ci, notamment à travers les filières migratoires ? Quels types de marché du travail et quels acteurs agissent dans le secteur du bâtiment ?

Devant une telle complexité, M. le président, l'État, un gouvernement responsable ne peut pas demeurer spectateur d'un processus d'évolution, somme toute inévitable avec l'honorable Pravind Kumar Jugnauth comme Premier ministre. De tout temps, M. le président, les autorités publiques ont été impliquées dans la régulation des travaux de construction à plusieurs égards ; en tant que législateurs, de maîtres d'ouvrage, voire de

responsables de l'embauche de travailleurs. On a tantôt régulé les salaires, tantôt normalisé l'embauche ou le licenciement, tantôt encore contrôler les prix de divers intrants. Les pouvoirs publics se sont toujours mobilisés, conscients de l'intérêt à agir pour la collectivité.

La pluralité des institutions dans le domaine public, M. le président, compétentes sans doute, a parfois engendré des divergences, voire même des conflits. Même s'il faut se réjouir qu'il existe des espaces de dialogue et des outils de négociation entre les acteurs du secteur et les pouvoirs publics, M. le président, il faut aussi reconnaître que ce pluralisme institutionnel n'a pas toujours donné pour autant davantage de possibilités de manœuvre aux parties prenantes. Qu'ils soient organisés librement ou encadrés par des statuts, les métiers de la construction ont bénéficié d'un pouvoir important d'autorégulation dans bien des cas. Le regroupement par profession, doté de structures de fonctionnement et de pouvoirs assez déterminants, donne à priori à des communautés de métiers la légitimité de gérer elles-mêmes les modalités du travail des professions qui y sont affiliées.

L'enjeu politique de la liberté économique, M. le président, mène l'État à devoir réglementer ce secteur au sein duquel des groupes de métier ont été longtemps enfermés dans des carcans de compétences très précis, comme par exemple à propos de l'apprentissage ou la mobilité de la main-d'œuvre.

La création d'un nouvel organisme qui nous a été présenté aujourd'hui, *The Construction Industry Authority*, vise à introduire une législation plus moderne et plus adaptée aux évolutions du secteur de la construction, avec pour objectif principal, M. le président, de mieux protéger les constructeurs, les entrepreneurs, les travailleurs et les consommateurs. L'un des principaux objectifs de cette nouvelle autorité, M. le président, est en effet de réglementer le secteur afin d'établir des lignes directrices et des normes claires, notamment en matière de tarification, mais surtout de créer un environnement juste et transparent pour toutes les parties prenantes impliquées.

M. le président, il est essentiel d'avoir une approche collective où l'État, opérateurs et importateurs se retrouvent autour d'un organisme central capable de cerner des difficultés et de dégager ensemble un plan de fonctionnement pour le court, moyen et le long terme. J'accueille de ce fait favorablement, et je salue la constitution du *Board* de cet organisme avec au moins 14 membres, avec des compétences diverses qui est synonyme, M. le président, de consultations élargies avec tous les acteurs directement et indirectement concernés par le secteur de la construction.



Le ministre Hurreeram l'a annoncé, et je salue, *I must say I commend the introduction, Mr Speaker, Sir, of the Construction Industry Training Council (CITC)* ; une grande première, M. le président.

For such a booming sector, I heard it from the Minister, achieving double digit growth, training is one of the most crucial components to be catered for.

Je comprends aussi, M. le président, que parmi les 14 membres qui siégeront sur le *Board* du CIA, un parmi sera un universitaire et il lui incombera cet objectif de rédiger, d'élaborer et de développer le programme ou le curriculum approprié pour encadrer les jeunes et employés de ce secteur.

M. le président, ce n'est un secret pour personne, le secteur de la construction connaît et subit un gros manque de main-d'œuvre qualifiée et parfois productive. Avec l'introduction du *CITC*, c'est un pas, un grand pas en avant pour adresser ce problème de manque de main-d'œuvre qualifiée.

M. le président, en ces temps de crise et dans un contexte inflationniste mondial, c'est certainement par le moyen d'une collaboration rapprochée et en s'appuyant sur les intelligences collectives que l'on parviendra à trouver et à mettre en œuvre des solutions technologiques, logistiques ou encore réglementaires pour professionnaliser davantage le secteur, protéger et soulager le fardeau des entreprises et en fin de compte des Mauriciens qui construisent.

M. le président, cela profitera non seulement aux constructeurs en leur garantissant une rémunération équitable pour leur travail mais permettra également aux entrepreneurs de comprendre clairement les coûts impliqués dans les projets de construction ainsi que leurs responsabilités.

*Mr Speaker, Sir, I must commend another game changer approach introduced in this Bill, namely in section 7, that is, the Alternate Dispute Resolution (ADR).* Ils sont nombreux, M. le président, que ce soient des micro-constructeurs ou propriétaires de maisons qui à un moment donné de la construction ne s'entendent plus et par faute de moyens, ils ne peuvent pas s'engager à des poursuites à travers des cours de justice, n'avaient d'autre choix ou d'alternatives que d'accepter de perdre de l'argent déjà payé ou investi et de quitter le chantier. On a eu beaucoup de cas pareil. Avec l'introduction de l'*ADR*, M. le président, désormais en cas de désaccords, de non-respects des clauses du contrat, un des parties pourra bien avoir recours à l'*ADR* pour une solution gagnant-gagnant.

Le *CIA*, M. le président, définira et coordonnera également les interventions de l'État car dans un contexte de croissance rapide des activités de construction, comme nous le témoignons depuis quelques années que nous sommes au pouvoir, n'en déplaise aux membres de l'opposition qui du reste répétitivement nous accusait de mettre de l'argent dans du béton, il est crucial de maintenir l'ordre et de garantir que les projets soient réalisés de manière systématique et organisée. Ce faisant, on pourra minimiser l'apparition de constructions aléatoires, communément appelées, constructions sauvages, dont l'impact notamment environnemental est toujours négatif.

Et en parlant d'impact environnemental, M. le président, on a connu des périodes de crise sans précédent récemment notamment avec la Covid-19. Mais moi, je suis d'avis que l'un des plus gros challenges qui nous attend au tournant, M. le président, pas seulement nous à Maurice mais à travers le monde, sera la répercussion des effets du changement climatique. Personne, même les plus grandes puissances n'ont pu résister récemment, M. le président, aux répercussions du changement climatique. Et il nous incombe en tant que gouvernement responsable, en tant que ministre prévoyant de légiférer pour que nous ayons des constructions planifiées.

La création de l'Autorité de l'industrie de la construction, M. le président, représente une étape importante vers la création d'un secteur de la construction mieux réglementé, donc, plus encadré et plus sûr. Grâce à une législation moderne comme celle qui nous a été présentée par mon colistier, le ministre Hurreeram, articulée autour de l'encadrement et la protection des constructeurs à la réglementation des tarifs, nous visons à accompagner la croissance d'un secteur de la construction prospère et durable sur l'île.

Ce qui coûte le plus cher dans une construction ce sont les erreurs disait un jour Ken Follett, et ce projet de loi, M. le président, vise et a pour objectif justement de les éviter. J'en ai terminé. Merci, M. le président.

**Mr Speaker:** Hon. Ramkaun!

(7.41 p.m.)

**Mr S. Ramkaun (Second Member for Pamplemousses & Triolet):** Mr Speaker, Sir, let me, first of all, congratulate the hon. Minister Hurreeram, Minister of National Infrastructure and Community Development for bringing this Bill to this august Assembly.

The hon. Minister, being quite a proactive Minister, is aware of the problem the construction industry is facing and which is impeding the work of the Government. The Minister is therefore working in line with the vision of our Prime Minister and we are all bound to move together with the pace the world is moving. Development in Mauritius has

already achieved *une vitesse de croisière* as all high income countries and it is therefore being necessary to bring changes in several axes to allow for the execution of our projects.

*En parlant de projet, le leader de l'opposition a justement parlé qu'il est against this regulation. Je dois aussi faire rappeler que le leader de l'opposition était dans l'ancien gouvernement.* He was with the previous Government and we know the Constituency No. 5 well. The Deputy Prime Minister just said this morning that in Cité Tôle and Cité Longère, these persons were affected in 1994 by the cyclone Hollanda and after more than 10 years they could not do anything. *Je ne sais pas*, either they are not willing to do; they are elected and they are not willing to do any move to execute projects. But this Government is bound to do all the projects and we are ensuring that our mandates, our people are in safe hands with this Government.

The construction industry being one of the major industries of today has a great impact on the economy of the nation. Any piece of infrastructure or real estate involved around us is undertaken by services under the construction industry. As a Parliamentary Private Secretary, we have to put under execution the projects in the constituencies under our responsibility and we have witnessed a lot of problems with contractors and even consultants.

Mr Speaker, Sir, we know that the construction industry has passed through a complete transformation during the last years. The reasons being more particularly COVID-19 pandemic which has affected the island and this has caused an increase in the prices and, furthermore, added to the Russia-Ukraine war. Construction prices have practically tripled and the Ministry is bound to promote development and improvement of the construction industry.

During the several few years back, many major projects have accumulated delays due to lack of labour force. This led to incentive being provided to small and medium enterprises to undertake projects. These enterprises, employing mostly Mauritian workers, were given an incentive to qualify for award of contracts. Several of these small contractors are now performing well and thus have resulted in completion of many projects.

The Government has many challenges because of projects where our technicians, our engineers do not have special expertise like tunnelling projects, high-rise buildings, desalination of seawater and even tidal waves for energy purposes. Clause 5 of the Construction Industry Authority Bill states that the objects of the Authority to regulate the construction field, including providers of construction works and construction services as well as suppliers of construction materials, equipment of labour or construction materials.

Mr Speaker, Sir, this is absolute essential to ensure and promote sustainable development of the construction industry including green building, waste reduction, circular economy, sustainable tools in the construction industry. Together with the above, the authority has to promote environmental, social and governmental plans, promote capacity building and facilitate dispute resolutions in the construction industry.

Mr Speaker, Sir, I have come across many cases of dispute between employees and contractors. In some of the cases through appointment of arbitrators, issues were sorted out and thus resulted in completion of projects. In many of them, the contracts were rescinded, resulting in ending of the projects because of several reasons. These Governments cannot allow recurrence of similar issues. All these issues can now be resolved by this modern legislation. Construction is an important sector that contributes quality to the economic growth of the nation. The construction industry, being an investment-led sector, where this Government is showing high interest.

Many projects have been completed in my Constituency for the residents to stay safe in their home. A retention basin at Belle Source will surely resolve the problem of Avenue Belle Source, Mont Goût, Pamplemousses by retaining a maximum peak flow which could cause flooding in lower areas and retained water is released in limited quantity through canals and drains. Similarly at Camp La Cloche, Pointe aux Piments, we can say the 250 residents of Camp La Cloche will be safe after heavy rainfall.

*Ici avec ce Premier ministre*, Mr Speaker, Sir, as I told you we are here to work. We have completed many projects and though the Constituency No. 5 was having a Prime Minister and two Ministers in the Constituency, can we imagine none of the projects...

**Mr Osman Mahomed:** This is not...

**Mr Speaker:** Talk on the Bill!

**Mr Ramkaun:** None of projects were done in No.5.

*(Interruptions)*

**Mr Speaker:** You may talk on the Bill please! Construction Industry!

**Mr Ramkaun:** I spoke about Residence Tulip. I can speak about the Triolet Youth Centre. I can speak about other projects; Health Centres in rented buildings but we are not like the other Government. We are here; one Minister and one PPS have done a lot of things in that Constituency.

**Mr Speaker:** Hon. Ramkaun! Concentrate on the Bill please, focus on it.

**Mr Ramkaun:** When talking of projects, these days we are aware that many contractors have got projects in hand and some of them have taken so many projects and we can observe poor progress on these sites. The Authorities' other functions shall be to establish best practice in the Construction Industry. In the event of default of contractors, the authority shall devise guidelines where contractors may be suspended or debarred, pursuant to section 53 of the Public Procurement Act as a bidder or even supplier. In case there have been successful temporary registration for certain contractors will be given until completion of the project.

Mr Speaker, Sir, I wish to conclude to say that this legislation shall be very useful for our forthcoming projects, ensuring execution of the several projects approved by this Government and we assure that our mandates are witnessing that this Government is doing much for the country. I am done, Mr Speaker, Sir.

**Mr Speaker:** MP Osman Mahomed!

(7.51 p.m.)

**Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central):** Thank you for giving me the opportunity to speak on the Construction Authority Bill which seeks primarily to convert the Construction Industry Development Board into an authority. It is to be recalled that CIDB was first introduced in the House on 25 November 1997 when the Mauritius Labour Party was in power and today, this is being replaced by the Construction Industry Authority on the premise that we henceforth are going to have a more modern legislation for the construction industry. It is therefore reasonable to assume that from now onwards, we are going to have a much bigger establishment, more expenses and of course, more jobs in the quango spirit like we have witnessed in many cases for the last 8 years. I think the Leader of the Opposition has amply talked about it.

I will rest my case directly on the CIA, on what I meant and I would refer the House to Clause 12 (1) of the present Bill about the profile of the General Manager who shall be the Chief Executive Officer and who shall reckon at least 10 years' experience with only minimum of 5 years at management level in the construction industry for an authority when previously the Executive Director was someone of extensive experience in the private sector at local and international level, Mr Ram Bahadoor and who was recruited on contract at a time when minimum of 15 years were needed for a mere board. We were then talking about a board and now which is an authority. So, clearly, this is tantamount to a *nivèlement par le bas*, when it was supposed to be the contrary because the board is being called to be upgraded to an authority unless the job is tailor-made for someone already.

Mr Speaker, Sir, General Manager of the Construction Industry Authority who is the top person of the Construction Industry must necessarily be a high profile person in order for him or her to be respected by the captains of the Construction Industry. This is the bare minimum we require, don't we? If tomorrow we get someone who is not a professional of the Construction Industry as a General Manager, which is not impossible, judging by the way appointments have been done until now, it will be mayhem but we will watch out and if need be, we will put Parliamentary Questions for the sake of the Construction Industry.

On a different note, Mr Speaker, Sir, I wish to mention that when I had intervened on the CIDB Amendment Bill in 2022, I was rebutted by several Members, sometimes justly maybe and sometimes not. Let me quote the main protagonist, the hon. Hurreeram himself –

“Mr Speaker, Sir, hon. Mahomed raised the issue of sustainable development which he claimed he could not find in the Bill. What on earth has the Bill got to do with sustainable development? Maybe my good friend, Minister Kavy Ramano can *éclairer nos lanternes plus tard*, but I do not find anything that pertains to sustainable development in the Bill.”

So, I think that *lantern fine éclairer* because one of the main objects of the current Bill is that it seeks to promote the sustainable development of the Construction Industry including green building, waste reduction circular economy, sustainability rating tools and certification in the construction industry.

At a time when the Government is claiming that a lot of development is happening in the country, with the Metro project, highways, social housing, government buildings, private sector-led developments, mega-government-led master plans like the 100 acres of beachfront at Anse la Raie, Smart City for example Roches Noires one, and the 238 acres of beachfront at Palmar which, by the way, was the subject of Parliamentary Question of mine today, specifically on the strategic environmental assessment which the Minister extensively talked about earlier. But unfortunately, the question did not come for debate; I hope it should come next Tuesday, I should hope so.

At this stage, I would like to make a recommendation to the hon. Minister for consideration and that is to make it mandatory – since we are talking about environment – at the exit of all construction sites, the provision of wash basins. Maybe it is but I see a lot of mud on the roads near construction sites especially when the construction site is just starting. When you have a lot of excavation being done, what happens is that when trucks move in and out of the site, they bring all the muds onto the roads. With time, when this dries out, it is a real safety hazard for traffic because when you brake, you slide and you

collide, and it is maybe life-threatening to motorcyclists. So, I do believe that CIA, when set up, together with safety officers on the site – which is a requirement of the Bill; we are talking about safety and safety officers – they can enforce on this. I have been practicing engineering in Singapore. It is mandatory to have wash basins so that all tyres are washed and when they leave the site, the roads immediately to the site are clean.

So, in the object of the Bill, it is mentioned that CIA will henceforth regulate, *inter alia*, construction materials. Since the words ‘sustainable development’ appears in the Bill, let me remind the House that in PQ B/134 of 2022, I had questioned the hon. Minister about the latest reports of the consultancy exercise commissioned by the CIDB on the depletion of aggregates and other construction materials. In his reply, the hon. Minister mentioned that the study covered the requirements in terms of other construction materials like cement, reinforcement steel bars, concrete blocks, ready-mix concrete and bitumen. The hon. Minister had further mentioned that a master plan following consultations on the management of aggregates and other construction materials will be produced following recommendations from a High-Level Committee but he did not table the report because he said it was a working document. So, I can only guess what is happening.

Mr Speaker, Sir, all surface rocks stocks on this island have almost been depleted since some 10 years ago. Since then derocking has been undertaken and it is expected that this can last for another 30 years or so unless we start digging hills and all this. So, how is the country going to go about going forward to have adequate materials? The Minister had mentioned boulders earlier for the production of spoils which is used for backfilling, production of aggregates, rocksand, concrete, paving bricks, hollow blocks, hollow pots, bitumen concrete for road tarring to name but a few.

Mr Speaker, Sir, on a different note, in preparing for my intervention, I had yesterday spoken to engineers, architects and quantity surveyors. Let us listen to some points from them –

- (i) the Board of 11 persons to be nominated by Government and three from the private sector – architects, engineers, and QS, engineers to their respective Councils. Is this democratic to control the CIA by having majority of nominees done by Government? This was the first question.
- (ii) CIA Bill was not circulated and for the meeting held for the so-called views, etc., only the objectives were displayed to members present. How can the majority major stakeholders be kept aloof from such a Bill?

Further, during conversation, I am told that during meetings, they were explained what the Bill was all about and on two occasions they were given a copy of the Bill for their own eyes and the document was taken back at the end of the meeting. So, to say that they have been consulted properly is not correct. So I am told.

Regarding consultations, I am even told that some important ministries have not been consulted properly – this is on a different note. Since the Minister has referred to Minister Kavy Ramano, in 2020, in PQ B/667, the Minister of Environment had stated that that the Strategic Environment Assessment which is part of the Bill will be the subject of consultation in the context of the forthcoming review of the Environment Protection Act of 2002. So, I am just wondering whether the Ministry of Environment was consulted. The Minister has mentioned that the Ministry of Local Government was consulted but I wonder, in as much as environment is a major part of the Bill, whether that Ministry has been consulted.

Now, coming back to the consultancy, this is what I am told officially by email –

- (iii) They have submitted reserves about joint ventures between foreign consultants and local consultants.
- (iv) Functions of the CIA: what about the implementation phase? There is no structure in place to manage these functions; section 2 of the Bill refers.
- (v) Clause 3 Application of the Act: 3(a) – exemption of foreign consultant or foreign contractor to register as per Sub-part C of Part IV should not be applied.
- (vi) Clause 18 (4): Registration Panel: composition to be well-defined.
- (vii) Clause 8 Construction Industry Training Council: composition to be defined.
- (viii) Clause 20: collaboration between foreign consultants. Local consultant to be well-defined in terms of percentage.

Overall, these professionals are saying that the present Bill appears to be a copy and paste document of the CIDB Act but with some issues here and there.

Furthermore, the Mauritius Association of Architects has written a four-pager letter on 24 October 2023 to the Acting Permanent Secretary of the Ministry of National Infrastructure, with title: The Construction Industry Authority. I have a copy of it with me, here it is. The Acting Permanent Secretary is Mr Bhundooa. Would you be surprised, Mr



Speaker, Sir, if I tell you that there has neither been any response from the Ministry nor any consideration? And I am told this in an email I received officially this morning.

Mr Speaker, Sir, the Bill seeks to facilitate dispute resolution in the construction industry especially between individuals and small contractors. Now, this is a laudable initiative because going to Court for small-time disputes for Rs300,000, Rs400,000, Rs500,000 makes no sense. They burden the Courts and cost the individuals and contractors as well. But there are very big problems with public contracts. Many of them are going into litigations and this is costing taxpayers billions of rupees. One professional of the construction industry of the private sector who specialises in the litigations disputes, whom I spoke to last night, told me that he is currently working on 10 cases of Government projects. One person – 10 cases! Imagine what is going on in the industry! And the problems are two folds –

- (i) Contracts are wrongly drafted, and contracts are contracts, and the basis of dispute is the contract, which is a legal document, whichever method you used.
- (ii) Decisions are not taken by policy makers and officers. One case in point is the Rivière du Rempart District Council which has had to pay a whopping sum of Rs437 m. to Alphamix as per ruling of the Privy Council for a contract which was awarded in February 2003 for a mere Rs51 m. The contractor got more than seven times the sum of the initial contract. I believe this has to be a world record.

It is such big contracts that need dispute resolution. Maybe the Government will then lose less money. It is worth that I mention that during Budget presentation of 2023, the hon. Minister of Finance announced the introduction of Construction Contracts (Special Provisions) Bill, which was to be introduced to support contractors, management and all. Well, many countries have such legislation. It started in the UK, with Singapore and Malaysia following suit, and Ireland as well, but I do believe that Australia is the latest one in date. So, it would have addressed all the shortcomings of the previous legislations. There is no need to reinvent the wheel; maybe this Bill is needed.

Furthermore, during my research, in the UK, in order to reduce these kinds of problems, they have created the Infrastructure and Project Authority, which is the government's centre of expertise for infrastructure and major projects like railways, roads, schools, hospitals, housing, energy and telecommunications, IT and major transformation programmes, and which sits at the heart of the government, reporting to Cabinet Office and the Treasury.

As a last note, I wish to mention that maybe we are missing a golden opportunity to enforce energy efficiency, particularly conservation in new building. An Energy Efficiency Code, which includes all design considerations only for the building with floor area above 150 m<sup>2</sup> – which is specified in the Bill –, is already available at MPI (now MNI). The Code was developed with the assistance of the UNDP through the Ministry of Energy and Public Utilities by the Labour Government in and around 2012. MPI has dilly-dallying in the implementation of the Energy Efficiency Code ever since as it had to be done jointly with local authorities under the BLUP for all buildings above 150 m<sup>2</sup>.

The mechanism for implementing the Energy Efficiency Code is that as provided for under section 16(2). The registered architect or registered engineer, as applicable, has to issue a certificate to the building owner or developer to the effect that the design of the building is compliant with the Energy Efficiency Code. This certificate of compliance has to be attached to the application for BLUP submitted to local authorities which would issue the BLUP accordingly, in addition to compliance with other requirements.

As regards post-construction compliance, it would be done by local authorities, similar to what is the current practice. However, in case of prosecution for non-compliance with the Energy Efficiency Code, the Construction Industry Authority would assist local authorities. The practice is common as is the case under the Environmental Protection Act (EPA), where the Ministry of Environment supports enforcement agencies in prosecution for environmental compliance.

My proposal tonight is, with a view to implementing the above, I suggest that amendments be moved to the Bill for implementing the Energy Efficiency Code as follows

–

- (i) under Explanatory Memorandum, to include a subsection (1) - Promote Energy Efficiency, both conservation and savings in building, and
- (ii) amend section 15(c)(ii)(D) to read as follows –

“Energy conservation and savings, optimum design in accordance with the Energy Efficiency Code as may be prescribed and optimum energy consumption for the proper running of the building.”

Similar proposals could have been made for conservation, including water harvesting and water savings in all buildings, but, as far as I know, Water Resources Unit has not prepared any Code for same. This is a failure from their part.

Thank you.

**Mr Speaker:** Hon. Dhunoo!

(8.11 p.m.)

**Mr S. Dhunoo (Third Member for Curepipe & Midlands):** Thank you, Mr Speaker, Sir. Let me start my intervention by thanking the Minister, Mahendranuth Sharma Hurreeram, for bringing this Bill to the House.

It is such an important piece of legislation because we know how, as has been mentioned by hon. Mahomed, many cases for personal development have been mentioned for dispute, and we see in the Construction Industry Authority Bill so many amendments are being brought and it is important that we go in this direction when we see how difficult it is, Mr Speaker, Sir. Sometimes, when you are building your house, you have a contract with someone, he leaves your house, he does not deliver on time, there is no penalty, nothing, and you do not know where to go, what to do; you go to the Police. But, Mr Speaker, Sir, with this Construction Industry Authority Bill, which is in line with the vision our Prime Minister and the Government Programme, we are going in the right direction.

Earlier the Minister mentioned many things that are in connection with the Ministry of Environment, what has been done with regard to the circular economy. But I want to ask hon. Osman Mahomed one question. When the Labour Party was in power, tell me which Authority or which institution they have created – because he mentioned it. Mr Speaker, Sir, I can rebut the argument he has stated earlier. What are the institutions that have been created by the Labour Party when they were in power, where there is a balance? He said that there are three members for the private sector and eleven members with regard to the Construction Industry Authority Bill.

I do not think any Government has done this, but, here, when we are talking about the composition of the Board, we are talking about introducing academia. The introduction of the academia in clause 9 of the Bill has been mentioned by the Minister and also by hon. Doolub. And it is important so that we are going in the proper direction. I thought you would have said: let us increase the members; we introduce maybe a planner, because you are a civil engineer. I am not; I have done Agribusiness, I have an MSc in Marketing Management. I thought you would have said that. I do not know, but I understand you thought that the Labour Party would win the elections, you were going to be the Minister of MNI, but, unfortunately, this has not been the case. The population has decided *autrement comme on dit...*

*(Interruptions)*

*...et ce sera comme ça.*

*(Interruptions)*

**Mr Speaker:** Go to the Bill!

**Mr Dhunoo:** Mr Speaker, Sir, I am rebutting what he said! I have the right, Mr Speaker, Sir, to rebut all the arguments that he has said. I have said it earlier!

*(Interruptions)*

This is the practice of the House!

*(Interruptions)*

If I am in the wrong direction, Mr Speaker, Sir, you regulate me. I will go by your ruling; I will go by the Standing Orders, Mr Speaker, Sir. You know, they use to do that, Mr Speaker, Sir, but what we are talking and what we are bringing to this House is with regard to the construction industry, which is the world's largest user of natural resources.

With regard to Clause 5 of the Bill, I want to come to part (c), on promoting sustainable development for construction industry including green building, waste reduction, circular economy, sustainability rating tools and certification in the construction industry. Mr Speaker, Sir, he said earlier that we have to propose with regard to the energy efficiency but it will be taken in the circular economy and even in the ESG, in part (d) also. If the Minister has to explain bits by bits in a piece of legislation, it will be difficult, Mr Speaker, Sir. It is a broadened subject but we know where we are going and what we are doing.

Mr Speaker, Sir, like I have said earlier, the construction industry is the world's largest user of natural resources. Traditionally, the construction industry has utilised a non-sustainable linear economy model based on take-make-disposed of, a concept of the past, and continues to do the same. But this linear approach, Mr Speaker, Sir, does not allow constructed facilities to be dismantled and reused. Therefore, they become obsolete when the facilities end its useful life.

However, this must change in the era of focus on sustainability and global greening initiative, Mr Speaker, Sir. That is why we say the circular economy, which has captured the interest of researchers and practitioners in the last decade, is contrary to this ineffective and unsustainable linear economic paradigm. Regardless of the various schools of thoughts and definition, the circular economy aims to maintain resource flowing at their

best value with boundaries. This ensures that no new natural resources are needed to manufacture materials and the waste is minimised.

Aside from the resource circularity in Clause 5 (c), the circular focuses on better resource management by rethinking and reducing unnecessary consumption. Product fragmentation, intensification of product use and increased production efficiency are examples of projects in which a better resource management is incorporated by rethinking and reducing unnecessary consumption. This is why, Mr Speaker, Sir, it is important that in this piece of legislation, the object of the Authority is to promote the sustainable development of the construction industry with the circular economy and green building.

Mr Speaker, Sir, it has been mentioned by the PPS, hon. Ramkaun, and as a new Parliamentary Private Secretary, I have seen how many projects there are. And now that so many industries are booming in the construction industry, so many contracts are out with regard to construction of drains, projects like the NSLD, the big project of 8,000 housing units, we see that we have the same number of contractors in Mauritius, Mr Speaker, Sir, and it is important that we now think about smaller contractors. This has also been mentioned in the Bill, Mr Speaker, Sir, that it is important because now we see that many people, many companies have bid, for example, for constructing drains but now they have also bid for housing units which is easier and more profitable for them and less time consuming. With regard to the construction of drains and the complications that it has, we see that many companies are leaving some jobs. That is why it is important that we have the contracts. Many amendments are being brought in this; when the CIDB is being repealed with the Construction Industry Authority.

Mr Speaker, Sir, hon. Osman Mahomed mentioned that the General Manager or the CEO, with five years of experience, this is debatable, he should have 15 years of experience. In Government, when they are going to appoint the GM, do you think that someone who has 15 years of experience will come and work even if it is 6 digits salary? We know that we cannot give so much as compared to the private sector. Go and ask. If you do your homework, hon. Mahomed, you will see. Go and ask GIBB how much the salary of the CEO is. Go and ask General Construction how much the salary of the CEO is. Do you think with their experience, they are going to come with the Construction Industry Authority? Sometimes it would be difficult to have someone.

*(Interruptions)*

Then, he will be the same person – I was going to mention that – who will come with a PQ to hon. Hurreeram and ask what is the salary package of the new CEO. They will be the same persons shouting out that much is being paid. But we know how much...

*(Interruptions)*

Listen, when you speak, I listen to you; I have the decency.

**Mr Toussaint:** Be polite!

**Mr Dhunoo:** As a Member of Parliament, listen to me. It is my time to speak.

**Mr Osman Mahomed:** *Li pe dir demann mwa apre...*

**Mr Dhunoo:** Mr Speaker, Sir, but he mentioned it and I am rebutting. I have the right. Mr Speaker, Sir, but, what we are doing is important.

With regard to training also, as a Member of ACP-EU, I had the chance to go to Technifutur in Belgium where training was given to employees in the construction site on safety hazard, new techniques, new technologies are being used. This is where we should go, Mr Speaker, Sir, and the Bill is addressing this issue.

Mr Speaker, Sir, as a responsible Government, we are doing what is right for the country, what is right for our citizens and what is right for the betterment of Mauritius.

I thank you, Mr Speaker, Sir.

**Mr Speaker:** Thank you. So, hon. Members, I will suspend the Sitting for one hour.

*At 8.23 p.m., the Sitting was suspended.*

*On resuming at 9.32 p.m. with Mr Speaker in the Chair.*

**Mr Speaker:** Please remain seated and be seated! You see the Government side is helping you to speak. Without them there is no quorum and you, you get to stay quiet, you sat down quietly.

**Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes):** Mr Speaker, Sir, the Minister's speech was full of sound. Thank god there was no fury from the Minister. His speech signified something, not much, but worth listening to. Why do I say that? It is because when you look at the provisions of the Bill, I am going to speak to those who are well-versed in their respective fields. It stands to reason that this Bill is an open-ended Bill. It doesn't have depth. Now, what would a responsible Government do? A responsible Government would not have rushed the Bill like fools where angels fear to tread. It would have produced a white paper, invite proposal from stakeholders and the public, to come up with a consensual legislation.

The Construction Industry Development Board Act was introduced in 2008 and amended in April 2021. Yes, it serves well but it has a major shortcoming. I say 'has'

because the Construction Industry Authority is yet to be voted. Its major shortcoming was inadequate workforce and it was deliberately bled to death to make room for the Construction Investment Authority, *le nivèlement par le bas* as forcefully stated by hon. Osman Mahomed, not only an excellent MP but a well-respected Civil Engineer. His proposed amendment to make provision for energy savings, I am sure would be entertained and would be given due consideration.

The CIA has been untimely ripped and an open legislation, the Minister will rely on regulations and schedules. As I have stated in my opening speech I had interactive sessions with our friends from the Engineering sector, from those who are qualified as professional QS, on and off I talked to the hon. Minister Nuckcheddy...

**Mr Nuckcheddy:** I am not Minister!

**Dr. Boolell:** Well, Junior Minister, PPS is it?

**Mr Nuckcheddy:** Yes!

**An hon. Member:** Coming Minister!

**Dr. Boolell:** Well, everybody has the right to dream except that dream can be easily shattered but...

**Mr Nuckcheddy:** *Dir sa Navin!*

**Dr. Boolell:** I can understand that the hon. Member has the right to nurture hope. Now, as I say the stakeholders do not share the apparent enthusiasm of the Minister and this Bill is made for the regime to have its feel day, it's their best practices.

When we look at the workforce, the shortage of skilled and ageing workforce, as has been highlighted by the Minister, is a main constraint. And I know, hon. Nuckcheddy will agree, reluctance is not the panache accompanying measures and the setting-up of training councils to harness human resources is nothing new. The Minister has vainly tried to burst an open door. Human Resource Development Council and industrial and vocational training, and training on the jobs by young graduates from tertiary institutions is nothing new. It is part of the ongoing process to level up. We should be proud of our graduates from the Faculty of Engineering at the University of Mauritius and other relevant tertiary institutions.

One may argue the Construction Industry Authority has some muscles to flex but time will tell. The skeletal administrative and technical staff of the Construction Industry Development Board will not be able to meet the functions of the CIA as per section 6. The Building Control Act which is indeed an outdated 50-year-old legislation has served its

time but some in the profession have told me that a modern updated Building Control Act would have been a way forward.

At the commemorative ceremony of the 10<sup>th</sup> anniversary of the Qualified Council for Surveyors, the Minister stated that the construction of the A1 to M1 Link Road from Coromandel to Sorèze suffered from a dearth of foreign workers. As a result, the Road Development Authority will provide capacity building, training to Mauritians to assist in realising the project. But the regime tries to justify its failure by shifting the problem elsewhere and reluctant to address the shortage of workforce upfront. Dubai does it, Singapore acts promptly; we don't have to look for lame excuses because of sheer incompetence, Mr Speaker, Sir. Forever, it cannot be COVID-19 or the vagaries of climatic change. If anything, it is the Land Development Authority which badly needs capacity building, and this has to be addressed before consideration is given to attract foreign companies in the construction industry.

Mr Speaker, Sir, the Minister is not keeping the door ajar but opening it wide to invite foreign contractors and consultants to take over. This is not joint venture with local firm but the big foreign companies will make a kidding of our construction industry which has a potential to grow by 6 or 7% of our GDP subject to sound macroeconomic factors and productivity. Indeed, who is not for cross-border initiatives? But our level of preparedness first!

There is a bundle of contentious issues that have to be addressed. First, as I have stated, the fear of being swamped by those who are too big to fail is real. We all live in a global village but the State has no moral or legal obligation or right to pitch a bantamweight weight against a heavyweight. Our local firms have started to punch above their weight. Don't destroy their hope to level up with a skilled workforce, modern technology, that is, digitalisation, decarbonisation and better materials of construction.

There is a wave of disruption across technology, energy and health sectors. Opportunities are knocking. As of now, the Minister has stated that the Public Sector Investment Programme worth more than Rs60 billion is keeping the wheel of construction industry going. It is nothing new. It is clear that there is not much investment from the private sector.

But what about transparency and accountability? Corrupt practices are rife and go against international best practices. There has been a deliberate attempt to put a wedge between engineers, architects and quantity surveyors over the yardstick of bill of quantities and this runs contrary to governance. The Ministers knows who is the instigator.



When it comes to civil work, construction of bridges and roads, engineers rule the waves but on construction of buildings, quantity surveyors want parity of esteem on the bill of quantities. There should be no bone of contention.

Amendments by way of regulations to get away with hell; it is a boulevard of misuse and abuse. The regime has done it with the amendments to the ICTA Act in its exercise to register the SIM cards. In April 2021, in the thick of COVID-19, the regime brought amendment to the Construction Industry Development Board Act despite protests by aggrieved professionals QS who felt that their legitimate rights were being restricted. A case was lodged before the Supreme Court by three prominent quantity surveyors; the case does not rest with the bill of quantities only but there are outstanding issues like mediation, tender documents and arbitration.

The cost of escalation to be borne by buyers, cost of construction will go up by at least 2%. Section 17 of the Bill in relation to mandatory guarantees is already provided for in the Code Civil decennial guaranty. It will definitely cause an escalation in cost with the 10-year insurance policy which will be passed on to the buyer. Provisions are made for buildings to be insured not only on structures as exists in the Construction Industry Development Board Act but also on the finished building or end product.

Mr Speaker, Sir, we cannot always shift the blame on gale force of cyclone or the vagaries of climatic conditions but these should not be excuses to raise insurance premium. Which firm will make the assessment? This has to be spelt out and I am sure when the Minister will make his concluding remarks, these issues which I have raised will be answered. For example, the names of international reinsurers have to be published also.

Of course, there is an urgent need to protect buyers and those who are constructing their homes but there should be differential scale in insurance premiums in relation to the cost of project rather than a uniform rate. Since a firm is registered as a service provider, as per schedule of the Bill, why is it the draftsman should be registered as independent individuals?

Mr Speaker, Sir, these are contentious issues and these contentious issues could have been resolved through dialogue, wide discussion at the bar of public opinion. There were no consultations in spite of what the Minister stated in his second reading. No discussion with the main stakeholders, representative of the Council of Engineers, architects, quantity surveyors, contractors, the Association of Plumbers, contractors and suppliers of aggregate, Mr Speaker, Sir. The indifference of the Minister has been well noted by all stakeholders.

Let me come or refer to some sections of the Bill. Section 18 may be controversial because of alleged conflict of interest by Board members constituting the Registration Panel. The Authority will be managed and administered by a board whose independence is compromised by the powers of the Minister. The Minister almost has unfettered powers.

Section 9(4) gives the Minister absolute control besides as per section 12, he appoints the General Manager of the Authority and I hope the person will not bend backwards to the dictate of the Minister. The Board of the Authority is in the palm of the regime. All the stakeholders have to reckon with the power vested with the Minister.

Mr Speaker, Sir, a sizeable number of people in Constituency No.18 lives in flats. Buildings are becoming high-rise with no compliance to guidelines. When there is an emergency call to fight fire, the lorries are stuck, hardly any passage for the vehicles to manoeuvre in the roads of Quatre Bornes. As to building and land use permit, it is a passport to corrupt practices for the decadent, the filthy and politically uncouth. The Minister would argue that more stringent conditions exist in section 16. Time will tell.

As to the number of builders and contractors who have failed to honour their obligations, their permits should be withdrawn, if not, they should be named and shamed. Belle Rose and Quatre Bornes is a town, as I have stated, with a number of high-rise flats, hotels, and offices. How many high-rise buildings have emergency exits or ramps for the disabled? Yet, provisions in the Disabled Persons Act clearly spelt these facilities, Mr Speaker, Sir. Can the Minister give us an update of the number of at-risk buildings where there is a telescopic ladder to fight a raging fire if ever it happens in these high-rise buildings? The Prime Minister says 'caring Government'. Of course, it cares; it cares for its pockets.

Hon. Alan Ganoo, Minister of Transport had until recently been a vocal critic of the regime, of the poor planning, misuse of building and land use permit, disastrous construction of a link rail of tram in Belle Rose-Quatre Bornes, which has severely impacted upon sewerage and water connection and, consequently, a high risk of contamination. The collapse of the retaining wall of St Jean Cemetery is a curse, Minister. The wreck of many tombs and risk of an outbreak of contagious disease is due to the incompetence of the regime, but, be careful, I do not have to highlight the number of dwellings swamped by flood waters in many parts of the island.

Let me come to the provision on the abandoned and ruinous buildings. When, in the name of decency, will Europa Hotel be imploded? It is a den for drug addicts, a prime location for use of dirty syringes. Promises were made by the Deputy Prime Minister to implode Europa, but the regime is fake and lacks competence. The delay speaks of sheer

incompetence of the regime. I would ask the Minister of National Infrastructure and Community Development, if he cares for safety of citizens, to clear all the bushes near laybys and bus stops. Sodnac is a prone area and citizens of Sodnac are sick and tired of filing complaints.

I call upon the Minister to think twice and not to expedite with half-baked legislation. Give serious consideration at how best to mitigate, to redress. Make sure we do not have a Grenfell Tower fire of 14<sup>th</sup> June, as it happened in London, Mr Speaker, Sir. We hope that this never happens in Mauritius. The fire in Shoprite was an awakening call. Construction with fire safety exit is mandatory, and together with his colleague, the Minister of Local Government, tender should be called to acquire a telescopic ladder with appropriate training dispensed to fire fighters. Make sure there is no towering inferno with the number of high-rise buildings being constructed back to back. There are lessons to be learned from the Grenfell experience.

Mr Speaker, Sir, let me conclude by saying: put the safety of people first and not the pockets, Minister.

Thank you very much.

**Mr Speaker:** Next orator!

(9.49 p.m.)

**Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil):** Thank you, Mr Speaker, Sir, for giving me the opportunity to contribute on this Bill.

At the very outset, Mr Speaker, Sir, following your announcement of this morning concerning the declaration of interest, as this Bill will have consequential amendments to the Professional Quantity Surveyors' Council Act, I thus feel appropriate to inform the House that I am a member of the Professional Quantity Surveyors' Council and also formed part of the Building Control Advisory Council between the years 2015 and 2017.

This Bill, Mr Speaker, Sir, the Construction Industry Authority Bill, is to provide a modern overarching and consolidated legislation for the construction industry. Our country is very much influenced by the British. Our legislative procedures, as you mentioned this morning itself, which the Leader of the Opposition was not respecting, we inherited it from the British, and so is the construction industry, Mr Speaker, Sir. Our buildings are designed under the British standards; the architects design according to the British Building Regulations; we, the Quantity Surveyors, work on a standard method of measurements and, as to now, we do not have any standard of measurements of our own, which is for the island of Mauritius. So, we are using what we call the POMI, the NRM2,

which are publications of the Royal Institution of Chartered Surveyors from Coventry in UK. And a few weeks ago, the Professional Quantity Surveyors' Council of Mauritius celebrated its 10<sup>th</sup> anniversary.

So, before the year 2013, the Professional Quantity Surveyors were recognised as a professional if they hold a membership with the Royal Institution of Chartered Surveyors. Again, this Institution is a British Institution. So, you see, Mr Speaker, Sir, we are in a situation where we have to work not jointly with the UK but also with other countries, especially when the Bill is promoting for international ventures and also encourages local firms to explore the international markets.

So, as we are talking of the British standards, British norms, I would like to mention here a report published by Sir John Egan in 1998 entitled 'Rethinking Construction'. And, in that report, it was mentioned that a successful construction industry is essential to us. It also mentioned, Mr Speaker, Sir, that however well the construction industry will do, there will always be a deep concern that the industry is underachieving. It will have a low profitability, the investment in capital will be low, and research and training also will be low compared to other industries. The clients will never have full satisfaction and the industry will become more and more adversarial.

That is why, Mr Speaker, Sir, during my intervention, I will stress on two objectives which the Authority is preconizing, that is, first, the regulations of the industry, and secondly, on the dispute resolution mechanism which will especially be between individuals and small contractors. On this aspect of dispute resolutions, I will come with some proposals. As you know, when we are talking of construction industry, we have a knowledge gap between the parties, because here we are talking of a labourer on one side and a contract manager on another side. There is a big gap of knowledge, of qualifications. So, this is an issue in the construction industry. And by repealing the Building Control Act and the Construction Industry Board Act, this Act, Mr Speaker, Sir, will regulate the industry in a modern way, and to do so, we need key drivers are not only changed but also of innovation.

The Leader of the Opposition who is not here as usual. And you know, when I see the time the Leader of Opposition spends in this House, it reminds me of Amitabh Bachchan in *Roti Kapada Aur Makaan* whom you see only at the beginning of the movie and then at the end. In between, you do not see him, he disappears.

*(Interruptions)*

The Leader of the Opposition, Mr Speaker, Sir, mentions that this Authority is going to be a quango when, in fact, it will not be one. Quango was *Maurice Ile Durable*. Their *démocratisation de l'économie*, these were quango, while this one here, with this Act...

*(Interruptions)*

No, not *Maurice c'est un plaisir*. Here we are talking of an Authority, Mr Speaker, Sir. And in the second paragraph on the first page, it is mentioned that this Authority will take over the CIDB and the Building Control Advisory Council.

It is not an additional authority that is being created as some of the hon. Members from the opposite side of the House mentioned, that we are here to create authorities to make place for our people, the same old tunes. This Bill is not just about changing and repealing or whatever it is, but it is that of creativity.

Let me inform this House, Mr Speaker, Sir, that in order to create, to innovate, to change, you need some key drivers, and the drivers that I have identified in the Bill is the committed leadership. We have the hon. Minister who has taken a commitment to improve the industry. This is a sign of committed leadership. When we are talking of the mandatory insurance that hon. Dr. Boolell has just mentioned, it is a focus on customer. It is the second driver. Now, by involving the suppliers as part of the supply chain in the construction industry, this Bill is promoting a spirit of partnering as compared to the fragmentation that we have actually in the construction industry, and this is integrating the process and the team. Quality driven – the Bill not only wants to address the reduction of defects but also to improve the system, the way things are being done so that we can do the right thing at the first time. And commitment to people, Mr Speaker, Sir, when we are talking of decent site conditions, health and safety, training and development, respect for all participants and especially, bringing female in the industry, it is commitment to people. So, these are the five key drivers that I have identified and all this, Mr Speaker, Sir, is going to improve the performance.

You may be surprised, Mr Speaker, Sir, that when we look at the construction industry, hon. Dr. Boolell mentioned that, maybe a lot of us are not aware that contractors in Mauritius, when you look at their balance sheet, you will see that the net profit that they do on the turnover is about 2% only. And in the same industry, the cost overrun due to time, the additional time that is actually being taken in the construction, - that is the additional time over the planned one - the wastage and the reduction in defects, if we can reduce all these, we can increase the turnover of these companies by an additional of 4%, that is, we can increase the profit by 300%. This is what the Bill is intending to do.

Now, the construction industry, with the projects that we are having, the infrastructural works, the highway projects, the interchange, the flyover that this Government is building, it is modernising the country and it is becoming more and more an important pillar of our economy. And of course, it requires a Government with a vision which can cope with these increasing demands and the increased technologies and innovations. When you look at the statistics, Mr Speaker, Sir, when I am talking about the important pillar of the economy, in 2012 – and we know who was in Government in 2012 – the contribution of the construction industry to the national economy was as low as 3.3%. And you know, with this Government, even during COVID in 2020, we reached 4%. Now, I understand why the Leader of the Opposition when he was the Minister of Finance at that time, he was only giving Rs125 as compensation, and now he is pleading for a *14<sup>ème</sup> mois*.

**Mr Toussaint:** *Travay pas travay, 14<sup>ème</sup> mois !*

**Mr Nuckcheddy:** No, he knows that we are working. He knows how we are handling the economy. I know you will tell me to stick to the Bill, so let me go back to the Bill.

*(Interruptions)*

This Bill, Mr Speaker, Sir, is paving a way to a radical...

*(Interruptions)*

Just before you tell that, I took a proactive...

This radical change will allow to improve the process in the project delivery and one of the ways that it can be done, Mr Speaker, Sir, is by way of creating an integrated project process around the four key elements, which is the product development, project implementation, partnering the supply chain and production of components. This Act will now regulate the industry in this manner and that is why now the suppliers of the construction materials, equipment – hon. Woochit has already left as usual but it is something quite interesting for him – the plant and labour for construction purpose are included in the process of regulating the industry. So, we are now incorporating everybody, it is not only the contractors or the consultant but also the suppliers.

One of the objects of this Authority, Mr Speaker, Sir, is to promote the use of emerging technologies, new methods and techniques in the construction industry. When we talk of new techniques, Mr Speaker, Sir, we must turn away from the several traditional methods which need improvement. Let me take the example of the lowest bidder principle. Actually, when we launch tenders and receive tenders, it is in

everybody's mind that the lowest bidder should be awarded the project. And if you do not award the project to the lowest bidder, people have the tendency to say that there are dodgy practices, the Members of the Opposition will come with PQs, while this is not the case. We must change that mindset. And we must understand that it is not only the price that we look at when we launch a tender, otherwise, it would have gone on auction. What we are looking at is the best value that the contractor can provide. We must consider: does the lowest bidder have the experience? Does the lowest bidder have the expertise? Does the lowest bidder have the resources available to undertake the project? Does the lowest bidder have a good track record? What about the lowest bidder's financial standing, Mr Speaker, Sir? What if tomorrow you award a contract to a contractor and then he goes bankrupt midway? So, these are all the questions that we should start putting deep grounded in our system, in our construction industry and look at our procurement policies so that we have the value that we are looking at, and not only looking at the cost.

This Bill also mentions the management contracting at section 5 (g). The management contracting, Mr Speaker, Sir, is one of the modern ways of procurement of projects and the Authority is going to promote management contracting. When we are talking of modern ways of procurement, let me inform the House that design-build is one of them. What the Members of the Opposition, especially hon. Osman Mahomed, who is a Civil Engineer, did not say when we came with the design-build for the social houses? For them, there is only the traditional method. The world is changing, we are having new methods and we must explore these new methods; we got design-build.

Mr Speaker, Sir, 8,000 social houses that we are constructing in Phase I is something that no one has dared before. It is a challenge for this Government. The new system that we are using, that most of the contractors are using, this was also criticised by the Opposition. The modern techniques which have been used in Reunion Island, in European countries, in Asia, and everywhere are actually using less blocks and it goes faster. And more importantly, Mr Speaker, Sir, they use less labour and eventually bring a better value because the quality of the product that you get is better than you get with the traditional method.

Now, let me take the example of the labour, normally, if you count on average of five workers per house while you are building 8,000 houses, you would have needed 40,000 workers, and it is not something easy to get. With this new system, we will not need block layers because the concrete across the walls are in concrete, the slab, everything is in concrete, and so you do not have block layers. You do not need plasters.

You are not at the mercy of the weather because even if the weather is clement, you can still work, you don't need plastering. There is no disruption in the progress. So, where is the problem with these new techniques? Is the problem that we are achieving what the Labour Party could not even dream of? Is that the problem, Mr Speaker, Sir? Anyway, Mr Speaker, Sir, to regulate the industry promotion of new method, innovations, research, new technologies and techniques is the need of the hour. Sustainability is no more an option for the Construction Industry, Mr Speaker, Sir.

As a Government, we must act against the 36% of the worst energy consumption and 40% of its CO2 emission. This Bill encourages the standardization and improvement of construction materials which will encourage pre-fabrication and cater for the energy consumption and carbon emission and these factors put together pose a huge concern and we can see that this has fuelled the Government to consider sustainability as a primary agenda. Research has shown that the road block to tackle the issue is primarily the lack of data and now, at section 6 subsection (e), the Authority will have the power to –

“(e) collect statistical information in the field of construction;”

and obviously data on construction and emission of energies. Let me just inform the House, Mr Speaker, Sir, already on some projects where we have some of our major projects which have got green ratings, they are already applying new measures so that they can control the carbon emissions and proper use of energy and the management of wastes. Also at the section 5(h) and (i) which is promoting innovation and emerging technologies, this can facilitate the collection of data and the digitalisation of the Industry. You know, a lot has been talked about the foreign contractors of consultants. You know in 1989, I was doing my internship on a major construction project and at that time, we had several foremen on that project and we had the Contract Manager. The Contract Manager is normally the top guy, the number one of the site. I normally call them the MD of the site and whenever we had any issues the Contract Manager usually called some foremen to discuss the issues and have their input. It was always the two or three foremen that were being called. So, once I asked the Contract Manager, why do you always call these three foremen to have some consultation and you know what answer I got, Mr Speaker, Sir? He told me that these guys had worked in Saudi Arabia and Diego Garcia with Americans. So, they had the international know-how but now when we are promoting, we are bringing a regulation so that we can have joint ventures, contractors can have so and also the consultants. The Mauritians won't have to go abroad to have the international experiences, international know-how, they will get it here itself in Mauritius, from these people who



will be coming from abroad to help us to form our staff, our workers, our technicians, alike.

However, I agree that the joint venture should not be a sort of opening a flood gate for any foreign consultant and contractors to enter our country. There will be a well-structured process and procedures before the joint venture can actually operate in our country. All this is very interesting for the Construction Industry, Mr Speaker, Sir, and the Government, the Ministers and we are all striving to modernise our system not only in the construction but also at the management level. A dispute resolution mechanism in the contract provides for a non-adversarial mindset.

So, here as I said earlier, I will propose some amendments. I will request the hon. Minister to see to it that the parastatal bodies, they do also promote the alternative dispute resolutions so as to maintain the good relationship between the main contractors, sub-contractors building employers and make the process easier. And this is one of my proposals.

The second one, Mr Speaker, Sir, is concerning the registration of our professionals; the engineers, architects and the quantity surveyors. Let me take the example of an engineer. Someone who wants to pursue studies in engineering, he will have to attend the University for at least three years. After his graduation, he will have to work as a trainee engineer under the guidance of an experienced and qualified engineers for a minimum of another three years that is of 6 years, his 3 years at the University and his training as trainee or junior engineer. After that, he will have to prepare a report; he will have to submit it to the Council. He will have to attend an interview and after 7 years approximately, he will be a Registered Engineer, a Professional Quantity Surveyor or an Architect.

And now after being registered, he can work on projects of, let's say, PDS Projects, he can run PDS Projects worth billions of rupees but the issue that we are having with some parastatal bodies is that they require that the registered engineer or registered professional have at least 15 years post-registration experience and that also for small projects and I think this is not fair. If in the private, he can run a project worth million, why is he not given the opportunity to run projects of Rs30 – Rs40 million in the parastatal bodies? Recently, there was a bidding exercise and one of the criteria was that the registered engineer should have at least 15 years post-registration experience and as no one could satisfy this criteria, the project was re-launched and now after a year, the project is under retendering again. So, we have lost a year in-between. And so as to avoid these delays, I am of the opinion that the proposed authority shall look into these issues as the

Part VII (40) does confer the power to the Minister to give directions to the Authority to which the latter shall comply. Under Section 6, that is, the functions and powers of the authority, the Bill also provides for the authority to develop standard form of contracts for the construction industry.

The British when they left our country, they left behind a general condition of contract which was being used in the Government Projects up to recently. However, currently FIDIC is being used and the issue with FIDIC now is the abusive amendments that are being made by consultants which is very unilateral and also in favour of the clients and especially when they amend the clause 2.4, 4.2, 5.5 and so on and very often, these amendments they render the contract in contradiction with our Code Civil and Civil Law. I know that some of our authorities have already communicated that issue to the FIDIC and FIDIC is looking at it.

So, I will definitely thank the hon. Minister for coming up with such an idea that will bring a balance and share the risk equally between the parties as this issue was raised in 2016 by the CIDB. It's all by the CIDB when the hon. Joe Lesjongard had a PQ on Tuesday, 10 November 2015, addressed to the then Minister of Public Infrastructure and Land Transport, questioning if the Mauritian Government will consider the introduction of Building and Construction Industry Security of Payment Bill as objective to safeguard the interest of the contractors or the sub-contractors and of the consultants thereof for the timely payment in respect of the good and services provided. That Parliamentary Question, Mr Speaker, Sir, raised an awareness across the island regarding the absence of such an act. The CIDB was then called by the Minister of MPI to undertake a ground work to identify the problems of the Mauritian Construction Industry. The main finding of that Report presented by the CIDB is considered as a Mauritian's owned equivalent to the UK Latham Report which concluded that the development of the construction industry is being currently hampered by major difficulties and contractual complications faced by contractors, sub-contractors and consultants alike. The Report further showed that this situation is a result of abusive and unfair conditions of contract imposed upon those parties. CIDB also accused this situation as being the crux of protracted delays and disruptions which causes major disputes over time and cost entitlements which impact adversely on the project delivery. The recommendation therefore proposes that appropriate legislation to be introduced to address such issues.

So, there are several provisions in this Bill which are going to curtail these issues. I will also request the hon. Minister to consider the adjudication as ADR and also the payment issues in the construction industry. Adjudication has established itself as the

primary method of resolving construction disputes and 2023 will mark the 25<sup>th</sup> anniversary of the coming of this adjudication ADR as a method of dispute resolution in the UK. While not a perfect process, it has proved to be very popular and is generally viewed as successful and has been adopted in several other countries around the world.

Several ADRs exist, Mr Speaker, Sir, and this Bill is going to promote ADR rather than litigation which is a laudable effort by the hon. Minister. So, I will request the hon. Minister, though I understand that the Council has already got 14 members, but I feel that we should include a representative of the CIARB and Project Managers so that the objectives may be met more efficiently.

Mr Speaker, Sir, I will conclude by recommending our friends be it on this side of the House or the other side to consider the saying of David Allan Coe next time they see a building. When next time you look at a building, it is not the beauty of building that you should look at; it is the construction of the foundation that will stand the test of time that you should look at.

This Bill, Mr Speaker, Sir, will help the industry to prosper, create a partnering spirit. This Bill is that foundation that will stand the test of time and thank you for giving me the opportunity to contribute in the construction of that foundation.

Thank you, Mr Speaker, Sir.

**Mr Speaker:** Hon. Ittoo!

**Mr Ittoo:** Mr Speaker, Sir, I move for the adjournment of the debate.

**Mr Abbas Mamode seconded.**

*Question put and agreed to.*

*Debate adjourned accordingly.*

## **ADJOURNMENT**

**The Deputy Prime Minister:** Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 05 December 2023 at 11.30 a.m.

**The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun) seconded.**

*Question put and agreed to.*

**Mr Speaker:** The House stands adjourned! Adjournment matter?

*At 10.18 p.m., the Assembly was, on its rising, adjourned to Tuesday 05 December 2023 at 11.30 a.m.*

**WRITTEN ANSWERS TO QUESTIONS**

**MV WAKASHIO – COURT OF INVESTIGATION – REPORT FINDINGS**

(No. B/1579) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Report of the Court of Investigation set up to look into the grounding of the MV Wakashio, he will state the findings of the Inter-Ministerial Committee set up to examine the recommendations contained therein, indicating –

- (a) where matters stand as to the implementation thereof, and
- (b) if he will now table copy thereof and, if not, why not.

*(Withdrawn)*

**MEDICINAL CANNABINOIDS – POLICE MEDICAL OFFICER**

(No. B/1580) Mr A. Ittoo (Third Member for Vacoas & Floréal) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to medicinal cannabinoids, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof prescribed by the Police Medical Officer to date, indicating if there has been any follow up thereon, giving details thereof.

*(Withdrawn)*

**PRIME MINISTER’S OFFICE – ALCOHOLIC DRINKS – COST INCURRED**

(No. B/1582) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to alcoholic drinks procured by the Prime Minister’s Office for the period 2010 to 2014, he will state the cost incurred for the purchase thereof, giving a breakdown thereof.

*(Withdrawn)*

**MR B. L - ARREST – ALLEGED DRUG CASE – INQUIRY**

(No. B/1583) Ms N. Ramyad (Third Member for Vieux Grand Port & Rose Belle) asked the Prime Minister, Minister of Defence, Home Affairs and External

Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the arrest of Mr B. L. on 04 November 2022 for an alleged case of possession of drugs, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry initiated thereinto.

*(Withdrawn)*

#### **RAVE PARTY, TRIOLET – DRUGS SEIZURE – ARRESTS**

**(No. B/1585) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Police raid carried out at a rave party in the vicinity of Triolet on or about 11 November 2023, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the –

- (a) quantity of drugs seized thereat, indicating the nature of the drug and market value thereof, and
- (b) number of persons arrested in connection therewith, indicating if the Police has objected to the grant of bail thereto.

*(Withdrawn)*

#### **EDUCATIONAL INSTITUTIONS – BOMB THREATS – INQUIRY**

**(No. B/1587) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the successive bomb threats received in more than 30 educational institutions on Thursday 16 November 2023, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if an inquiry has been initiated thereinto in order to trace the sender of the threatening emails and, if so, the outcome thereof.

*(Withdrawn)*

#### **PALMAR - STATE LANDS – CALL FOR EXPRESSION OF INTEREST**

**(No. B/1624) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the Call for Expression of Interest - Development of a mixed-use precinct at Palmar involving 238 acres of state lands, he will for the benefit of the House obtain from the Economic Development Board information as to –

- (a) the number of applications received therefor as at the closing date, indicating the names of the applicants, and
- (b) if the proposed development has been the subject of a Strategic Environment Assessment.

*(Withdrawn)*

#### **CSG – DISABILITY ALLOWANCE – CRITERIA**

**(No. B/1626) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the *Contribution Sociale Généralisée* Disability Allowance of Rs2,500 allocated to persons suffering from a disability between 40 and 59 per cent as announced in the 2023-2024 Budget, she will state the criteria to benefit therefrom, indicating the –

- (a) type of disabilities concerned therewith, and
- (b) number of beneficiaries thereof since July 2023 to date.

*(Withdrawn)*

#### **CHILD SEX OFFENDERS – CHEMICAL CASTRATION – INTRODUCTION**

**(No. B/1627) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière)** asked the Minister of Gender Equality and Family Welfare whether, in regard to the proposed introduction of chemical castration for child sex offenders, she will state where matters stand.

*(Withdrawn)*

#### **CAMP CAROLL, GRAND' BAIE – DRAINS CONSTRUCTION – WORK PROGRESS**

**(No. B/1628) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or)** asked the Minister of National Infrastructure and Community Development whether, in regard to the construction of drains at Camp Caroll in Grand' Baie, he will, for the benefit of the House, obtain information as to the work in progress of the remaining 40 per cent thereof.

**Reply:** Reference is being made to the reply to PQ B/999 on 08 September 2020, whereby the House was informed of the difficulties being encountered in the project 'Construction of Drains at Camp Caroll, in Grand-Baie'. Works which were completed at 60%, had been stalled due to a dispute issue with the contractor, who requested for an increase in rates for completion of works but this was not allowed in the contract. The

NDU faced the same problem with the consultant as well who, on his part, had requested for additional fees.

This project consists of the construction of 1.4 kilometres of covered reinforced concrete drains of width varying between 300 to 1,200 millimetres and associated works such as road reprofiling and provision of gratings. The construction of about 384 metres of drains remains outstanding till date.

Following the stoppage of works by the contractor, extensive negotiations have had to be held on the dispute concerning the increase in rates being claimed. Unfortunately, a consensus could not be reached, particularly in view of the provisions in the contract. Accordingly, the contracts of both the contractor and the consultant on the project had to be terminated.

The NDU subsequently appointed a new consultant, namely, Benchmark Consulting Engineers Ltd for the reviewing and updating the design and undertaking supervision of the works.

The roads along which the drains are to be constructed are narrow and densely built up. Moreover, they are congested with existing underground services such as the CWA, MT and WMA services. Various options had to be investigated in order to assess the possibility to avoid the construction of drains within the inhabited zone. However, according to the consultant's report, in view of the prevailing topography of the region, there is no other option than to construct the drains on the roads within the inhabited area itself.

In this respect, further site surveys were undertaken to gauge the level of difficulty that the existing services could have during construction. It was found that in addition to the CWA, MT, and WMA services, inspection chambers belonging to the latter and connected to each household were located along the road. Moreover, underground electric lines which service an existing pumping station of the WMA also exist on the site.

These show the complexity of implementing the project and it is likely that the drains cannot be accommodated on the roads without relocating the existing services, especially the WMA services. In this connection, it is considered that further investigations in terms of trial pits are required to confirm the most appropriate design for the project, assessing the actual scope of works and corresponding cost implications to avoid delays and additional costs during construction.

The NDU will be inviting bids for these works as soon as possible.

**CONSTITUENCY NO. 4 – GOVERNMENT SCHOOLS –  
RENOVATION WORKS**

**(No. B/1629) Ms J. Tour (Third Member for Port Louis North & Montagne Longue)** asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the renovation works undertaken in government schools in Constituency No. 4, Port Louis North and Montagne Longue, she will give a list thereof since 2020 to date, indicating in each case the –

- (a) scope of works, and
- (b) related costs.

*(Withdrawn)*

**ENT HOSPITAL – SURGICAL PAEDIATRIC UNIT – SPECIALISED  
SURGEONS**

**(No. B/1630) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Health and Wellness whether, in regard to the surgical paediatric unit at the ENT Hospital, he will state the number of specialised surgeons attached thereto.

*(Withdrawn)*

**DOMESTIC VIOLENCE – PERPETRATORS' REHABILITATION –  
STATISTICS & FOLLOW UP**

**(No. B/1631) Ms S. Anquetil (Fourth Member for Vacoas & Floréal)** asked the Minister of Gender Equality and Family Welfare whether, in regard to the rehabilitation of perpetrators of domestic violence, she will state –

- (a) the number of perpetrators having been rehabilitated as at date, indicating if any follow up is carried out upon the completion of the programme therefor and, if so, give details thereof, and if not, why not.

*(Withdrawn)*

**PUBLIC HOSPITALS – SECURITY SERVICES - CONTRACT**

**(No. B/1633) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Health and Wellness whether, in regard to security services in public hospitals, including the New Cancer Hospital since 2020 to date, he will state –



- (a) the name of the company having been awarded the contract therefor, indicating the terms and conditions thereof, and
- (b) if his Ministry is in presence of any recent complaint against Edmond Security Services Ltd., with regard to thefts having occurred on site where its services have been retained, indicating the –
  - (i) action, if any, taken in relation thereto, and
  - (ii) amount paid to the company.

*(Withdrawn)*

### **CONSTITUENCY NO.16 – INFRASTRUCTURAL PROJECTS – BUDGET**

(No. B/1634) Mr N. Bodha (Second Member for Vacoas & Floréal) asked the Minister of National Infrastructure and Community Development whether, in regard to infrastructural projects in Constituency No.16, Vacoas and Floréal, he will, for the benefit of the House, obtain from the National Development Unit, information as to the number thereof, indicating the budget earmarked therefor.

*(Withdrawn)*

### **ENVIRONMENT PROTECTION ACT – ASSISES DE L'ENVIRONNEMENT – PROPOSED AMENDMENTS**

(No. B/1635) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Environment, Solid Waste Management and Climate Change whether, in regard to the Environment Protection Act, he will state where matters stand as to the proposed amendments to be brought thereto as recommended by the *Assises de l'Environnement*, indicating when same will be introduced in the National Assembly.

*(Withdrawn)*

### **VEGETARIAN & HALAL FOOD – CERTIFICATION**

(No. B/1636) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to the certification of vegetarian food and halal food, he will state where matters stand.

*(Withdrawn)*

### **FIFA WORLD CUP 26™ CAF QUALIFIERS GROUP STAGE**

**(No. B/1638) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to Football, he will –

- (a) state the reasons as to why the first leg match Club M v/s Angola for the FIFA World Cup 26<sup>TM</sup> CAF Qualifiers Group Stage (Group D) played on 21 November 2023 was scheduled at the Côte D’Or Stadium, indicating
  - (i) the number of seats available thereat
  - (ii) the number of tickets sold and revenue generated therefrom and
- (b) the other alternatives to the Côte d’Or Stadium, if any, for the holding of the said match.

*(Withdrawn)*

#### **CLIMATE RESILIENCE BILL – ADAPTATION & MITIGATION**

**(No. B/1639) Dr. A. Boolell (First Member for Belle Rose & Quatre Bornes)** asked the Minister of Environment, Solid Waste Management and Climate Change whether he will state if consideration will be given for the introduction of a Climate Resilience Bill in the Assembly to provide for institutional oversight to place Adaptation and Mitigation on the same footing with a view to reducing emissions responsible for global warming.

**Reply:** On 22 April 2021, the Climate Change Act 2020 entered into force. Section 13 therein provides for the preparation of a National Climate Change Adaptation Strategy and Action Plan. Consequently, a process is underway for securing the services of an implementing partner who would be responsible to prepare –

- (i) a Country Programme for Mauritius which would be based on the Nationally Determined Contributions, and
- (ii) a National Climate Change Adaptation Strategy and Action Plan as well as sectoral National Adaptation Plans.

Furthermore, section 14 of the Climate Change Act 2020 provides for the formulation of National Climate Change Mitigation Strategy and Action Plan. In that respect, the first National Climate Change Mitigation Strategy and Action Plan 2023 for the period 2021- 2030 has been formulated under the Nationally Appropriate Mitigation Action (NAMA) project. It will play a pivotal role in mitigation achievements of the Nationally Determined Contributions and for supporting the long-term objective to

contribute towards achieving a net-zero carbon society by 2070 while achieving the Sustainable Development Goals.

In 2019, a Mauritius Resilience Strategy was prepared by the Ministry of Environment, Solid Waste Management and Climate Change, under the Adapt'Action programme, to enhance the resilience of critical sites in the island, namely in the coastal zones. This strategy has, at its core, the promotion of nature-based solutions and aims at strengthening climate resilience through the mapping, updating and mainstreaming of Environmentally Sensitive Areas in the development planning process, namely the National Development Strategy, the Outline Planning Scheme and the process for the allocation of Building and Land Use Permits. As a first step to its implementation, a capacity building exercise was undertaken in May 2023 whereby some 40 cadres from both the public and the private sectors had the opportunity to raise their awareness on nature-based solutions as well as to enhance their capacity on Geographic Information System and mapping of Environmentally Sensitive Areas.

Moreover, in 2021, pursuant to the support of Heat GmbH, a German consulting firm, under the UNDP Climate Promise Initiative, the National Climate Change Adaptation Policy Framework of 2012 was reviewed. In view of the interlinkages in the different adaptation sectors, namely water, agriculture, tourism and biodiversity, the 2021 National Climate Change Adaptation Policy Framework has recommended the adoption of an integrated approach in addressing those sectors for reaping the co-benefits.

Mauritius has submitted its 2021 updated Nationally Determined Contributions to the Secretariat Of United Nations Framework Convention on Climate Change whereby the adaptation component therein is based on the core recommendations of the 2021 updated National Climate Change Adaptation Policy Framework, which pertain mainly to the promotion of nature-based solutions and the ridge to reef approach.

Taking into consideration provisions already made in the Climate Change Act 2020, as well as measures and actions already undertaken by the Ministry of Environment, Solid Waste Management and Climate Change, a Climate Resilience Bill is presently not being envisaged.

### **FEMINICIDE - PREVENTIVE MEASURES**

**(No. B/1640) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière)** asked the Minister of Gender Equality and Family Welfare whether, in

regard to femicide, she will state the number thereof on a yearly basis since 2019 to date, indicating the preventive measures envisaged to combat same.

*(Withdrawn)*

**BUDGET SPEECH 2023-2024 - CHILDCARE FACILITIES -  
WORKPLACE**

**(No. B/1641) Ms S. Anquetil (Fourth Member for Vacoas & Floréal)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the budgetary measure announced in the Budget Speech of 2023-2024 to make it compulsory for all companies with more than 250 employees to provide the necessary childcare facilities in the workplace, he will state where matters stand.

*(Withdrawn)*

**CWA - NEW STANDARD SOLUTIONS - CONTRACT**

**(No. B/1642) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Energy and Public Utilities whether, in regard to New Standard Solutions, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the number of contracts awarded thereto as at to date, indicating, in each case, the –

- (a) contract value;
- (b) description of works, and
- (c) procedures for the allocation of contract thereto.

*(Withdrawn)*

**MOKA & SOUILLAC HOSPITALS – SURGERIES – WAITING LIST**

**(No. A/26) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Wellness whether, in regard to the Moka and Souillac Hospitals, he will state the number of patients awaiting surgeries thereat, indicating the –

- (a) category of surgery thereof, and
- (b) waiting time thereof, indicating the remedial measures envisaged therefor.

**Reply:** A copy of the waiting list for surgeries at Moka (Subramania Bharati Eye Hospital) and Souillac Hospitals respectively is being placed in the Library of the National Assembly.

As at 31 October 2023, a total of 1,558 patients are on the waiting list for cataract surgeries. In view to curtailing the waiting list and providing timely treatment to patients,

my Ministry carried out a market sounding exercise to enable referral of cataract surgery cases to local private clinics.

As at date, 1,000 patients have already been referred for cataract surgeries in one local private clinic.

As from 27 November 2023, a further batch of 500 patients has been referred thereat to further reduce the waiting list. In addition, provision is being made for extra sessions for cataract surgeries after normal working hours to Ophthalmologists at Moka Eye Hospital as from January 2024.

I am further informed that the waiting list for other eye surgeries, besides cataract surgeries, is on the low side. Complicated eye surgeries are attended to numerous times a year during visit of foreign teams in Ophthalmology.