



SEVENTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

(UNREVISED)

FIRST SESSION

TUESDAY 09 MAY 2023

CONTENTS

ANNOUNCEMENTS

PAPERS LAID

QUESTIONS (*Oral*)

MOTION

STATEMENTS

BILLS (*Public*)

ADJOURNMENT

THE CABINET**(Formed by Hon. Pravind Kumar Jugnauth)**

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 Minister of Foreign Affairs, Regional Integration and International Trade
Dr. the Hon. Renganaden Padayachy	Minister of Finance, Economic Planning and Development
Hon. Mrs Fazila Jeewa-Daureeawoo, GCSK	Minister of Social Integration, Social Security and National Solidarity
Hon. Soomilduth Bholah	Minister of Industrial Development, SMEs

	and Cooperatives
Hon. Kavydass Ramano	Minister of Environment, Solid Waste Management and Climate Change
Hon. Mahen Kumar Seeruttun	Minister of Financial Services and Good Governance
Hon. Georges Pierre Lesjongard	Minister of Energy and Public Utilities
Hon. Maneesh Gobin	Attorney General, Minister of Agro-Industry and Food Security
Hon. Jean Christophe Stephan Toussaint	Minister of Youth Empowerment, Sports and Recreation
Hon. Mahendranuth Sharma Hurreeram	Minister of National Infrastructure and Community Development
Hon. Darsanand Balgobin	Minister of Information Technology, Communication and Innovation
Hon. Soodesh Satkam Callichurn	Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection
Dr. the Hon. Kailesh Kumar Singh Jagutpal	Minister of Health and Wellness
Hon. Sudheer Maudhoo	Minister of Blue Economy, Marine Resources, Fisheries and Shipping

Hon. Mrs Kalpana Devi Koonjoo-Shah

Minister of Gender Equality and Family
Welfare

Hon. Avinash Teeluck

Minister of Arts and Cultural Heritage

Hon. Teeruthraj Hurdoyal

Minister of Public Service, Administrative
and Institutional Reforms

PRINCIPAL OFFICERS AND OFFICIALS

Mr Speaker	Hon. Sooroojdev Phokeer, GCSK, GOSK
Deputy Speaker	Hon. Mohammud Zahid Nazurally
Deputy Chairperson of Committees	Hon. Sanjit Kumar Nuckcheddy
Acting Clerk of the National Assembly	Ramchurn, Ms Urmeelah Devi
Adviser	Dowlutta, Mr Ram Ranjit
Clerk Assistant	Gopall, Mr Navin
Clerk Assistant	Seetul, Ms Darshinee
Chief Hansard Reporter and Sub-Editor	Cooposamy, Mrs Sheela
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Serjeant-at-Arms	Bundhoo, Mr Anirood

MAURITIUS

Seventh National Assembly

FIRST SESSION

Debate No. 06 of 2023

Sitting of Tuesday 09 May 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)

ANNOUNCEMENTS

PARLIAMENTARY OVERSEAS MISSIONS – PRACTICE & MECHANISM

Mr Speaker: Hon. Members, I have the following announcements:

Following the announcement I made at the sitting of Tuesday 25 April 2023, regarding Parliamentary Overseas Missions and the practice and mechanism thereof, I wish to inform the House of the following –

The National Assembly is affiliated to the following International and Regional Organisations for which an annual subscription fee is payable –

- (i) the Inter-Parliamentary Union;
- (ii) the Commonwealth Parliamentary Association International;
- (iii) the Commonwealth Parliamentary Association (Africa Region);
- (iv) *l'Assemblée Parlementaire de la Francophonie*;
- (v) the Pan-African Parliament;
- (vi) the SADC Parliamentary Forum, and
- (vii) the SADC Organisation of Public Accounts Committees.

In addition, the National Assembly is equally affiliated to the African Caribbean Pacific-European Union Joint Parliamentary Assembly, the World Trade Organisation, the Commonwealth Association of Public Accounts Committees and the International Renewable Energy Agency. In regard to these Organisations, no subscription fee is payable.

Moreover, on 09 November 2022, *l'Association des Parlementaires de la Commission de l'océan Indien* was reactivated under my Chairpersonship.

The House may wish to note that the composition of these Organisations is designated as follows: Members from the Government Side by the hon. Prime Minister and Members from the Opposition Side by the hon. Leader of the Opposition, respectively.

The composition of the delegation in each case is as follows –

- Inter-Parliamentary Union –

- (i) The Speaker as Leader of the delegation;
 - (ii) Dr. the hon. Ramdhany, and
 - (iii) Hon. Assirvaden.
- Commonwealth Parliamentary Association International –
 - (i) The Speaker as Leader of the delegation;
 - (ii) Hon. Doolub;
 - (iii) Hon. Ms Jutton, and
 - (iv) Hon. Shakeel Mohamed.
- Commonwealth Parliamentary Association (Africa Region) –
 - (i) The Speaker as Leader of the delegation;
 - (ii) Hon. Doolub;
 - (iii) Hon. Ms Jutton, and
 - (iv) Hon. Ramful.
- *L'Assemblée Parlementaire de la Francophonie* –
 - (i) The Speaker as Leader of the delegation;
 - (ii) Hon. Bablee, and
 - (iii) Hon. David.
- Pan-African Parliament –
 - (i) Hon. Mrs Luchmun Roy;
 - (ii) Hon. Mrs Mayotte;
 - (iii) Hon. Léopold;
 - (iv) Hon. Quirin, and
 - (v) Hon. Richard Duval.
- SADC Parliamentary Forum –

- (i) The Speaker as Leader of the delegation;
 - (ii) Hon. Mrs Tour;
 - (iii) Hon. Ittoo, and
 - (iv) Hon. Ms Anquetil.
- SADC Organisation of Public Accounts Committees and the Commonwealth Association of Public Accounts Committees meant for the Chairperson and Members of the Public Accounts Committee –
 - (i) Hon. Uteem, Chairperson;
 - (ii) Hon. Ms Ramyad;
 - (iii) Hon. Armance;
 - (iv) Hon. Dhaliah;
 - (v) Dr. the hon. Rawoo;
 - (vi) Hon. François;
 - (vii) Hon. Doolub;
 - (viii) Dr. the hon. Gungapersad, and
 - (ix) Hon. Nagalingum.
 - The African Caribbean Pacific-European Union Joint Parliamentary Assembly – Hon. Dhunoo.
 - The World Trade Organisation – Hon. Nuckcheddy.
 - The International Renewable Energy Agency –
 - (i) Hon. Dhaliah, and
 - (ii) Hon. Osman Mahomed.
 - Finally, Members of the Executive Committee of the *Association des Parlementaires de la Commission de l’océan Indien* –
 - (i) Hon. François;

- (ii) Hon. Abbas Mamode, and
- (iii) Hon. Mrs Foo Kune-Bacha.

I wish to highlight that the National Assembly also considers participation in other Conferences, Meetings and other Parliamentary events to which it is invited. These are processed on a case-to-case basis.

Regarding the mechanism for the processing for the participation in overseas missions, on receiving notice of the meetings or invitation from the different Organisations, as the case may be, the Speaker gives an approval in principle. Thereafter, financial clearance having been sought and obtained, the file is transmitted to the hon. Prime Minister for final approval of the participation.

However, as far as the participation of the Speaker is concerned, the file is processed for the information of the Financial Secretary to make funds available and for onward transmission for the information of the hon. Prime Minister.

PARLIAMENTARY COMMITTEE ON THE ICAC – HON. BODHA

Mr Speaker: I have a second announcement. I also have to inform the House that pursuant to section 59(2) of the Prevention of Corruption Act (2002), the hon. Leader of the Opposition has, on 04 May 2023, designated hon. Bodha, GCSK, to serve on the Parliamentary Committee on the Independent Commission against Corruption.

Thank you for your attention.

PAPERS LAID

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

A. Prime Minister's Office

Ministry of Defence, Home Affairs and External Communications

Ministry for Rodrigues, Outer Islands and Territorial Integrity

- (a) The Audited Financial Statements of the Independent Broadcasting Authority for the year ended 30 June 2022.

The National Identity Card (Amendment) Regulations 2023. (Government Notice No. 56 of 2023)

- (b) The Annual Report and Audited Financial Statements of the Mauritius Ports Authority for the Financial Year 2021/2022.

B. Ministry of Housing and Land Use Planning

Ministry of Tourism

- (a) The Annual Report and Report of the Director of Audit on the Financial Statements of the Tourism Employees Welfare Fund for the year ended 30 June 2022.

The Annual Report and Report of the Director of Audit on the Financial Statements of the Town and Country Planning Board for the year ended 30 June 2022.

C. Ministry of Local Government and Disaster Risk Management

- (a) The Local Government (Exemption of Municipal Tax on Family Home) Regulations 2023. (Government Notice No. 50 of 2023)

- (b) The Local Government (Amendment of Schedule) Regulations 2023. (Government Notice No. 51 of 2023)

D. Ministry of Finance, Economic Planning and Development

The Annual Report and Report of the Director of Audit on the Financial Statements of the Civil Service Family Protection Scheme Board for the year ended 30 June 2022.

E. Ministry of Energy and Public Utilities

The Central Water Authority (Dry Season) (Amendment No. 2) Regulations 2023.
(Government Notice No. 54 of 2023)

F. Ministry of Financial Services and Good Governance

The Annual Report and Report of the Director of Audit on the Financial Statements of the Financial Intelligence Unit for the year ended 30 June 2022.

G. Attorney General**Ministry of Agro-Industry and Food Security**

(a) The Annual Report and Report of the Director of Audit on the Financial Statements of the SSR Botanical Garden Trust for the following years / period: (In Original)

(i) 01 January 2013 – 31 December 2013;

(ii) 01 January 2014 – 31 December 2014;

(iii) 01 January 2015 – 31 December 2015;

(iv) 01 January 2016 – 30 June 2017; and

(v) 01 July 2017 – 30 June 2018.

(b) The Annual Report and Report of the Director of Audit on the Financial Statements of the Food and Agricultural Research and Extension Institute for the year ended 30 June 2021. (In Original)

H. Ministry of Youth Empowerment, Sports and Recreation

The Annual Report and Report of the Director of Audit on the Financial Statements of the National Youth Council for the year ended 30 June 2022.

I. Ministry of Labour, Human Resource Development and Training**Ministry of Commerce and Consumer Protection**

(a) The Annual Report and Report of the Director of Audit on the Financial Statements of the Human Resource Development Council for the year ended 30 June 2022.

- (b) The Consumer Protection (Pharmaceutical Products) (Maximum Mark-Up) Regulations 2023. (Government Notice No. 49 of 2023)
- (c) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No. 11) Regulations 2023. (Government Notice No. 52 of 2023)
- (d) The Non-Citizens (Employment Restriction) Exemptions (Amendment) Regulations 2023. (Government Notice No. 53 of 2023)
- (e) The Consumer Protection (Control of Imports) (Amendment) Regulations 2023. (Government Notice No. 55 of 2023)

J. Ministry of Arts and Cultural Heritage

- (a) The Annual Report and Report of the Director of Audit on the Financial Statements of the Conservatoire National De Musique François Mittereand for the year ended 30 June 2021.

The Annual Report and Report of the Director of Audit on the Financial Statements of the Sanskrit Speaking Union for the year ended 30 June 2020.

- (b) The Annual Report and Report of the Director of Audit on the Financial Statements of the Hindu Speaking Union for the year ended 30 June 2022.

ORAL ANSWERS TO QUESTIONS**EXTENDED PROGRAMMES – SECONDARY SCHOOLS - COHORT 2018 TO DATE**

The Leader of the Opposition (Mr X. L. Duval) (*by Private Notice*) asked the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology whether, in regard to the Extended Programmes in Secondary schools, she will state the number of pupils who –

- (a) have enrolled therein since 2018 to date;
- (b) are currently enrolled in Grades 7 to 9 and 9 +, and
- (c) in respect of cohort 2018 –
 - (i) had since dropped out and/or declined to sit for the 2022 examinations, and
 - (ii) have been admitted in the Mauritius Institute of Training and Development and the Institute of Technical Education and Technology, respectively.

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 Extended Programme is an integral part of the Nine-Year Continuous Basic Education Policy.

As we know, one of the specific objectives of the NYCBE is and remains to provide learning opportunities for all students such that they can attain levels of achievement in keeping with their abilities and strength. This is in line with SDG 4 on education which is to ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.

Mr Speaker, Sir, one key element of the NYCBE Policy has been to ensure that all students follow a common curriculum during their basic education cycle. Indeed, it is internationally recognised that learners should have the opportunity to access basic education as a foundation to future learning prior to being exposed to vocational programmes.

Mr Speaker, Sir, in recognition of the fact that not all students have the same pace of learning nor the same aptitudes, provision has been made for the learners who would not successfully make it from the PSAC to follow the Extended Programme. However, unlike for learners in the Regular Programme, the Extended Programme is run over a period of four years instead of three years, culminating in the assessment leading to the NCE. Obviously, learners of the Extended Programme benefit from the common curriculum as I stated earlier but the assessment is adapted to their needs.

Having said that, Mr Speaker, Sir, with regard to part (a) of the question, I wish to inform the House that 12,273 students have been enrolled in the Extended Programme from 2018 to date.

Mr Speaker, Sir, with regard to part (b) of the question, I am informed that the number of pupils currently enrolled in Grades 7 to 9 and 9 + stands at 11,172 –

- (i) Grade 7: 2,600;
- (ii) Grade 8: 2,720;
- (iii) Grade 9: 2,837,
- (iv) Grade 9 +: 3,015.

Mr Speaker, Sir, as regard part (c)(i) of the question, I am informed that for the cohort 2018, 277 students dropped out and 468 students declined to sit for the 2022 NCE examination.

With regard to part (c)(ii) of the question, I am informed that 457 are currently enrolled in the MITD Training Centres and ITET Centres and this accounts for 79% of the total number of students currently pursuing the NC2 Level 2 Programmes, including Rodrigues.

The National Certificate Level 2 was conceived to reinforce and strengthen the numeracy and literacy and digital IQ of the learners as well as to introduce them to the essential skills in various trades for the new emerging economy. The NC2 is also aimed at cushioning their landing into the technical and technological education for Extended Stream learners. We have here, a group of learners that are of mixed intelligences and that may find themselves more at ease in a different setting than that of an academic education. This is the vision of the Government and the ethos of the national reform to broaden the choice for learners and expand the pathways into further education and the world of work.

Students emerging from the Extended Stream are currently enrolled in a diverse array of programmes at NC2 level including –

- a) Electric Installation;
- b) Aluminium and Wood Works;
- c) Agriculture;
- d) Landscape Maintenance;
- e) Art and Craft;
- f) Food and Service Production;
- g) Pastry,
- h) Housekeeping amongst others.

Mr X. L. Duval: Thank you, Mr Speaker, Sir. I do not think the figures given are right but I will not fight on this. 11,000 are presently in the schooling system, 3,000 started in 2018 and finished. So, even with my limited schooling, it does not come to 12,000 but I will not fight about that. Let us leave it like that.

We agree that, according to me, 15,000 people; according to you, 12,000 pupils have joined the Extended Programme since the start. That is already a huge amount of people. 71 pupils passed the NCE exams in October. 71 out of 3,291 cohort. That is hardly 2%. 98% failed or some resat the year as you said previously.

What I will ask the Vice-Prime Minister now is that there have been individual continuous pupil assessments supposedly; there was a World Bank Report in 2020 - an excellent report; there have been reports from School Inspectors published in the Press and finally, there were Mock Exams in September 2022 where more than 90% of the children reportedly failed. What has prevented the hon. Vice-Prime Minister to avoid a disastrous result where 71 children only passed out of an original cohort of 3,291, meaning 3,200 children have been left *sur le pavé*?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, the records from the MES state that the percentage pass is around 3.6% for the Extended Programme but at the same time, we have to consider that the past years, we intended to provide these students with additional support and we have been receiving support from the NSIF as well to ensure that we give them sufficient support but we must not forget that the past two years, with the COVID-19 and the confinement period,

have not at all been helpful and we have not been in a position to provide them with all the intended services that we had in mind. And, taking into account that these students are already having learning difficulties during the confinement period, all the support that was provided was not really appropriate for them and they did not really benefit from the additional support that was intended for them.

Mr X. L. Duval: Mr Speaker, Sir, I am extremely disappointed. We are not here to cover here or there. We are here to discuss about the future of 15,000 people and 11,000 currently in the system. So, I would ask the Minister to address the issues that are there; not to hide behind COVID. Now, I will raise from that point onwards, the report of the World Bank of June 2020 which I presume you are very familiar with.

This is one of the most damning reports that I have seen in my whole career, in about 35 years. This is one of the worst reports on any education system or any Government system that I have seen in my career. This report, Mr Speaker, Sir, has a lot of recommendations. Can I take one or two and ask the Minister why she has not implemented them? Firstly, the need to involve the families of these children into the educational system was raised, I do not have the exact point now but it was raised at point 5 of the World Bank Report. Why has nothing been done to involve the families of these children – which is a crucial point – in the education system of the Extended Programme?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I beg to differ. We already have at the level of the Ministry the National Educational Counselling Services for the number of Social Workers and Psychologists who, in fact, do meet the parents and talk to them whenever the need arises and all cases reported to the Ministry where we find that there are certain students having certain specific difficulties, are taken care of.

The involvement of the parents has also been done with the partners from the NSIF. We been working with the parents and we have been even working with NGOs, helping the parents to try to follow what is happening at school with their children. Families and NSIF have been working with the Ministry and there are certain students that are earmarked and identified and this work is being done.

Mr X. L. Duval: Mr Speaker, Sir, you see the problem? On one side, we are told that you could not do anything because of COVID, and then, when we say you should have involved

families, you say you have done it. So, it has clearly nothing to do with COVID. Now, Mr Speaker, Sir, this is the point that I wanted to raise, that whatever was done, there has been a historical failure ...

Mr Speaker: Put your question!

Mr X. L. Duval: ...of 71 students only passing.

Mr Speaker: Put your question!

Mr X. L. Duval: I have to explain, Mr Speaker, Sir.

Mr Speaker: But do not take too much time.

Mr X. L. Duval: There has been, according to my information which I have canvassed, no involvement of any significance of families in the teaching of these children. The other point raised by the World Bank Report, point number 9, said that these children...

Mr Speaker: Hon. Leader of the Opposition, bear with me.

Mr X. L. Duval: I need to explain, Mr Speaker, Sir.

Mr Speaker: Hon. Leader of the Opposition, I am on my feet, you listen to me. You listen to me! Don't take a question as a pretext for debate. You are conducting a debate. You have supplementary questions, put as many supplementary questions. The population is waiting for the answers.

Mr X. L. Duval: Yes. And the population is not waiting for your intervention. Mr Speaker, Sir, I would like to ask the hon. Minister concerning innovative teaching methods. These children have already failed in a normal system. According to the World Bank and according to teachers I have spoken to, why has she not ordered, recommended the use of innovative teaching methods, extra-curricular activities, computer-based learning, etc.? Why has she not recommended these?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, may I draw the attention of the House that the report that the hon. Leader of the Opposition is talking about is the World Bank report and is a formative mid-term report for evaluation. In fact, we have been introducing innovative methods, but we have also to bear in mind that the students have difficulties and we need to ensure that we give them the support and we move at a their pace. We have been doing all that.

As far as innovative methods of teaching is concerned, teachers in class have been doing special efforts for these students. But we do agree - I am the first one to say - that the results are not what we wanted, but we must consider and we must bear in mind that these students already have a number of difficulties within the school set up but also outside the school set up. We are trying as far as possible to give them all the support needed, scaffolds for them to rise.

What I stated about COVID-19 is that COVID-19 did not help. It, in fact, exacerbated the situation. But whatever had to be done at the level of the Ministry, at the level of NSIF, we have been doing it. We do understand that these children require additional support. This is why apart from our National Educational Counselling Services, we have also turned to NSIF where we are getting support from NGOs which are going into schools and helping out, trying to give additional support.

We have been evaluating the progress of the students in the Extended Programme and we have noted that some of them are capable of improving very fast, while others require more efforts. This is what we have been doing. The mid-term report has, in fact, given us certain clues and we have been working according to the recommendations, Mr Speaker, Sir.

Talking about innovative practices, we have been doing a lot, and I am sure the Leader of the Opposition is aware that we have been doing after-school activities with all these students. We have the outdoor educational programmes which have been included. We also have so many collaborations with the Ministry of Youth Empowerment, Sports and Recreation where we are trying to provide to these students all the required scaffolds for them to rise and to build up on their self-esteem.

Mr X. L. Duval: Mr Speaker, Sir, the real drama...

An hon. Member: *Nanye pa kone!*

Mr X. L. Duval: You have a loan supporter somewhere.

The real drama is that according to teachers of this programme, this year's exams will be the same, if not worse in terms of results than last year, unless, of course, we play again with the pass marks.

Mr Speaker, Sir, I wanted to ask the hon. Minister - and here we cannot play around - according to the World Bank, 60% of the teachers said that the curriculum was not practical

enough, was not adapted to the needs of these children who are far less literacy minded and more practical minded. Following that report of 2-3 years ago, she has not changed that curriculum at all. What would be expected are programmes like metalwork, woodwork, agriculture, electrical and mechanical studies, etc., rather than what she is offering.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, this is where the hon. Leader of the Opposition seems not to be aware at all of what is happening in schools. What we have tried to do, Mr Speaker, Sir, is to engage these students. We know that they have had difficulties earlier, we need to see how to get them engaged and we want the system to be more inclusive. This is what we are trying to do.

As far as getting them to woodwork or metalwork right now, it is internationally proved that we need not to push children at a very young age into the vocational stream, but instead we should provide them with the necessary tools for them to be able to move on to the vocational training. This is what the NCE Level 2 is doing. We are trying to get them to build up on their knowledge and also to acquire the necessary skills to be able to move on to the next step.

Talking about what is being done and about the assessment, I have in this very House, Mr Speaker, Sir, stated in a reply to a PQ addressed by hon. Dr. Gungapersad that there are two committees at the level of the Ministry working on the NCE and on the Extended Programme, and we are trying to see how best to support them.

In fact, if the hon. Leader of the Opposition had taken the pain to look at the Annual Programme that is gazetted, he would have noted that even the assessment has been reviewed. And for passing the NCE for the Extended Programme, we have tried to help them more so that now they have to pass in three core subjects and any three other core subjects. So, this is important, we have not been turning a deaf ear to whatever recommendations that have been made.

As far as the teachers are concerned, we know that they are having a lot of difficulties and I do understand that they are putting in a lot of efforts. Now, we need to see how best we can support these children. We must not forget that these are the children that require the most of our support and attention, and this is what the Ministry is doing. We are not rushing into things, Mr Speaker, Sir. We are carefully evaluating, following up and trying to provide all support needed to these students. It is not enough to come and say that something is not working.

Earlier, we have had other courses like the prevocational, has there been any evaluation done of that programme? None, never! But we are actually doing an evaluation and we are following these students. We are working with the teachers. We are trying to support the teachers because I do agree - I am the first one to agree - that it is not easy to work with a group of students with mixed abilities and all, but the teachers are doing an excellent work. We have come up with lots of support.

It is true that the results that we have had are not to our expectations, but as I have said earlier, we must understand that COVID-19 has impacted on all children, but mostly those that are weakest. This is why it is important for us to tackle the issue with care and concern and not to try to take any form of, let us say, gains from that situation. We are here to help these children. I am the first one to tell you that the results were not good and we are taking measures at the level of the Ministry to ensure that we help them better.

For the years to come, the Committee working on Extended Programme is also trying to see how best we can adapt the assessment system to these students.

Mr X. L. Duval: Mr Speaker, Sir, we want to see the results, not just talk. It is not how hard you work, but what you get done which is important. I would like to ask the hon. Minister, you were talking about evaluation, and you mentioned last time that you were talking to the World Bank concerning the Extended Programme. Yet, I note from the *Aide Memoire*, which is a public document from the World Bank, that no agreement has been reached on another evaluation by the World Bank because they did an extremely good job on the Extended Programme. Why is that? Why have you not re-hired them for this job?

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I wish to draw the attention of the House that even a first evaluation was done by us with the help of the World Bank and there were certain points raised in the Mid-Term Review. Now, we are still working with them. I have just said a few minutes earlier that we are not rushing to things. We are still discussing; we are still working on the system. Now, how do you want us to just say, come and evaluate a system that has not been completed yet. We are working on it and we cannot rush into it. It is important because we are talking about our children, those that need our attention the most. So, no rushing in, Mr Speaker, Sir! We are working steadily and we want to ensure that whatever system we put up is in the best interest of our children.

Mr X. L. Duval: Mr Speaker, Sir, we are into the sixth year of the Extended Programme. Thousands of children have lost their *avenir*, their future because of this malfunctioning system and badly designed system. Now, I want to ask the hon. Vice-Prime Minister another question now which is maybe going to be more difficult to evade. Everyone says, the teachers say and the World Bank says that there is no provision to assess the health issues relating to children. Some children may not be studying so much, etc... but some students are not well. They may have epilepsy, they may have dyslexia. These children are included and if you don't believe me, go and check! In fact, go and do your work! In fact, these children are included in the normal Extended Programme of the schools as we speak today.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, we have at the level of the Ministry, the Health and Wellness Directorate where we have two Physicians, Medical Practitioners and we have a whole team of officers following our children. Now, it may happen that some of the students do have certain ailments, certain health issues but we have a system and we are working in close collaboration with the Ministry of Health and Wellness, which normally sends officers to follow our students and we have come up with the Health Card - it has started - and we are working with the schools to ensure that we follow them.

Furthermore, in our curriculum, we have introduced the healthy lifestyle and we are following the students even in that line. Now, I wish to draw the attention of the House that we have come up with a Special Education Needs Authority and the Special Education Needs Authority has been monitoring what is happening in Special Education Needs Schools and after a proper assessment by Medical Practitioners, these students are then integrated in our normal system and we keep on following them. Now, if the hon. Leader of the Opposition is saying that there are certain students who are not well, now, we have a system and we normally refer our cases of students having problems with their health to the Ministry of Health. We do not have the capacity at the level of the Ministry to follow up; we just identify, we give immediate help and support and then we refer cases to the Ministry of Health and Wellness.

Mr X. L. Duval: As a layman, Mr Speaker, Sir, I cannot see how children with these sorts of health problems should be in the normal schooling. I would like to ask the hon. Vice-Prime Minister, since she is following up everyday on these children who are not well, whether

she will circulate the list in each school of how many children are on her health watch list? If she could do that, that would be a very important thing. Mr Speaker, Sir...

Mrs Dookun-Luchoomun: Mr Speaker, Sir...

Mr X. L. Duval: She can say 'yes' or 'no' in a moment.

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

Mr X. L. Duval: Yes or no?

Mr Speaker: You put a question!

Mr X. L. Duval: She can!

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I do understand that there may be students having epilepsy and all but I would also draw the attention of the House and I will talk *sous la correction des membres qui sont des médecins*, a person having epilepsy needs to be followed and needs to have proper medication but this does not debar such a person to have a normal life and to be in school and to get care whenever required, Mr Speaker, Sir.

Mr X. L. Duval: Mr Speaker, Sir, I would like to ask the hon. Vice-Prime Minister - it has been two and a half years into the implementation of the Programme, that is, when the World Bank made its Report. It noted significant management failings in the operation of the system which has, in fact, largely I presume, cause all these issues, only 71 persons passing. One of the things the World Bank said is that - believe it or not, Mr Speaker, Sir, - after two and a half years there were no written guidelines issued to the teachers. No written guidelines! And this is also what it said, Mr Speaker, Sir, on page 9 –

“Teachers and School Managers have been insufficiently prepared for their roles in the EP.”

Now, this was before COVID-19, I just remind you in case you tell me that it was COVID-19 and you might not been able to do it because of COVID-19. So, this was in 2019, two and a half years after the set-up and these poor children were studying supposedly.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, this is the reason why we have a Mid-Term Review and this is the reason why we had this evaluation. I stated earlier that this was an evaluation and it was there to guide us. Now, let me inform the hon. Leader of the Opposition

that since then we had a number of guidelines provided to all the practitioners, all the stakeholders. And if he is still referring to a report of 2019, I would suggest that he goes and sees what is being done right now at the level of our schools instead of getting stuck to that Mid-Term Review of 2019, Mr Speaker, Sir.

Mr X. L. Duval: My point, Mr Speaker, Sir, was that two and a half years afterward, all these right people in the Ministry of Education had not come up with one simple guideline and have not been able to form the very teachers that were supposed to train these poor children.

Mr Speaker, Sir, I would like to ask....

Mrs Dookun-Luchoomun: Mr Speaker, Sir, I would like to reply on this.

Mr X. L. Duval: No, let me ask the question and then you answer.

Mr Speaker: No! Hon. Leader of the Opposition!

Mrs Dookun-Luchoomun: I would like to reply on what has just been said.

Mr Speaker: The Minister wants to answer, let her!

Mrs Dookun-Luchoomun: I would like to state that at the level of the Ministry, with the academy for the professionals in education, we have been constantly having training for the teachers of EP and we have not only stopped at that, we have also put up a platform for exchange and we have a community of best practices established and we do meet. These teachers meet regularly and there is a lot that is being done that has escaped the vision of the hon. Leader of the Opposition.

Mr X. L. Duval: I am referring to the World Bank Report. It's not my own...

Mrs Dookun-Luchoomun: The World Bank Report is of 2019.

Mr X. L. Duval: No, 2020! Two and a half years after, June 2020. Do not mislead the House on this issue! It is June 2020!

Mrs Dookun-Luchoomun: Mr Speaker, Sir...

Mr X. L. Duval: Now, Mr Speaker, Sir, I would like to ask the hon. ...

Mr Speaker: Wait! Wait a minute! The Minister wants to reply to this!

Mrs Dookun-Luchoomun: Mr Speaker, Sir, we are in 2023. We have been doing lots of work at the level of the Ministry that the hon. Leader of the Opposition does not seem to be aware about. Now, we have been working with all these teachers; we have established platforms for them to exchange their practices, to learn from each other, to know what has to be done, and to avoid doing certain things that did not work well. So, coming to tell me that in 2020, in 2019, things were said...

Mr X. L. Duval: 2020!

Mrs Dookun-Luchoomun: 2020, fine! We are in 2023 and between 2020 and 2023, there are lots of work that have been carried out at the level of the Ministry which the hon. Leader of the Opposition does not seem to be aware of.

Mr X. L. Duval: We are talking about June 2020!

(Interruptions)

Mr Speaker, Sir, obviously all these should be in the Extended Programme, all these people clapping!

Mr Toussaint: *Nu pena problem!*

Mr X. L. Duval: Mr Speaker, Sir, because obviously they have not understood anything...

Mr Toussaint: *To tro intelligent twa!*

Mr X. L. Duval: Mr Speaker, Sir, I would like to ask a question...

Mr Toussaint: *Nu, nu kuyon.*

Mr X. L. Duval: *Le poulailler continue!* Anyway, Mr Speaker, Sir...

(Interruptions)

Mr Speaker: Order!

Mr Toussaint: *La honte!*

(Interruptions)

Mr Speaker: Order!

(Interruptions)

Hon. Leader of the Opposition!

Mr Toussaint: *Nous en extended! La honte lor twa!*

(Interruptions)

Mr Speaker: Hon. Leader of the Opposition!

(Interruptions)

Order!

An hon. Member: *Raciste!*

(Interruptions)

Mr Speaker: Order!

(Interruptions)

Order!

Mr Toussaint: *Mo esperer bann zenfan la pe ekoute.*

Mr Speaker: Hon. Toussaint! Last time, order!

(Interruptions)

Hon. Leader of the Opposition! I am on my feet! You listen! You said, I heard well, that those Members on the other side have to be admitted to the Extended Programme. Remove that!

Mr X. L. Duval: I remove it!

Mr Speaker: Thank you very much!

Mr X. L. Duval: Mr Speaker, Sir, hon. Toussaint should have cared about the 3,200 children who failed! Who failed! Who failed! 3,200 children! And there are 3,000 this year!

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

Mr Speaker: Order!

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

(Interruptions)

Mr Speaker: Order!

(Interruptions)

Order! Order! Order in the House! Hon. Minister you may reply.

Mr X. L. Duval: I rarely lose my temper, Mr Speaker, Sir.

(Interruptions)

Mr Speaker: Hon. Minister you may reply.

(Interruptions)

Hon. Leader of the Opposition! Hon. Leader of the Opposition, you listen. I am on my feet. You put a question, she is replying.

Mr X. L. Duval: No, I did not put a question yet.

Mr Speaker: So what did you do?

Mr X. L. Duval: I was talking to Toussaint.

Mr Speaker: You were shouting. What you should do?

Mr X. L. Duval: Mr Speaker, Sir, ...

Mr Speaker: Time is over! Time is over!

An hon. Member: *Bien bon!*

Mr Speaker: You have no question, you were shouting! Time is over!

You had no question, you were shouting for nothing.

Prime Minister's Question Time!

(Interruptions)

Order!

(Interruptions)

Order! Order!

An hon. Member: *Bérenger kine fer twa redi koumsa!*

Mr Speaker: Order!

The Table has been advised that PQ B/398 has been withdrawn.

MP Lobine!

PRISONS – GANG FIGHTING AMONG INMATES – MEASURES

(No. B/394) Mr K. Lobine (First Member for La Caverne & Phoenix) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to gang fighting among inmates in the prisons, he will, for the benefit of the House, obtain from the Commissioner of Prisons, information as to the measures envisaged to avert the recurrence thereof.

The Prime Minister: Mr Speaker, Sir, I presume that the hon. Member is referring to a Press article which mentioned alleged gang fighting among inmates in the Central Prison, Beau Bassin, in April 2023. As a matter of fact, the Acting Commissioner of Prisons has informed me that the incident was actually a spontaneous fight among some detainees.

It occurred on Sunday 02 April 2023, at around noon, in one of the Association Yards of the Central Prison, Beau Bassin, where detainees were gathered after their meal had been served. One detainee on remand attempted to snatch from two other detainees goods purchased by them from the canteen. When they resisted, he assaulted them. Some inmates intervened to prevent this detainee from doing so, but the latter was supported by other detainees who joined in the fight. The Lead Prisons Officer who was on sentry at the Association Yard raised the alarm to summon assistance. All evening shift Prison Officers including those in the Prison Security Squad were immediately deployed to the Association Yard.

The Correctional Emergency Response Team along with Dog Handlers and Intelligence Officers also promptly intervened and the situation was brought under control. The Lead Prisons Officer and four detainees sustained injuries.

Mr Speaker, Sir, I am also informed that further immediate actions were taken as follows, namely –

1. the Lead Prisons Officer and four detainees who sustained injuries were dispensed first-aid treatment by the Prison Health Service Officers. Two of the detainees were referred to the Jawaharlal Nehru Hospital for further treatment and one of them was admitted thereat and discharged on Tuesday 04 April;
2. a head count was carried out and all detainees except those referred to the Jawaharlal Nehru Hospital were locked up as a security measure. Ten of the eleven detainees who were involved in the fight were segregated in another Block, and
3. a thorough search was carried out in the said Association Yard for the purpose of identifying unauthorized items.

Mr Speaker, Sir, I am informed that, on the following day, ten of the eleven detainees who were involved in the fight were transferred to other penal institutions and segregated thereat as follows –

- three to the Phoenix Prison;
- three to the Special Protection Unit at the Eastern High Security Prison, Melrose;
- three to the Special Protection Unit at the Central Prison, Beau Bassin, and
- one to the Special Protection Unit at the Grand River North West Remand Prison.

The detainee who was admitted to the Jawaharlal Nehru Hospital was, on his discharge on Tuesday 04 April 2023, segregated at the Special Protection Unit at the Central Prison, Beau Bassin.

I am also informed that the matter was referred to the Barkly Police station and that the police enquiry is in progress. In addition, the Prisons Department had instituted a Departmental Inquiry to look into the circumstances leading to the incident and to submit its findings including recommendations and further remedial actions. During the course of the enquiry, statements were recorded from all Prison Officers and the detainees present at the time of the fight.

Mr Speaker, Sir, the Departmental Inquiry identified five detainees as the main instigators of the fight and found that the Prison staff promptly intervened and restored order and discipline in the Association Yard. The Departmental Inquiry has come up with the following main recommendations with a view to further beefing up security at that prison –

1. reinforce supervision in Association Yards;

2. detainees coming from the same locality be detained in different Association Yards or institutions;
3. correctional Emergency Response Team Officers and Intelligence Officers to be deployed during the distribution of meals to supervise movement of detainees;
4. regular searches to remove any unauthorized items, and
5. welfare officers to organise more activities like indoor games, football and volleyball for detainees.

These recommendations are being implemented by the Prisons Department with due consideration of operational needs.

Mr Speaker, Sir, the Prisons Department has been proactively taking a series of measures to enhance safety and security in our prisons and for the rehabilitation and welfare of inmates. These measures at the same time contribute to minimise the risks of group fighting in prisons. Security measures in place in prisons include the following –

1. searches on all persons entering or leaving the prisons;
2. search of cells, workshops and areas within the prison perimeter by the search team;
3. use of CCTV surveillance cameras in blocks, yards and workshops;
4. use of Body Orifice Security Scanner chair to detect hidden metallic prohibited articles in body cavity at Eastern High Security Prison, Beau Bassin Prison, New Wing Prison and Women Prison;
5. escort under close supervision of detainees attending public hospitals and other places;
6. all detainees requiring admission in public hospitals are directed to one specific hospital, that is, at Jawaharlal Nehru Hospital except for specialised care where special security arrangements have been made for control purpose and for access to the public;
7. use of sniffer dogs for the detection of mobile telephones and drugs and of hand-held metal detectors to detect metallic objects;
8. regular patrols within the prison premises to discourage pelting of drugs;

9. intelligence gathering by the Prison Intelligence Unit to prevent drug trafficking in prisons;
10. discreet use of mobile phone detectors on Officers during parade;
11. regular strip searches on Officers suspected to be introducing prohibited articles;
12. vehicular patrols in the main roads surrounding prisons;
13. regular reshuffling of Officers irrespective of their ranks;
14. surveillance through watch towers;
15. segregation of detainees with aggressive attitude in Segregation and Protection Units, and
16. installation of a full X-Ray Body Scanner at the Central Prison, Beau Bassin since 14 February 2022 for detection of prohibited articles. A contract has already been awarded for the procurement of two additional such equipment which are expected to be delivered in June of this year.

Mr Speaker, Sir, the role of Prison staff is to uphold safety and security in Prisons while at the same time work towards the rehabilitation of detainees. As such, ongoing staff training constitutes an essential tool in the achievement of the objectives of the Prisons Department. In order to render rehabilitation more effective and reduce recidivism, it is important that the criminogenic needs of offenders, that is, those factors in an offender's life that are directly related to recidivism, are targeted and addressed. This necessitates staff who have been specially trained in this field. I am informed that the Mauritius Prison Service is considering the possibility of Prison Officers undergoing a Training of Trainers Programme with a view to addressing the criminogenic needs to reduce reoffending.

The Prisons Department firmly believes in the rehabilitation of detainees with a view to facilitating their reintegration in the community. In this context, the Department carries out a host of rehabilitation programmes for the benefit of detainees. The rehabilitation programmes are carried out either in-house or with the support of Non-Governmental Organisations and other Governmental Organisations.

Some of these programmes include Anger Management therapy, Stress Management techniques, Pre-Release and Post Release Scheme, Suicide Prevention, Breathing Techniques, Positive Thinking, Yoga and Meditation. In addition, detainees also benefit from vocational training on Pastry making, Masonry, Garment Making among others. They also participate in recreational activities, numeracy and literacy activities, in sensitisation campaigns on HIV/AIDS, in agricultural farming and in faith-based programmes and activities.

Thank you.

Mr Lobine: Thank you, Mr Speaker, Sir. The hon. Prime Minister has pointed out several measures proposed by the Prison Department. Is the Prime Minister aware that the Lam Shang Leen Report, way back in 2018 pointed out that there is a strong correlation between gang fighting, drugs and corruption in our prison system and is it not high time to have an independent assessment as to how our prison authorities are operating in this climate of drug, corruption and gang fighting affecting our Prison Officers who are also working there?

The Prime Minister: Mr Speaker, Sir, I am certainly aware of the Recommendations of the Report of the Commission of Inquiry on Drug Trafficking. In fact, in line with these Recommendations, the Declaration of Assets (Mauritius Prisons Service) Regulations were promulgated with effect from 04 April 2022 for every officer of the Departmental grade in the Prisons Department to make a declaration of his assets and liabilities as well as those of his family and close relatives. Out of the 61 Recommendations made in the Commission of Enquiry on Drug Trafficking Report of July 2018, as at date, let me inform the House that the status is as follows –

- (i) 43 have adequate measures in place;
- (ii) 11 have already been implemented;
- (iii) five measures are not feasible, and
- (iv) two measures are pending implementation.

Further, there is, of course, a regular monitoring of some of the criminals especially those who have been convicted of drug trafficking. It is pertinent for me to inform the House that the information that has been relayed to me by the Prisons Department indicates that, since 2015 to date, 15 officers from the Prisons Department have been arrested or convicted or interdicted or

suspended for drug-related offences. Pertinently also, 18 Prison Officers have been mentioned in the report of the Commission of Inquiry on Drug Trafficking, and a taskforce has been constituted under the Chair of the Director of ICAC to conduct enquiries into cases that have been identified in the report. The cases of 18 Prison Officers are being followed up by the ICAC and the Police.

So, there are indeed cases which have fortunately been found. Those cases, as I have mentioned, have been submitted for enquiry. I do not have the breakdown of how many have already been convicted. In fact, I have just signaled to the Prisons Department representative to communicate the number to me.

Mr Lobine: Mr Speaker, Sir, may I ask the hon. Prime Minister, with regard to leadership within the Prison Services, why is it that after three years, we have a Commissioner of Prison who is on actingship; we do not have a full-fledged Commissioner of Prison on a substantive capacity? Why is it so?

The Prime Minister: When anyone is in an acting capacity, it does not mean that he is not performing. The Acting Commissioner of Prisons is assuming his responsibility and, in fact, quite a number of measures have been taken, and I have listed and stated in the House all the measures that have been taken. We shall see in time to come whether or not he is going to be the Commissioner.

Mr Doolub: Thank you, Mr Speaker, Sir. In his earlier reply, the Prime Minister gave a breakdown of detainees who have been segregated. Can the Prime Minister give us more information on the type and basis on which these detainees are considered for segregation?

The Prime Minister: Mr Speaker, Sir, the following types of detainees are considered for segregation –

- (i) those who have committed aggravated prison defaults;
- (ii) those who have been persistently committing minor prison defaults and thus are, in fact, exercising a bad influence on other detainees;
- (iii) those who are of bad character and might endanger the security of the prison by instigating other detainees for misconduct;

- (iv) those who are suspected of brewing trouble where they are located and thus, exercising bad influence on other detainees;
- (v) those who need to be segregated for their own protection because their security cannot be fully ensured in the residential units;
- (vi) those who are suspected of or convicted for having committed serious criminal offence(s) and are a constant threat for the public safety;
- (vii) those involved in high profile cases;
- (viii) those who may temper with evidence directly or indirectly by influencing witnesses or co-accused in custody to plead for their cause;
- (ix) those who are highly suspected to be indulged in trafficking in prison, and
- (x) those who apply to be placed in segregation for protection.

Of course, this application is considered, and a decision is taken ultimately. Thus segregation is not considered merely on application or demand. Also, segregation may be in the form of a transfer to another prison or to another unit within the existing prison service.

Mr Speaker: Hon. Bodha!

Mr Bodha: Thank you, Mr Speaker, Sir. The Prime Minister mentioned a spontaneous incident. May I ask him whether it was a spontaneous incident or rather it was a *règlement de comptes* between gangs involved in drug trafficking within the prison. The second thing I would like to ask, Mr Speaker, Sir...

Mr Speaker: One by one! This is supplementary question.

The Prime Minister: Mr Speaker, Sir, I have answered on the basis of the information that has been relayed to me. It is not only from an enquiry which has been conducted and of which I have the report, but it is also from my meeting with the Acting Commissioner of Prisons, especially in the light of this question, during which I was provided with all the information. Of course, I also had a number of questions and supplementary questions which I asked him, and this is the information that has been relayed to me, confirming that it was indeed out of a spontaneous act related to meals. In fact, as I have said, one person attempted to snatch from two other detainees goods that were purchased by them from the canteen.

Maybe for the information of the House, it is relevant to note that all prisoners are provided with meals, but those who do additional work of their own will are paid accordingly and with the money they obtain they are able to purchase some goods from the canteen. As I have pointed out, in this case that was the reason why that prisoner wanted to snatch the goods from those two persons. But if the hon. Member has information to the effect that that could be or could have been a matter of some people fighting against each other for whatever reason, and he is aware of the reason for the fighting, he can of course provide me the information he has and I shall, of course, look into it.

Mr Speaker: The Table has been advised that PQs B/403, B/404, B/407, B/409, and B/411 have been withdrawn.

Hon. Mayotte!

RIOTS – REPORTED CASES – 2005 TO 2009

(No. B/395) **Mrs S. Mayotte (Second Member for Savanne & Black River)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister of Rodrigues, Outer Islands and Territorial Integrity whether, in regard to riots, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases thereof registered over the period 2005 to 2009, indicating in each case the –

- (a) localities where same occurred, and
- (b) outcome of the inquiry initiated thereinto.

The Prime Minister: Mr Speaker, Sir, Section 143 of the Criminal Code defines ‘Riot’ as, and I quote –

“unlawful assembly which has begun to execute the purpose for which it is assembled by a breach of the peace”. Unquote.

Under this section, any person who takes part in a riot shall be liable to a fine not exceeding Rs100,000 and imprisonment for a term not exceeding 10 years.

Moreover, Section 139 of the Criminal Code defines ‘Unlawful assembly’ as, and I quote –

“12 or more persons who –

- (a) are assembled with intent to commit an offence, or
- (b) being assembled even for a lawful purpose, conduct themselves in such a manner as is likely to lead to or provoke a breach of the peace”.

Under this section any person who takes part in an unlawful assembly shall be liable to a fine not exceeding Rs100,000 and imprisonment for a term not exceeding 5 years.

Mr Speaker, Sir, I am informed by the Commissioner of Police that for the period 2005 to 2009, seven cases of taking part in a riot and four cases of participating in an unlawful assembly have been reported to the Police. The cases of taking part in a riot are as follows –

- (a) In the year 2006, one case was reported to the Sodnac Police Station on 14 November 2006 whereby a group of about 300 persons had gathered at Corner Western Boundary and Palma Road to protest against the interruption of water supply in the locality and who had obstructed the road with burning tyres. Six persons were arrested and all of them were fined.
- (b) In 2007, the following four cases were reported –
 - (i) on 04 January 2007 one case was reported at St Pierre Police Station whereby some 300 residents assembled on the road at L’Avenir St. Pierre due to stoppage of water and burned old tyres. Four persons were arrested and all of them were fined;
 - (ii) on 11 and 12 October 2007, two cases were reported at Bel Air Rivière Sèche Police Station about some persons who were obstructing the road at Ecroignard due to shortage of water. Six persons in all were arrested and all of them were fined;
 - (iii) on 23 December 2007, one case was reported at Black River Police Station whereby 150 adults had gathered and obstructed Royal Road, Tamarin with stones, following a fatal road accident. Seven persons were arrested and all of them were conditionally discharged.
- (c) In the year 2008, one case was reported at Brisée Verdière Police Station on 02 November where several persons were gathered following a road accident and stones and wood were placed on the road. 23 persons were arrested. 22 of them were fined and one was conditionally discharged, and

- (d) In 2009, one case was reported at Medine Camp de Masque Police Station where about 300 persons gathered and obstructed the main road at Medine, by setting fire on tyres, throwing stones and other projectiles at Police vehicle following a case of assault. Four persons were arrested and all were fined.

Mr Speaker, Sir, concerning taking part in unlawful assembly, the following cases were reported –

- (i) in 2007, a case was reported at Phoenix Police Station on 22 October where a group of persons unlawfully assembled and obstructed the free passage of motor vehicles with stones and burning tyres near the roundabout of Pont Fer, Phoenix in both directions and along the road leading towards Valentina. The incident occurred due to sewage overflow coming from the Industrial Zone Phoenix which was affecting the inhabitants in the vicinity. One person was arrested and was fined;
- (ii) in 2008, a case was reported at Vacoas Police Station on 29 April where a group of 50 Chinese workers armed with iron bars, unlawfully assembled as their colleagues were assaulted by three Mauritians. There was no arrest and the case was filed in December of the same year, and
- (iii) in 2009, the following two cases were reported –
- (a) one on 20 April at Pope Hennessy Police Station whereby about 100 persons, including hunger strikers of Sale by Levy cases assembled unlawfully at Sir Virgil Naz Street, Port Louis. 33 persons were arrested and all were fined, and
- (b) one on 17 August at Lallmatie Police Station whereby about 20 persons gathered in protest at the CWA Office of Lallmatie, for complete stoppage of water supply in the village. 7 persons were arrested. However, the Office of the Director of Public Prosecutions advised no further action.

Mrs Mayotte: Thank you, Mr Speaker, Sir. Can the hon. Prime Minister indicate if some properties were looted during those riots he just mentioned?

The Prime Minister: Mr Speaker, Sir, there were in some cases but it would not be appropriate for me to mention any particular cases. I can recall from memory having read it that there were, in some cases. I cannot recall in which case but there have been cases, certainly.

Mrs Mayotte: Can the hon. Prime Minister indicate the number of hold-ups also registered during that same period, that is, 2005-2009?

The Prime Minister: Hold-ups! I would not have the information because that would relate to another question. The hon. Member can put a specific question about hold-ups.

Mr Speaker: The Table is advised that PQ B/406 has been withdrawn.

Time over!

8,000 SOCIAL HOUSING UNITS – CONTRACTORS – ADVANCE PAYMENT

(B/413) 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 project for the construction of the 8,000 social housing units by the New Social Living Development Ltd., he will, for the benefit of the House, obtain information as to if an advance payment to the tune of 25 percent to the 14 selected contractors is being envisaged and, if so, the terms and conditions thereof.

The Deputy Prime Minister: Mr Speaker, Sir, I wish to refer the hon. gentleman to my speech during the debate on the Supplementary Appropriation Bill on 04 April 2023. On that occasion, I explained that Government decided to entrust the construction of 8,000 social housing units to “large contractors building and civil works” registered with the Construction Industry Development Board (CIDB) at a pre-determined cost of Rs2.7 m. per unit.

Thereafter, discussions were held with the said contractors to gauge their interest and a selective bidding exercise was carried out. As a result of the 19 CIDB registered large contractors, 14 qualified.

I am informed that, further to discussions with the said contractors, and in order that they should conform to the pre-determined cost and time frame, the Board of the NSLD, after seeking appropriate technical and financial advice, decided that an advance payment facility of up to 25% of the contract amount less contingencies, if any, would be offered as against appropriate guarantee, and this would be extended to all contractors invariably.

Accordingly, the letters of intent issued to all 14 selected contractors do provide for the said advance payment.

Mr Osman Mahomed: In all Government contracts, after due tendering process, the maximum amount of advance payment that is made is 10%, as recommended by *Fédération internationale des ingénieurs-conseils* (FIDIC). This time it is being enhanced to 25%. Being given the large contracts involved, we are talking about Rs5.4 billion of advance payment, if you go for 25% multiplied by 8,000 units by Rs2.5 m. per unit, can I ask the hon. Minister, what arrangements has he made at the level of the NSLD and his Ministry to ensure that these contractors are fit to receive this huge financial package, being given that even some of these contractors that he has referred to, have not filed their latest financials at the Registrar of Companies?

The Deputy Prime Minister: Mr Speaker, Sir, firstly, I understand the question and the concern is legitimate. As I have always said, we are talking of large amounts and we are talking of public funds.

Secondly, I wish to point out that I have not made any arrangements. The hon. gentleman said: 'has he made'. I am the Minister in charge of the Ministry of Housing, I have oversight but I do not run the NSLD. These matters have been handled by the NSLD with appropriate support and advice from the Ministry of Finance. The question for Government was whether we could go forward or not with the project to build large amount of social housing units. Despite the difficulties posed by COVID and ensuing events such as the war in Ukraine, the disruption of international global supply chains and value chains translated into the increase of at least 30% of construction cost. We have discussed this. It was not just a matter of affordability for the State but also of eventual affordability for the most disadvantaged sections of the community.

So, had we stuck to the traditional approach with consultants, PMCCs and so on, had we stuck with the standard pre-COVID conditions of 10% advance payment, certainly, the project would have gone nowhere. And, I am sure the hon. gentleman would agree that the priority is to offer decent and adequate social housing to the poorer sections of the community. So, Government had to ensure that this project could be realised, albeit in phases.

For that purpose, a predetermined cost was set and discussions with eventual contractors indicated that there would need to be some assistance to allow these contractors to meet the financial challenges and conform on the one hand to the predetermined cost and on the other hand, to the predetermined contractual time frame; hence, the provision for 25% advance

payment against a bank guarantee or a guarantee from an insurance company. The guarantees are being insisted upon and appropriate steps taken, I understand, from the NSLD to ensure that whatever outlay of public funds is effected, there is adequate protection.

Mr Osman Mahomed: Hon. Minister, I beg to differ. For all contracts...

Mr Speaker: No, it is not...

Mr Osman Mahomed: Yes, okay. Okay.

Mr Speaker: Listen to me! Hon. Osman Mahomed, this is not a debate.

Mr Osman Mahomed: Sure, sure.

Mr Speaker: Whether you agree or not; come with questions! Come with a specific question linked to the main question.

Mr Osman Mahomed: Even for the biggest contracts and the most complex one, *Fédérations Internationale des ingénieurs-conseils* (FIDIC), limit it to 10%. Can I ask the hon. Minister why is he not comfortable starting with 10% and not taking the risk that contractors take huge amount of money and bolt away? And to make sure that progressive payment is being done *au fur et à mesure* that the work is being done. You do not need to be...

Mr Speaker: You put your question!

The Deputy Prime Minister: I stand guided by the experts. The formula has not been worked out by me. I have not done the arithmetic. The hon. gentleman has done and I can only say that according to the advice tendered to me, this is the approach that allows for us to go ahead with the project.

Mr Speaker: Hon. Members, the Table has been advised that PQ B/440 will be replied by Dr. the hon. Minister of Finance, Economic Planning and Development. PQ B/475 will be replied by the hon. Minister of National Infrastructure and Community Development.

Next question!

**COVID-19 – PATIENTS ADMITTED – MARCH TO MAY 23 – ARCTURUS SUB
VARIANT**

(No. B/414) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central) asked the Minister of Health and Wellness whether, in regard to the COVID-19 virus, he will state the number of –

- (a) patients admitted to the ENT Hospital since March 2023 to date, and
- (b) positive cases, associated with the new Omicron sub variant known as Arcturus, recorded in Mauritius.

Dr. Jagutpal: Mr Speaker, Sir, in reply to part (a) of the question, I am informed that, in regard to COVID-19 virus, a total of 185 patients were admitted at the ENT Hospital as follows

–

- 1. Month of March 2023: 48;
- 2. 01 April 2023: 119,
- 3. 01 May to 04 May 2023: 18.

Mr Speaker, Sir, in reply to part (b) of the question, 33 positive cases of XBB.1.16 Omicron variant has been reported as at date.

Dr. Aumeer: Thank you, Mr Speaker, Sir. The hon. Minister is surely aware that this particular variant XBB.1.16 also known as Arcturus has been declared as a variant of interest since March 2023, likewise SARS-COVID-19 was declared in January 2020. May I ask the hon. Minister whether he will ensure this time, that the most at risk, the particularly the dialysed patients, those with comorbidities be given absolute priority for any sequential vaccination that may come up should any vaccine be found to be effective against Arcturus? Also his Ministry....

Mr Speaker: This is not a supplementary question. If you read your Standing Orders, hon. Member, you would find that a supplementary question is asked to elucidate, to clarify, but what are asking is more than a Private Notice Question! So, limit yourself to the first part and let the Minister reply.

Dr. Jagutpal: Mr Speaker, Sir, let me inform the hon. Member about the WHO recommendation on variant XBB.1.16. WHO indicates that this Omicron variant has a competitive advantage over previous circulating strains and spreads more rapidly. The Global

Risk Assessment for this variant is low compared to the previous XBB.1.15 and the other currently circulating variants.

On the other hand, WHO indicates that to date, in countries where the risk of infection by this variant is significant, namely in India and Indonesia, there is a slight increase in the number of bed occupancy, but relatively less than observed during previous waves. Moreover the disease has not been observed to be more severe and those affected by XBB.1.16 strain.

Mr Speaker, Sir, in regard to the vaccination, it is being offered to the whole population. It is not a question giving priority to whomever, but it is being offered to the whole population. It is also how the population also adheres to the current vaccination programme against COVID-19.

Dr. Aumeer: Can I also ask the hon. Minister whether he will consider to have a study correlate, on one hand, complications, and, on the other hand, deaths associated with COVID-19 with regard to status and type of vaccines received, and if not, why not?

Dr. Jagutpal: Mr Speaker, Sir, regarding any research or any study to be done, this is the confidential information of a patient. So, it all depends upon how we can maintain confidentiality of information and how we can produce results. This will also depend upon the Ethics Committee to approve any study in this respect.

Mr Speaker: Hon. Members, the Table has been advised that the following PQs have been withdrawn: B/416, B/419, B/420, B/424, B/447, B/449, B/453, B/455, B/458, B/460, B/466, B/476, B/477, B/480, B/485, B/488, B/494. All questions withdrawn!

Hon. Ms Tour!

**PUBLIC HEALTH INSTITUTIONS -- CLEANING SERVICES CONTRACT --
FUNDS ALLOCATED**

(No. B/415) Ms S. Tour (Third Member for Port Louis North & Montagne Longue) asked the Minister of Health and Wellness whether, in regard to the contract for cleaning services in public hospitals and health institutions, he will state the amount allocated therefor for financial years 2021 to 2023, indicating if value for money was obtained therefor and, if not, actions taken in relation thereto.

Dr. Jagutpal: Mr Speaker, Sir, I am informed that provisions for cleaning services is made by the Procurement Section of my Ministry through the Central Procurement Board. A two-year

contract was awarded for the provision of cleaning services (toilets, bathrooms, and sluices) at hospitals and other health institutions on 19 November 2019 renewable for a further period of one year upon satisfactory performance, at the total cost of Rs105,481,224.00 (inclusive of VAT).

At the expiry of the two-year contract in January 2022, arrangements have been made with the service provider to continue the service on a month-to-month basis on the same terms and conditions. In the meantime, a new procurement exercise was initiated, and I am informed that the exercise is presently at evaluation stage at the Central Procurement Board.

Mr Speaker, Sir, with regards to the execution of the contract, some 300 cleaners are deployed on a daily basis in 20 health institutions for cleaning services. The performance of the service providers, as reported by the respective user departments, have been found to be satisfactory except for some shortcomings such as absenteeism or lateness of the crew, or the non-wearing of uniforms or identification badges while on service. However, performance assessment was mainly focussed on the cleaning aspect of the contract at this stage and penalty clauses have been applied for non-compliance of service.

Mr Speaker, Sir, I am informed that a number of explanations were also submitted to the National Audit Office with regard to proper monitoring and strict measures to ensure an acceptable level of cleaning. For example, the National Audit Office was informed that –

- a) the attention of the service providers has been drawn that –
 - (i) one supervisor should be posted at site over and above the cleaners; and
 - (ii) to provide the required number of male staff as stipulated in the contract;
- b) the service provider has provided uniforms and badges to all cleaners;
- c) Regional Hospitals should ensure that the service provider submits character certificates for all cleaners and are required to keep an updated database of the National Identity Cards of all cleaners to determine age eligibility and strict monitor signed attendances;
- d) management meetings are held with the service provider on regular basis including by the Chief Hospital Administrator from Headquarters, and

- e) occurrence books have been provided at hospitals for cleaners to record their arrival and departure times.

Moreover, since January 2022, a vendor rating mechanism has been introduced and henceforth, all suppliers are rated on their past performances so as to maximise value for money and in selecting the most appropriate bidder.

It is primordial to emphasise the importance of ongoing monitoring and evaluation to ensure that security and cleaning services at the hospital remain effective and efficient.

This usually includes regular audits or inspections to identify any areas where improvements can be made as well as ongoing training and education programme to ensure that security and cleaning personnel are up-to-date on the latest best practices and protocols.

Ms Tour: Thank you, Mr Speaker, Sir. According to the National Audit Report 2021-2022 and the hon. Minister also mentioned it in his reply, a month to month contract was opted for. Can the hon. Minister please advise why this option?

Dr. Jagutpal: Mr Speaker, Sir, the Ministry had no other option to ensure service delivery. However, a new procurement exercise has been initiated, as I have already stated in my reply, and launched at the level of the Central Procurement Board through Open National Bidding. So, this evaluation is being conducted at the CPB level. So far, we still have not got another contractor; we have to maintain the present contractor on a month to month basis.

Mr Speaker: The Table has been advised that some further questions have been withdrawn: PQs B/417, B/429, B/443, B/473, B/492 and B/493.

Hon. Members, I suspend the Sitting for one and a half hour.

At 12.59 p.m., the Sitting was suspended.

On resuming at 2.34 p.m. with Mr Speaker in the Chair.

Mr Speaker: Please be seated! Next question, whose turn is it?

**MINISTRY OF NATIONAL INFRASTRUCTURE AND COMMUNITY
DEVELOPMENT – PAYMENT OF OVERTIME**

(No. B/416) Mr P. Armance (Third Member for GRNW & Port Louis West) asked the Minister of National Infrastructure and Community Development whether, in regard to the

payment of overtime in his Ministry, he will state the amount due for the years 2021, 2022 and 2023 to date, if any, giving a breakdown for each Department grade-wise.

(Withdrawn)

CONSTITUENCY NO. 6 - DRINKING WATER SUPPLY - FREQUENCY

(No. B/417) Dr. M. Gungapersad (Second Member for Grand' Baie & Poudre d'Or) asked the Minister of Energy and Public Utilities whether, in regard to the supply of drinking water by water tanker trucks in Constituency No. 6, Grand' Baie and Poudre d'Or, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the frequency thereof servicing the different villages since January 2023 to date.

(Withdrawn)

ROCHES NOIRES SMART CITY PROJECT - PR CAPITAL (MAURITIUS) LTD – DILIGENCE EXERCISE

(No. B/418) Ms J. Bérenger (First Member for Vacoas & Floréal) asked the Minister of Finance, Economic Planning and Development whether, in regard to the promoter PR Capital (Mauritius) Ltd., for the Roches Noires Smart City Project, he will for the benefit of the House –

- (a) obtain from the Economic Development Board, information as to –
 - (i) if a due diligence exercise was carried out thereon, and
 - (ii) the expertise thereof, and
- (b) state if he has been made aware of the financial difficulties of two of its shareholders in other companies/projects in France.

Dr. Padayachy: M. le président, je remercie l'honorable membre pour cette question. L'*Economic Development Board* m'a informé que l'institution suit un processus en trois étapes pour l'approbation d'un projet de *Smart city*.

La première étape consiste à délivrer une lettre de confort. Ensuite, une lettre d'intention est émise lorsque le projet est confirmé par des plans détaillés et un modèle de financement. La troisième et dernière étape consiste pour l'*EDB* à délivrer un certificat de *Smart city* lorsque les permis et licences ont été obtenus par les promoteurs et que la construction peut commencer.

J'ai également été informé qu'avant d'accorder une lettre de confort, une demande est soumise à l'examen d'un comité technique composé de représentants –

- du ministère des Finances ;
- du ministère de l'Energie et des services publics ;
- du ministère de l'Environnement, de la gestion des déchets solides et du changement climatique ;
- du ministère de l'Agro-industrie et de la sécurité alimentaire, et
- du ministère des Infrastructures nationales et du développement communautaire, ainsi que de toute autorité locale compétente.

M. le président, en ce qui concerne la partie (a) de la question, j'ai été informé par l'*Economic Development Board* que le promoteur et les actionnaires ultimes de PR Capital (Mauritius) Ltd, sont les mêmes personnes, à savoir M. C. C. M. P et M. J. P. R, tous deux de nationalité française.

La demande dûment complétée pour le développement d'un projet dans le cadre du *Smart City Scheme* a été reçue par l'*EDB* en décembre 2021. J'ai également été informé que l'*EDB* a effectué un exercice de diligence en janvier 2022 sur la société et ses actionnaires ultimes. Aucun élément défavorable n'a été signalé concernant PR Capital (Mauritius) Ltd ou ses actionnaires ultimes.

En outre, l'*EDB* a également demandé à l'Office des passeports et de l'immigration (*PIO*), de fournir son autorisation afin de procéder à l'examen de la demande. Le 14 février 2022, le *PIO* a informé l'*EDB* que les deux actionnaires ultimes ne figuraient ni sur la liste de contrôle du *PIO*, ni dans *World Check*, ni dans la base de données d'Interpol.

M. le président, en ce qui concerne la partie (b) de la question, j'ai été informé que les deux actionnaires de PR Capital (Mauritius) Ltd sont activement impliqués dans des activités immobilières à Paris, Lille, Versailles, Casablanca et au Maroc en générale.

Les actionnaires de PR Capital (Mauritius) Ltd sont les fondateurs de Fiducim, une société immobilière constituée en 2013, en France. Fiducim a changé de nom pour devenir City GC en 2021. Je tiens à préciser que bien que les actionnaires de PR Capital (Mauritius) Ltd

soient les fondateurs de City GC, anciennement Fiducim, ces deux sociétés sont légalement, totalement indépendantes, l'une de l'autre et ne possèdent pas de lien financier. L'activité principale de City GC est l'aménagement du territoire et le développement immobilier.

PR Capital (Mauritius) Ltd a également nommé une équipe de consultants locaux et étrangers expérimentés pour le développement du projet. Concernant son projet de *Smart City*, PR Capital (Mauritius) Ltd n'a reçu à ce stade qu'une lettre de confort pour commencer à travailler sur le concept de son projet et ses plans de financement.

A vrai dire, j'ai été informé que la lettre de confort a été délivrée le 23 mars 2022 et qu'elle était valable jusqu'au 7 mars 2023. Par conséquent, cette lettre de confort est donc caduque.

M. le président, concernant la partie (c) de la question, je n'ai pas connaissance de difficultés financières des actionnaires dans d'autres sociétés ou projets, à l'exception des publications dans les médias et des articles de presse disponibles.

Si une demande d'autorisation ou de lettre d'intention est soumise à l'*Economic Development Board* dans le cadre du *Smart City Scheme*, l'*EDB* doit procéder à un examen approfondi et détaillé de la demande, y compris la vérification des antécédents financiers, la solidité financière du projet et la crédibilité des promoteurs, avant de faire une recommandation à son conseil d'administration.

J'ai également été informé par l'*EDB* que, selon des informations recueillies sur des plateformes médiatiques, le Tribunal de Commerce de Nanterre, un tribunal français, a ouvert une procédure de redressement judiciaire et a nommé un administrateur pour City GC en janvier 2023. Selon l'extrait du journal 'Le Parisien' paru le 02 mai 2023, le promoteur s'est exprimé sur la situation financière de City GC-Hervé, filiale du groupe City GC, qui est en liquidation. Le groupe avait repris l'entreprise Hervé juste avant la Covid-19.

Le promoteur a aussi évoqué que l'accumulation du Covid, la hausse du prix des matériaux et le marché de la construction, n'ont pas permis de redresser l'entreprise Hervé qui a été mise en liquidation. Sur ces informations, je rappelle que PR Capital (Mauritius) Ltd et City GC sont deux compagnies indépendantes et surtout que la lettre de confort émise à PR Capital (Mauritius) Ltd est aujourd'hui caduque, obsolète, ou encore périmée.

Merci.

Ms J. Bérenger: Il existe effectivement de nombreux articles, très peu élogieux dans la presse française concernant ces deux promoteurs et qui font état de difficulté à terminer leurs projets et de retard de paiement, des chantiers laissés à l'abandon etc. Donc, ce ne serait pas acceptable que notre nature qui nous rend des services écosysthémiques comme on les appelle, soit irrémédiablement endommagée et qui laisse ensuite derrière eux, leurs dégâts.

Maintenant, cette zone est d'une importance écologique, stratégique dans le contexte climatique actuelle. Est-ce que le ministre peut nous dire pourquoi est-ce que l'*Economic Development Board* qui a la responsabilité légale de considérer l'impact d'un projet sur son environnement naturel. Pourquoi est-ce que l'*Economic Development Board* continue de promouvoir cette zone environnementalement sensible pour des projets qui ne sont clairement pas durables malgré nos engagements internationaux concernant le réchauffement climatique, concernant la protection de la faune et de la flore, concernant la protection des *Wetlands*, notamment la Convention Ramsar dont nous sommes signataires et qui concerne précisément les *Wetlands* ?

Dr. Padayachy: M. le président, je ne suis pas en présence de certains éléments par rapport à la question posée par l'honorable membre. Mais je tiens à préciser que l'*EDB* a eu un fonctionnement indépendant. Ça aborde même si je vois que l'honorable membre est en train de rire, c'est un conseil d'administration et ce conseil d'administration prend ses décisions en toute indépendance.

Pour revenir à la question concernant les problèmes environnementaux qui sont liés à ce projet. Je viens de rappeler, le projet à l'époque, c'était en 2021, avait été demandé par deux promoteurs qui voulaient faire le développement d'un *Smart City* et par la suite, on a vu que ce projet n'allait pas être fiable. S'ils ne peuvent pas venir avec un plan de financement valable, ils n'auraient pas eu de lettre d'intention. Ce qui fait que le projet comme je viens de le dire, est caduque.

Quand il y a des demandes pour faire un investissement direct étranger à Maurice, vous savez très bien que Maurice est ouvert aux investissements étrangers, nous prenons en considération toutes les demandes. Maintenant, c'est à nous de voir si un projet est viable ou pas

viaible financièrement. Pour le faire, c'est pour ça qu'il y a trois étapes que je viens d'expliquer dans ma réponse.

Par rapport au fait que vous êtes en train de dire que cet endroit doit être préservé, je vais demander des informations supplémentaires à l'*Economic Development Board* et s'il faut vraiment préserver cet endroit, nous ferons le nécessaire.

Ms J. Bérenger: Je ne parle pas que de l'aspect financier, je voudrais savoir sur quelle base est-ce que l'*Economic Development Board* veut promouvoir cette zone? Sur quelle base est-ce que le *Smart City Scheme* est proposé aux développeurs ? Est-ce qu'une analyse des besoins stratégiques a été faite? Parce qu'il est de notoriété publique qu'il n'existe pas beaucoup d'habitants dans les environs, qu'il y a une autre *Smart City*, il y a moins de deux kilomètres – Azuri, qui n'arrive pas à embaucher, pareille pour Anahita qui n'est pas loin également et même pour les chantiers de construction. Comme c'est clairement souvent le cas, ce ne sont même pas des ouvriers mauriciens. Donc quelle est l'analyse des besoins stratégiques qui a été faite qui pourrait justifier l'utilité d'un tel développement?

Dr. Padayachy: M. le président, l'utilité du développement en générale, c'est ça qui fait la croissance économique d'un pays. Nous devons faire un choix entre le développement économique, trouver le bon arbitrage et certains autres projets qui peut-être peuvent affecter, je dis bien peut-être peuvent affecter la nature de l'île. Mais si on était resté comme on était en 1970, avec tout ce qu'on avait comme plage, sans hôtel et rien, bein on serait toujours un pays pauvre.

Le développement économique appelle à certains sacrifices. Je le dis ici clairement, mais nous en tant que gouvernement responsable, on a des institutions qui regardent et qui font la part des choses. Nous sommes en train de préserver la superficie concernant les forêts. Nous sommes en train de restaurer les plages. Nous sommes en train de revoir les drains naturels. Nous sommes en train de mettre énormément de finances publiques pour préserver la nature.

Donc, l'honorable membre est en train de nous dire que cet endroit doit être préservé. Nous, nous allons demander à l'*Economic Development Board* si c'est le cas réellement. Si c'est réellement le cas, on ne fera pas de projet sur cet endroit. Mais en tout cas, actuellement je n'ai reçu aucune information là-dessus à part un article de presse, qui dit qu'on ne devrait pas développer cet endroit et pour quelle raison? Il n'y a pas. Ce n'est pas écrit. On n'est pas là pour

favoriser une entreprise par l'autre. Nous sommes pour la compétition. Si on a une entreprise étrangère qui veut investir, nous n'allons pas fermer les portes. C'est pour ça que nous sommes 13^{ème} sur le *Ease of doing Business*. Nous ne sommes pas là pour donner une priorité à certaines firmes locales par rapport à d'autres firmes étrangères.

Ms J. Bérenger: Une dernière question....

Mr Speaker: *Non, non, non!*

NOTRE DAME RELAY SHELTER - BABY C.P ADMISSION

(No. B/419) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to the Notre Dame Relay Shelter, she will state since when Baby C.P. is admitted thereat, indicating if the admission protocol has been respected and, if so, give details thereof and, if not, why not.

(Withdrawn)

STREET CHILDREN – DRUG CONSUMPTION –

MEASURES

(No. B/420) 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 street children, she will state the –

- (a) current estimated number thereof, indicating the number -
 - (i) of boys and girls;
 - (ii) out of school, and
 - (iii) using drugs.
- (b) number of staff members of her Ministry attending thereto, and
- (c) measures envisaged to address this situation.

(Withdrawn)

Mr Speaker: Hon. Dhunoo!

FATF GREY LIST – LEVEL OF COMPLIANCE – ACTIONS

(No. B/421) **Mr S. Dhunoo (Third Member for Curepipe & Midlands)** asked the Minister of Financial Services and Good Governance whether, in regard to the Mauritius jurisdiction exiting the FATF Grey list, he will state the actions being taken to sustain the level of compliance with regard to Anti-Money Laundering and Counter-Terrorism Financing matters.

Mr Seeruttun: Mr Speaker, Sir, I would like to refer the hon. Member to the Statement that I made in this august Assembly on 26 October 2021 just after the de-listing of Mauritius from the FATF list of “Jurisdictions under Increased Monitoring” and particularly to the fact that one of the major considerations by the FATF to determine whether to de-list a jurisdiction or not was whether the jurisdiction would be able to sustain the AML/CFT reforms or not.

In fact, it was only when they were satisfied that Mauritius would be able to sustain the effort that we were delisted from the Grey List.

I would like to assure the House that this Government will leave no stone unturned to maintain that level of effectiveness that is required to keep our jurisdiction away from the Grey List of the FATF.

In fact, Mr Speaker, Sir, a number of initiatives have been taken by this Government and my Ministry with a view to sustaining our efforts in the AML/CFT reforms. In this respect, a number of Committees are closely overseeing and monitoring the actions being taken in that direction. An Inter-Ministerial Committee, under the Chairmanship of the hon. Prime Minister, ensures that constant monitoring and follow up are being carried out. A Core Group, under the Chairmanship of the Financial Secretary, an Interagency Coordination Committee under the Chairmanship of the Governor of the Bank of Mauritius and a National Committee on AML/CFT, under the Chairmanship of the Permanent Secretary of my Ministry, are closely monitoring actions that need to be taken, ensuring their sustainability and effectiveness and taking corrective measures where required. All these Committees were in place during the period we were toiling hard to get out of the FATF Grey List. In fact, they have been instrumental in our exiting process.

Mr Speaker, Sir, another glaring example of our sustainability effort after the exiting of the FATF Grey List on 21 October 2021, is the passing of the VAITOS Act by this august Assembly in December 2021 and Mauritius being upgraded to “Largely Compliant” with the FATF Recommendation 15 – New Technologies – during the ESAAMLG Meetings in

September 2022. This upgrade has put our country amongst the top-tier jurisdictions which are “compliant” or “largely compliant” to all the 40 FATF Recommendations.

Mr Speaker, Sir, following the provisions in the last Budget exercise, my Ministry is now endowed with a unit having permanent staff to look after AML/CFT matters. Consequently, all changing standards of the FATF are constantly being monitored and necessary actions taken to redress any lacuna in our AML/CFT system so as to be in conformity with the standards. A few of the actions being taken are –

- (a) a review of the National Risk Assessment (NRA) with technical assistance from the World Bank;
- (b) a risk assessment of legal persons and legal arrangements;
- (c) a review of the Terrorism Financing Risk Assessment of Non-Profit Organisations, and
- (d) a review of our AML/CFT legislations. The aims of these legislative amendments are to address –
 - (i) the remaining minor Technical Compliance deficiencies in relation to the FATF Recommendations where Mauritius is still “largely compliant;”
 - (ii) the legislative gaps that may be identified during the National Risk Assessment exercise, and
 - (iii) the revisions being brought to the FATF standards.

Moreover, Mr Speaker, Sir, we are continuing our close collaboration with the Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG) through active participation in the ESAAMLG activities and are leading on several projects. We are also pursuing our efforts to strengthen our human capabilities in the AML/CFT sphere to uphold the skills and knowledge of our officers. To this end, continuous engagement with several countries and international bodies are being made with a view to obtaining technical assistance. In this respect, several workshops have already been held in collaboration with our international partners, which include amongst others the UK authorities, the EU AML/CFT Global Facility and the World Bank.

Mr Dhunoo: Thank you, Mr Speaker, Sir. Can the hon. Minister inform the House if Mauritius has been solicited for technical assistance with regard to other countries that are on the Grey List, because with our success story that we have achieved in a short span of time, has Mauritius been solicited by other countries?

Mr Seeruttun: Yes, Mr Speaker, Sir. I must say that since our exiting from the FATF Grey List, a number of countries in the region as far as the Caribbean have approached Mauritius to at least see what we are doing and share with them what we have done in the process of exiting the FATF Grey List. I must say that as far as Recommendation 8 where we are now compliant, we were approached by countries like Panama, Madagascar, Bangladesh, Seychelles, Tunisia, Jordan and Zambia.

In fact, there was a workshop that was organised in November 2021 whereby we were able to share with those countries what we had done. I know that this has been very useful for those countries to at least be more versed in the way to address this problem.

Another workshop that we organised was held in May 2022 where we had the participation from different delegations from the IMF, Wolfsberg group, SWIFT, FATF itself, Egmont Group, Facebook payments. Those also were forums that were held to be able to share with various participating countries where we managed to share with them our experience in the way we addressed the problem of being on the Grey List.

So, I must say that this is a continuous request that we receive from many countries lately. I must say that we have always shown our keenness to share with them our experiences so that we can also be a partner in the process of helping those countries in exiting the FATF Grey List.

Mr Dhunoo: In his reply, the hon. Minister informed that there is a team that is working specifically so that we sustain the level of compliance with regard to FATF. May we know if there has been a capacity building to keep with European standards so that the country does not go on the Grey or Black List next time? How many staffs have been trained if ever there has been any training?

Mr Seeruttun: Mr Speaker, Sir, ever since we were put on the Grey List, we engaged with a number of friendly countries and also with a number of international institutions like the

IMF, the World Bank, the EU MLCFT Global Facility, the UK Government, the GIZ and we have had a number of technical experts that have assisted Mauritius in terms of capacity building for us to get out of the Grey List in record time, I must say. Ever since we exited the Grey List, of course, we took the commitment to sustain that level of compliance and I must say that ever since, we have continued to build capacity.

Since October 2021, in terms of training that we have provided to different local institutions, 110 targeted training sessions have been organised since we exited the FATF Grey List in October 2021 to date. This has been able to target a number of institutions from supervisory authorities to legal enforcement agencies and also other competent authorities in Mauritius. This has allowed us to train some 1,500 officers from those different authorities including people from the private sector as well.

So, a number of training sessions have already been held so far. I can also add that in the months to come, we have a number of trainings also being provided by the UK authorities with regard to AML/CFT supervisions and also on CFT investigations.

More so, there is something else which is also going to be held, sometimes in the near future, where it is going to look at the gambling sector as well. So, there is number of trainings that has been held since October 2021 and that has been earmarked for this year. This is, like I said, a commitment that we took at the level of the FATF to ensure that we sustain our level of compliance.

Mr Speaker: MP Quirin!

SOUILLAC HOSPITAL – FACT-FINDING COMMITTEE REPORT – DIALYSIS PATIENTS’ DEATH

(No. B/422) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Wellness whether, in regard to the Report of the Fact Finding Committee pertaining to the death of eleven patients who were undergoing dialysis during the COVID-19 outbreak, in March and April 2021, in Souillac Hospital, he will state if the conclusion thereof will be made public and, if not, why not.

Dr. Jagutpal: Mr Speaker, Sir, in my reply to the Private Notice Question for the Sitting of 20 April 2021 and in my reply to PQ B/26 for the Sitting 29 March 2022, I had already

highlighted the situation at Souillac Hospital during the period March to April 2021 and detailed the recommendations of the report of the Fact-Finding Committee respectively.

Mr Speaker, Sir, on 24 February 2023, the Medical Negligence Standing Committee (MNSC) submitted the reports of the enquiries conducted to my Ministry. Out of the 11 cases investigated, two of the reports concluded that the patients did not receive adequate medical care. The remaining nine cases were devoid of any negligence.

My Ministry has therefore referred the two cases concluding with inadequate provision of medical care to patients to the Medical Council and Nursing Council for further investigations. In addition, as customary, the MNSC has already informed all plaintiffs of the outcome of their enquiry.

Mr Speaker, Sir, it is to be pointed out that though two of the cases concluded with inadequate provision of medical care to patients, the MNSC did not point out a particular health personnel to be identified as being responsible. As provided for in the Disciplinary Bodies (Health Sector) (Miscellaneous Provisions) Act 2019, the Medical Council, after having carried out a preliminary investigation, determines that there is *prima facie* evidence of professional misconduct or negligence against the registered person, the Council may institute disciplinary proceedings against him before the Tribunal.

The report will not be made public because of the ongoing inquiry at the level of the Medical Council. Same is for any other cases of medical negligence conducted by the MNSC.

Mr Quirin: M. le président, effectivement, ces familles qui ont perdu leurs proches ont besoin de connaître toute la vérité et le ministère de la Santé effectivement leur doit toute cette vérité par rapport à ce qu'il s'est réellement passé durant cette période. Comme vient de le confirmer l'honorable ministre, effectivement, une deuxième enquête qui a fait suite au *Fact-Finding Committee* est venue effectivement confirmer certains maladroits administratifs au niveau médical et qui ont occasionné le décès de onze patients dialysés. Donc, je vais insister, je pense comme je l'ai dit, M. le président...

Mr Speaker: What is your question?

Mr Quirin: ... l'honorable...

Mr Speaker: Question! Question!

Mr Quirin: Oui, je viens avec la question. Je demande au ministre, ne considère-t-il pas essentiel que ce rapport soit déposé ici sur la table de l'Assemblée ? Nous étant parlementaires responsables, nous avons le devoir de prendre connaissance de ce rapport. Sinon, cela ...

Mr Speaker: It is okay.

Mr Quirin: ...donnera l'impression...

Mr Speaker: You made your point. You made your point!

Mr Quirin: Cela donnera l'impression...

Mr Speaker: To table the report. Okay. Minister!

Dr. Jagutpal: Mr Speaker, Sir, I have already stated in my reply, there is still an ongoing enquiry at the Medical Council and at the Dental Council. This is the procedure for a public official: whenever there is a preliminary enquiry being done at the level of the Ministry, that report has to be forwarded to the disciplinary bodies and then after that, if ever there is somebody who is responsible for any *maldonne*, that will be referred to the tribunal. How can the Ministry make the report public without the consent of the patient, the inquiring bodies where that will hamper the investigation at a later stage? This is the first time that I am hearing that a report should be made public. Hundreds of reports have been prepared by the Medical Negligence Committee and all that are for patients who voiced out any reason or for an allegation for medical negligence. But it is not appropriate to bring the report in public.

Mr Speaker: Okay, you made your point. You have a last one? Yes?

Mr Quirin: Yes, I give way to hon. Uteem.

Mr Speaker: Oh, but there was somebody else.

(Interruptions)

You are not the Speaker!

Mr Doolub: Thank you, Mr Speaker, Sir. Since COVID-19 affected the entire planet, can the Minister inform the House whether his Ministry followed the trend internationally and how far dialysis patients have been affected with COVID-19? Thank you.

Dr. Jagutpal: Yes, Mr Speaker, Sir. The hon. Member is willing to know the situation at the international level for COVID-19 patients. Mr Speaker, Sir, briefly, from the information that I have so far, the percentage of death among dialysis patients in Mauritius is around 22%. I am just giving an international figure. Let me inform the House about the international data about the percentage of death among these patients. The American Kidney Association concluded that in America, 24.9% of patients passed away with COVID-19. A study carried out by the Clinical Kidney Journal again states that the percentage of death in UK among dialysis patients is 36%. In France, according to a study carried out, the percentage of death among dialysis patients due to COVID-19 is 19.6%. I believe this is what the hon. Member is willing to know. If we compare the situation in Mauritius, the outcome of patients undergoing dialysis to that of the international figures, this is the factual statement.

Mr Speaker: Next question, MP Uteem! Next question!

HINDENBURG RESEARCH REPORT – INVESTIGATION

(No. B/423) 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 report published by Hindenburg Research in January 2023 on the alleged use of Mauritius based entities as conduits for money laundering and share price manipulation for the Adani Group, he will, for the benefit of the House, obtain from the Financial Services Commission, information as to if it has conducted an investigation in relation thereto, indicating the actions, if any, taken following same.

Mr Seeruttun: Mr Speaker, Sir, I am informed by the Financial Services Commission that it has taken note of the contents of the report published by Hindenburg Research in January 2023 as well as other information pertaining to this matter, wherein specific reference has been made to, *inter alia*, creation of offshore shell companies in Mauritius, the UAE and the Caribbean Islands.

Mr Speaker, Sir, at the outset, I wish to inform the House that the allegations of the presence of shell companies in Mauritius are false and baseless. According to the law, shell companies are not allowed in Mauritius. All Global Business Companies licensed by the Financial Services Commission have to meet substance requirements on an ongoing basis as per section 71 of the Financial Services Act and are being strictly monitored by the Commission.

In fact, in order to meet the substance requirements, all Global Business Companies have to –

- (i) carry out their core income generating activities in, or from, Mauritius, as required under the Income Tax Act;
- (ii) be managed and controlled from Mauritius;
- (iii) be administered by a management company;
- (iv) have at least two directors, resident in Mauritius, of sufficient calibre to exercise independence of mind and judgement;
- (v) maintain, at all times, their principal bank account in Mauritius;
- (vi) keep and maintain, at all times, their accounting records at their registered office in Mauritius;
- (vii) prepare their statutory financial statements and cause those financial statements to be audited in Mauritius, and
- (viii) provide for meetings of directors to include at least 2 directors from Mauritius.

Mr Speaker, Sir, secondly, with respect to the allegation of Mauritius being a tax haven, I wish to inform the House that Mauritius strictly complies with the international best practices and has been rated as compliant with the Organisation for Economic Co-operation and Development (OECD) standards. Additionally, since 2018, Mauritius has reformed its Global Business Framework and tax regime with a view to removing harmful tax practices.

As per the peer review conducted by the OECD Forum on Harmful Tax Practices, the OECD is satisfied that Mauritius does not have any harmful features in its tax regimes, thus, recognising Mauritius as a well-regulated, transparent and compliant jurisdiction.

Mr Speaker, Sir, to address the question of the hon. Member of Parliament, I wish to inform the House that the Financial Services Commission is bound by duties of confidentiality by virtue of sections 83(1), 83(4) and 83(5) of the Financial Services Act and, as such, no further details can be disclosed and the Financial Services Commission can neither deny nor confirm whether an investigation has been and/or is being conducted. As such, disclosure of information

on Global Business Companies would be in breach of section 83 of the Financial Services Act and may have adverse impact on the repute of our jurisdiction.

Mr Speaker, Sir, I am further informed by the Financial Services Commission that this matter is being monitored closely. The Commission is pursuing its actions, within the ambit of the relevant legislations and in line with its current supervisory process. It has been carrying out reviews of all the companies cited in the Hindenburg Report.

As part of the supervisory review, the Financial Services Commission has requested and received compliance reports pertaining to all the relevant companies which show compliance with the prevailing legislations in Mauritius. Given the multi-layering of those companies cited in the report, the Financial Services Commission continues to monitor the matter diligently.

Mr Speaker, Sir, the Financial Services Commission is collaborating with law enforcement agencies in Mauritius and overseas regulators on this matter.

To conclude, I wish to draw the attention of the hon. Members of the Parliament to the fact that the Hindenburg Report cannot be read in isolation, particularly in the light of the rebuttal report from the Adani Group.

Mr Uteem: I listened carefully to the answer of the hon. Minister and he said that the FSC cannot give any details but, if the FSC is not able to give any details on any enquiry going on, how can the hon. Minister come to this House and say that the allegations made in the report are: “false and baseless”?

Mr Seeruttun: Mr Speaker, Sir, I am referring to the statement made in the report with regard to Shell companies being registered in Mauritius. Like I said in my reply, to be able to be licensed in Mauritius, there are conditions, requirements that need to be satisfied and I have spelt out all those conditions. Based on the fact that these companies adhered to those conditions, then, it is unfounded to say that those companies are Shell companies.

Mr Uteem: According to the terms of licence of a Global Business Company, the company is required not only to comply with Mauritian law but also with the law of the country in which it carries out its business. In this case, there have been serious allegations of breach of SEBI’s rule on maximum shareholding threshold in public companies. So, in view of this very serious allegation of illegal activities in India, is the hon. Minister able to inform the House if the

FSC has taken any precautionary measures, any sanctions against any of the management companies and the local directors involved in these companies?

Mr Seeruttun: Mr Speaker, Sir, I can inform the House that as of now, all the enquiries that have been carried out and the reports that have been requested from those management companies that are managing those global companies, so far, there has been no breach that has been found. Therefore, at this point in time, we cannot go on and say that there has been any breach but, like I said, also, as per the MoUs that we have with different authorities locally and overseas, we share all the information whenever they are requested. So, at this point in time, those companies are complying with all the legal requirements that have to be adhered to.

Mr Speaker: Hon. Bodha!

VACOAS-PHOENIX MUNICIPAL COUNCIL – SALLE DES FÊTES –RENOVATION & CONSTRUCTION WORKS – CONTRACT

(No. B/424) **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 and construction works carried out at the *Salle des Fêtes* of the Municipal Council of Vacoas-Phoenix, he will, for the benefit of the House, obtain therefrom, information as to the date the contract was awarded, indicating the name of the contractor and the total project value thereof.

(Withdrawn)

LEASED STATE LAND – AGRICULTURAL & ECO TOURISTIC PROJECTS

(No. B/425) **Mr N. Bodha (Second Member for Vacoas & Floréal)** asked the Attorney General, Minister of Agro-Industry and Food Security whether in regard to state land falling under the purview of his Ministry, he will state if leases for more than 100 arpents have been granted for major agricultural and eco touristic projects since 2019 to date and, if so, provide details thereof.

Mr Gobin: Mr Speaker, Sir, with your permission, I shall reply to PQs B/425 and B/491 together as they relate to the same subject matter.

Mr Speaker, Sir, I wish to inform the House that state land falling under the purview of my Ministry are categorised broadly in seven categories, namely –

- (i) land suitable for sugar cane cultivation;
- (ii) land suitable for crop production;
- (iii) land suitable for cattle breeding, rearing of poultry, pigs, and ruminants;
- (iv) land suitable for shooting and fishing;
- (v) land for *gardiennage*;
- (vi) forest land, conservation area, mountain reserves, river reserves, and
- (vii) the miscellaneous others category.

With regard to the details asked for, Mr Speaker, Sir, namely, in question B/425, leases dating from 2019 onwards, and in B/ 491, leases dating from 2014 onwards, the information is being compiled and will be laid in the Library of the National Assembly in due course with details of lessees and their relevant particulars.

Thank you.

Mr Bodha: May I ask the hon. Minister whether, he can inform the House if the rent is the same for all the activities, and whether duration of the lease is also the same for all the activities?

Mr Gobin: No, Mr Speaker, Sir. The rent is not the same and the duration also is not the same for all the categories I have listed for the simple reason that in some cases land is leased to small planters. The rent is not the same as for other categories. So, for each category, the rent is determined depending on the purpose for which the land is leased.

Mr Speaker: Hon. Dr. Aumeer!

Dr. Aumeer: Thank you. Can I ask the hon. Minister whether it is normal practice that he visits state land at odd hours before granting a licence...

Mr Speaker: No, this is not related. You are making an abuse of your questioning right. Let's move to the next question!

An hon. Member: *koz pou Sabapati...*

(Interruptions)

An hon. Member: *Pu marsan roti!*

(Interruptions)

Mr Speaker: Order!

(Interruptions)

Order! Order! Don't discuss!

(Interruptions)

Order! Don't discuss!

(Interruptions)

Next question!

Dr. Boolell: Where is it stated in the Standing Orders?

(Interruptions)

Mr Speaker: Hon. Mrs Navarre-Marie, next question!

Dr. Boolell: Where is it in the Standing Orders? Where?

Mr Speaker: Come to my office.

(Interruptions)

An hon. Member: *Ale pran lesson!*

Mr Speaker: You are wanted in my office.

(Interruptions)

MRS M-C. H. DEATH –DESPATCHED AMBULANCES – LACK OF OXYGEN

(No. B/426) Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West) asked the Minister of Health and Wellness whether, in regard to Mrs M-C. H. of Camp Benoit who passed away on 19 April 2023 at the Cancer Centre, he will state if the –

- (a) first ambulance despatched for the conveyance thereof from her residence was not equipped with oxygen cylinder gas, and
- (b) second ambulance was not adequately equipped with same and, if so, the reasons therefor.

Dr. Jagutpal: Mr Speaker, Sir, allow me first to extend my deepest sympathy to the bereaved family of the deceased patient.

Mr Speaker, Sir, firstly, I would like to point out that the medical details of a patient cannot be made public as it goes against the privacy of the patient and also against medical ethics.

In this case, however, I will give some information without compromising the privacy of the patient.

The patient, Mrs M. C. H. was suffering from an advanced stage of cancer and on that day she was expected at Palliative Care of the New Cancer Centre. She also had several lung lesions related to her illness, which had led to the intermittent need for oxygen. The husband of Mrs M. C. H. had been informed about the critical situation of his spouse and the poor prognosis.

On 19 January 2022, the patient was transported on oxygen and arrived at 12:15 p.m. at the New Cancer Centre with an oxygen saturation of 97%. This remained normal until the last saturation measurement which was 100% at 2:30 p.m. At 3 p.m., the patient presented a sudden worsening of her condition, followed by cardiac arrest, which could not be recovered.

Mr Speaker, Sir, I am informed that there are currently 5 ambulances posted at the Dr. A. G. Jeetoo Hospital for conveyance of patients. Each ambulance is manned by one ambulance driver and one ambulance care attendant on a shift system, on a 24-hour basis.

With regard to part (a) of the question, I am informed that a request by a Doctor from the New Cancer Centre for conveyance of the patient was received on 17 April 2023, but there was no mention for the continuous need of oxygenation of the patient.

In addition, Mr Speaker, Sir, the request for transportation as per the transport slip also did not mention neither for continuous oxygenation of the patient to the New Cancer Centre nor presence of Nursing Officer. However, the first ambulance despatched was equipped with an oxygen gas cylinder.

Prior to undertaking the route, the transport service facilitator requested the ambulance care attendant to verify the availability of oxygen, to which he responded positively. However, arriving at the destination, it was found that there was insufficient oxygen for the transfer of the

patient to the New Cancer Centre. Thereafter, a second ambulance was sent for the conveyance of the patient.

Mr Speaker Sir, as regard to part (b) of the question, I am informed that the second ambulance was also equipped with an oxygen gas cylinder. The transport service facilitator again requested the acting ambulance care attendant to verify the availability of oxygen before the second trip, to which he responded positively.

However, upon arrival at the patient's residence, the husband of the patient was not satisfied with the quantity of oxygen available, suggesting either a leakage in the cylinder or an improperly closed valve.

Eventually, the transport service facilitator despatched a third ambulance with a full oxygen cylinder collected from the surgical store on that same day and the Surgical Technologist was also instructed to verify the oxygen cylinder. The patient was transferred to the New Cancer Centre by the third ambulance after ensuring that an adequate amount of oxygen was present in the cylinder for her to be conveyed safely.

Mr Speaker, Sir, nevertheless, it has been decided to refer the case to the Medical Negligence Standing Committee, which is an independent body, for an enquiry.

Mrs Navarre-Marie: M. le président, ce qui s'est passé est vraiment révoltant. Le ministre a clairement dit que les personnes concernées sont au courant de la condition médicale de la patiente. Le rendez-vous était fixé à 9:30 du matin à Medpoint ; la personne habite à Camps Benoit. La première ambulance est arrivée sans oxygène alors que tout le monde sait que la patiente a besoin de 3 litres d'oxygène par minute. Donc, première ambulance sans oxygène...

Mr Speaker: No, but you are explaining...

Mrs Navarre-Marie: Je dois mettre la question dans...

Mr Speaker: I am on my feet! Do not make an abuse of your right to put questions! Listen to the Speaker! I am on my feet, I am telling you! This is a supplementary question! You put your question one by one; short questions. The Minister has the responsibility to give the reply and the population is waiting for the reply, please!

Mrs Navarre-Marie: Je sais que j'ai droit à deux questions, et je sais que je dois donner *one by one*, mais il me faut donner le contexte de la question pour que tout le monde comprenne...

Mr Speaker: This is a supplementary question! The main question is already there. You gave notice of the main question, so the...

Mrs Navarre-Marie: *Enn dimounn inn mor !*

Mr Speaker: Order!

Mrs Navarre-Marie: Une personne est décédée !

Mr Speaker: Order, please! Put your question! Simple question, put it!

Mrs Navarre-Marie: Il y a clairement eu négligence de la part d'une personne qui est supposée d'envoyer l'ambulance au domicile concerné !

Mr Speaker: Put your question!

Mrs Navarre-Marie: Donc, c'est un *clear cut* cas de négligence. Est-ce que le ministre ne pense pas qu'il serait souhaitable de référer le cas directement à la police ?

Mr Speaker: Very good question!

Dr. Jagutpal: Mr Speaker, Sir, this is what I stated in my reply. In fact, I also agree with her. It has been decided to refer this case to the Medical Negligence Standing Committee for an independent, in-depth enquiry. When she said that it is *révoltant* as a *commentaire*...

Mr Speaker: No, no, that part I already disallowed! Another question! The same quality of question!

Mrs Navarre-Marie: Quand le ministre a parlé du *medical negligence*, que l'affaire a été référée au *Medical Negligence Standing Committee* (MNSC), est-ce que je pourrais savoir quand est-ce que l'affaire a été référée au comité et si le comité a débuté ses travaux ? Si oui, quand est-ce que ce comité compte compléter ses travaux et déposer sur la table de l'Assemblée une copie du rapport, si ce n'est pas à l'Assemblée, donc aux parents concernés ? Merci.

Dr. Jagutpal: No, Mr Speaker, Sir, enquiries done at the Medical Negligence Standing Committees, as I have already stated earlier for other replies, is not subjected to public debate.

This is confidential information. I, myself, try to give the minimum information about a patient's death; or else I would have given the whole history of the patient. Is it appropriate to give details of patients and what has been happening? Let the independent committee do the enquiry and the parents would get the information, the spouse will get the information. It is not meant for debate in this House.

Mr Speaker: Hon. Abbas Mamode!

GRAND GAUBE – DEAD FISH - REPORT

(No. B/427) Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether, in regard to the fish found dead at sea in Grand Gaube on Saturday 15 April 2023, he will state if any report in relation thereto has been submitted to his Ministry and, if so, give details thereof.

Mr Maudhoo: Mr Speaker, Sir, on Saturday 15 April 2023, information was obtained by Officers of the Fisheries Protection Service of my Ministry regarding fish mortality in the shoreline of Brasse Corne, in the vicinity of Melville Fish Landing Station at Grand Gaube. Fisheries Protection Officers at Grand Gaube intervened on the same day. They came across various species of dead fish scattered on the shore. The fish were at an advanced state of decomposition and emanating a foul smell. The dead fish were found to be perforated.

The Fisheries Protection Officers secured all the dead fish. Two seawater samples were collected at different points near the shoreline for analysis by the Albion Fisheries Research Centre. No chemical and biological tests could be performed on the dead fish samples due to the advanced stage of decomposition.

On Sunday 16 April 2023, Officers of the Albion Fisheries Research Centre collected seawater samples again at the site of the incident for analysis of physico-chemical parameters, coliform bacteria and harmful marine microalgae. No sign of pollution or harmful algal bloom was observed and result of analysis showed that the seawater quality was within the limits of the coastal water quality for the parameters tested.

It is suspected that the dead fish was most probably fish caught by using spear gun and discarded at sea for fear of being apprehended by officers of the Fisheries Protection Service

who have since October 2022 effected several crackdown operations around the island. These discarded fish were washed ashore. I wish to point out that the crackdown operations around the island have been a major deterrent against illegal fishing. Such operations are ongoing.

Mr Abbas Mamode: Thank you, Mr Speaker, Sir. Can the hon. Minister inform the House whether there is any protocol in his Ministry regarding fish mortality, if yes, please inform the House?

Mr Maudhoo: Yes, Mr Speaker, Sir. In fact my Ministry has an established protocol for fish mortality. An action plan has been set up and all reported cases of dead fish in marine and fresh water bodies in Mauritius are attended by officers of the Fisheries Protection Service as well as the Albion Fisheries Research Centre. The established procedures amongst others are thus, as follows –

- (a) the Fisheries Protection Service immediately carries out a visit at the reported site;
- (b) the Laboratories Division of the FRC collects specimens of dead marine organism and sea water samples;
- (c) statement to the nearest police station is made;
- (d) initiation of an investigation;
- (e) prohibition to collect any dead fish from the area, and also
- (f) proper monitoring of the affected area.

Mr Speaker: Next question! MP Ameer Meea!

IMMIGRATION SQUARE URBAN TERMINAL – CONSTRUCTION

(No. B/428) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the construction of the Immigration Square Urban Terminal, he will, for the benefit of the House, obtain information as to where matters stand, indicating the expected start and completion dates thereof.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Speaker, Sir, following the launching of a Request for Proposal for the redevelopment, modernisation and operation of the Immigration Square Urban

Terminal at Port Louis, a notification of award was made to Yihai International Investment Development Ltd. on 03 October 2018.

Upon acceptance of the award, a lease agreement was proposed to Yihai International Investment Development Ltd. and the Ministry of Housing and Land Use Planning for the grant of a 60 years industrial lease of an extent of 26,156 m² that is, 6 arpents and 20 perches at an initial annual rental value of Rs1,045,800 per arpent. The promoters should complete the project. It is supposed to be completed in two years as from the date of signature of the proposed lease agreement.

The Immigration Square Urban Terminal project is a large scale development project planned to be developed in the buffer zone 2 of the Aapravasi Ghat World Heritage Property. Given the localisation of the project, the clearance of the United Nations Educational Scientific and Cultural Organisation (UNESCO) is required prior to its implementation.

I am informed that following the recommendation of the UNESCO, EcoAfrica Environmental Consultant Private Ltd was enlisted by the Ministry of Arts and Cultural Heritage for the conduct of an overarching heritage impact assessment and a visual impact assessment for the project in the buffer zone of the Aapravasi Ghat.

The report of the EcoAfrica Environmental Consultant Private Ltd and the comment of Mauritius thereon have been submitted to UNESCO World Heritage Centre for clearance and edition is still being awaited.

Mr Ameer Meea: Mr Speaker, Sir, the hon. Minister in his reply, stated that Yihai International Investment Development Ltd was selected as the promoter in 2018. So, it is almost five years now. Just to confirm, I heard the hon. Minister stating that the land had been leased by the Ministry of Housing and Land Use Planning for Rs1.4 m. per arpent. Is it so?

Dr. Husnoo: Rs1,045,800 per arpent.

Mr Ameer Meea: Can I ask the hon. Minister - I find this figure extremely low, we are talking about six arpents, *place immigration* à Port Louis where they will build a building for Rs2 billion and that the land is being leased for only Rs1.4 m. This is shocking!

Mr Speaker: Let us hear the reply.

Mr Ameer Meea: No, I am not finished. Why do you interrupt me?

Mr Speaker: No, you already put a question.

Mr Ameer Meea: No, I am not finished.

Mr Speaker: You are on a supplementary question; you cannot introduce more than one matter in your question. This is Standing Order!

Mr Ameer Meea: It is the same matter.

Mr Speaker: This is Standing Order!

Mr Ameer Meea: Where have I introduced another matter? It is the same matter.

Mr Speaker: You have already introduced one and I stop you there. You reply, Mr Minister.

Dr. Husnoo: Mr Speaker, Sir, this project is same just like the Victoria Urban Terminal. The land is being given at a cheaper rate to the promoters to develop these areas. As we know, for example, Victoria, an Urban Terminal, was not developed for donkey's years; no development was being done there. So, the Government is trying to come and to give incentive to the promoters, that is why, the rate is cheaper. And this does not apply to these two projects, it applies to all the urban terminal projects across the island, Mr Speaker, Sir.

Mr Speaker: MP Ameer Meea!

Mr Ameer Meea: Yes, I still can't believe that it is Rs1.4 m. per arpent but I will come back again with this issue.

Coming back to the consultant that was enlisted, the hon. Minister mentioned the name of EcoAfrica Consultants. In a reply which he gave to the House back in 2021, he said that that the consultancy firm has submitted its draft report. Can I ask if this was in 2021, that is, almost two years now, why is it taking that long since the consultant has submitted its report and we have not yet finalised, not even started construction, this is another thing...

Mr Speaker: Hon. Minister, reply!

Mr Ameer Meea: ... but why is it taking that long?

Dr. Husnoo: Mr Speaker, Sir, I explained about the issue of the consultant about two weeks ago when it concerned the Victoria Urban Terminal. We had the consultant. It took a long

time because of COVID-19 and all that. It was an initial report, he came to Mauritius, we had a lot of discussions, and we sent back the report. There was further coming and going about the report, there was counter proposal. So, finally they submitted the final report a few months ago. Now, when we got the report, we sent it to UNESCO. I will explain to you the procedures. It is a very long procedure, that is why people does not understand, Mr Speaker, Sir.

Once we have got the consultant's report, we have to send it to UNESCO World Heritage Centre and the World Heritage Centre, to which we have sent already, would have to send the same report to its advisory body which is the International Council on Monuments and Sites (ICOMOS) for technical review. Following that, the comment of the ICOMOS will then have to be submitted to the World Heritage Committee and the World Heritage Committee is going to meet in Saudi Arabia on 10 to 25 September 2023. It is a very long process, Mr Speaker, Sir. So, people would have to understand that.

Mr Speaker: Next question! Hon. Mrs Luchmun Roy!

(Interruptions)

Order!

BALACLAVA PUBLIC BEACH - POISONED STRAY DOGS - INQUIRY

(No. B/429) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien) asked the Attorney General, Minister of Agro-Industry and Food Security whether, in regard to the stray dogs, he will for the benefit of the House, obtain from the Livestock and Veterinary Division, information as to the

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number thereof having recently been found poisoned on the Balaclava public beach, indicating if

—

- (a) an inquiry has been initiated thereinto and, if so, where matters stand and, if not, why not, and
- (b) the Police has been requested to review the footage of the Safe City Cameras thereat and, if not, why not.

(Withdrawn)

**MUNICIPAL TAX ON FAMILY HOME – ABOLITION – HOUSEHOLDS
EXEMPTED**

(No. B/430) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the municipal tax, he will state the number of households concerned with the exemption of the payment thereof, since the abolition thereof.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Speaker, Sir, as the House is aware, I made a statement on 25 April 2023 regarding the abolishment of municipal tax on family homes.

The Local Government (Exemption of Municipal Tax on Family Home) Regulations 2023 and the Local Government (Amendment of Schedule) Regulations 2023 have been promulgated on 27 April 2023 and these regulations shall be deemed to have come into effect as from 01 July 2022.

I am informed by the Municipal Council that around 115,000 households are concerned with the exemption of the payment of municipal tax and this amount to Rs124 m. annually.

Mrs Luchmun Roy: Thank you, Mr Speaker, Sir. Thank you very much hon. Minister for the answer and the laudable initiative because the House and the population will recall...

Mr Speaker: Put your question!

Mrs Luchmun Roy: I need to set the context. In 2006, there was the NRPT by the PTR-PMSD Government. So, my question to the hon. Minister right now is: you mentioned that it should be starting as from July, so has the Municipal Council started any campaign with the inhabitants so far?

Dr. Husnoo: Yes, Mr Speaker, Sir, it is supposed to be backdated till 01 July 2022, not 2023. So, the work has already been started. In fact, some people have already paid their tax and they are going to be refunded for the tax they have paid. We are going to refund them this tax as well.

Mrs Luchmun Roy: Thank you, hon. Minister. Another question which all the inhabitants of my constituency mainly, those from Port Louis, are asking with regard to the bins as well, they have been waiting. I do not know if you have the answer to this question but if you

can provide some information with regard to the bins being provided to all those who are under the Municipal Council. Thank you.

Dr. Husnoo: Mr Speaker, Sir, as far as bins are concerned, I think the Municipal Council is in the process of buying them and they are going to be distributed to all the households in Port Louis.

Mr Speaker: Hon. Mayotte!

**01 MAY 2023 POLITICAL GATHERINGS – OPPOSITION PARTIES – ACCESS
TO PREMISES**

(No. B/431) Mrs S. Mayotte (Second Member for Savanne & Black River) asked the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management whether, in regard to the 01 May 2023 political gatherings, he will, for the benefit of the House, obtain from the Municipal City Council of Port Louis, information as to if a request for the use of the premises of the Council by the opposition parties in relation thereto was not acceded to and, if so, the reasons therefor.

The Vice-Prime Minister, Minister of Local Government and Disaster Risk Management (Dr. A. Husnoo): Mr Speaker, Sir, I am informed by the Municipal City Council of Port Louis that the Mauritius Labour Party has, in an email dated 13 March 2023, addressed to the Council and sought the permission to hold a public meeting on 01 May 2023 in front of the Council.

The request could not be acceded to as the premises were already booked by another political party. Well, you know. However, the political party which had already...

(Interruptions)

Mr Speaker: Order!

Dr. Husnoo: booked the premises, informed the Council on 11 April 2023 that their booking was being cancelled. Hence, on 12 April 2023, the Municipal Council informed the Mauritius Labour Party that its request for use of the compound on 01 May 2023 for a public meeting, has been favourably considered.

(Interruptions)

Mr Speaker: Order! Order! Order!

Both sides of the House, order!

Continue!

Dr. Husnoo: Subject to the following conditions –

- (i) authorisation and assistance being obtained from the Commissioner of Police obviously;
- (ii) clearance be obtained from the Traffic Management and Road Safety Unit, and the Road Development Authority, respectively;
- (iii) necessary precautions should be taken to prevent damages being caused to road infrastructure, plants and infrastructure surrounding the esplanade to ensure that the premises are in a clean and tidy state after a public meeting, and
- (iv) the Council will not be held responsible for any accident, mishap or incident which may occur as a result of the public meeting.

An hon. Member: *Elektrisite to pann donn nou ...*

(Interruptions)

Mr Speaker: Order!

Dr. Husnoo: We will give it to you freely next time.

Mr Speaker: Order!

(Interruptions)

Order!

Next supplementary!

Mrs Mayotte: M. le président, est-ce que le vice-Premier ministre pourrait nous expliquer quelles sont les procédures justement pour faire une demande pour réserver une place publique dans l'organisation d'un meeting politique car nous sommes quelque peu confus ? C'est vrai que tout à l'heure, le leader de l'opposition nous a fait comprendre en narguant les pauvres élèves qui...

Mr Speaker: Put your question!

Mrs Mayotte: ... prennent part à un *extended programme in school...*

(Interruptions)

An hon. Member: *Ey ale do ta!*

(Interruptions)

Mr Speaker: Put your question!

Mrs Mayotte: ... que nous devons nous aussi participer à ce genre de programme.

An hon. Member: *Li si line dire!*

(Interruptions)

Mrs Mayotte: Mais nous avons compris que tantôt le MSM...

(Interruptions)

Mr Speaker: Order! I am on my feet! You stop there! If you have no question, we move to the next question!

Put your question directly!

An hon. Member: *Fer vinn perdi letan!*

(Interruptions)

Mrs Mayotte: Je vais poser ma question au vice-Premier ministre ; quelles sont les procédures pour faire une demande pour l'allocation d'une place public dans l'organisation d'un meeting politique ? Merci.

Mr Speaker: Thank you.

An hon. Member: *Bizin kone fer politik!*

(Interruptions)

Mr Speaker: Order!

Dr. Husnoo: As i have already explained, Mr Speaker, Sir, they have to make an application. If the application was considered by the Council...

Mr Speaker: So, you already explained that?

Dr. Husnoo: I already explained it.

Mr Speaker: So, let's move to the next question!

MP Juman!

RATION RICE – CONSUMPTION, STOCK AVAILABILITY & PRICING

(No. B/432) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to ration rice, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the –

- (a) quantity of monthly consumption thereof;
- (b) buying and selling price thereof, and
- (c) available stock thereof, indicating if –
 - (i) the storage thereof meets the required standards, and
 - (ii) same are good for consumption.

(Interruptions)

Mr Speaker: Order!

Minister Callichurn!

Mr Callichurn: Mr Speaker, Sir, ration rice or Long Grain White Rice 5% Broken as it is technically known, is a staple food for both Mauritians and Rodriguans, with an annual consumption of about 24,000 metric tons of which, about 5,000 metric tons are for Rodrigues.

The ration rice sold on the local market is procured by the State Trading Corporation mainly from India and Pakistan. In view of the ongoing volatility in the international prices, the procurement is carried out by the STC through open international bidding exercise on a quarterly basis for 6,000 metric tons.

With regard to part (a) of the question, I am informed by the STC that based on sales figures, the monthly consumption of ration rice is about 2,126 metric tons of which, around 1,703 metric tons are consumed in Mauritius and about 423 metric tons in Rodrigues.

Mr Speaker, Sir, with regard to part (b) of the question, I am informed that between July 2022 to April 2023, the average price for 1 metric ton of ration rice was USD489.60 representing a cost price of Rs13.65 for ½ kg. Both the wholesale and retail prices of ration rice are subsidised and are regulated under the Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No.2) Regulations 2012.

I am also informed that since 2006, the maximum wholesale price and maximum retail price of ration rice on the local market are fixed and have remained unchanged. The wholesale prices of ration rice are as follows –

- (i) 2.5kg bag is sold at Rs26.55;
- (ii) 5 kg bag is sold at Rs53.10;
- (iii) 25 kg bag is sold at Rs255.50.

Consequently, ½ kg bag of ration rice retails at Rs5.40 and 2.5 kg bag retails at Rs28.00.

Mr Speaker, Sir, with regard to part (c) of the question I am informed that the STC has, as at 08 May 2023, a stock of around 4,400 metric tons of ration rice which represents nearly 55 days of consumption based on the current sales trend of about 80 metric tons per day. I am further informed that the STC stores its ration rice in a warehouse leased from and maintained by the Mauritius Ports Authority and intends to move to a new warehouse in due course.

With regard to the quality of the rice, it is to be highlighted that all rice cargoes imported and commercialised by the STC need to have the required phytosanitary certificates at embarkment and health certificates issued by independent authorities. No import or commercialisation is allowed if these criteria are not satisfied.

I am informed that on 20 March 2023, insects were detected in samples of rice collected by the Mauritius Standard Bureau from one lot of 950 metric tons of rice stored at Shed A as per established practice. On 21 March 2023, in order to prevent any proliferation in the store, immediate actions were taken by the Entomology Division of the Ministry of Agro Industry and Food Security to treat the product with phostoxin. Additionally, fogging exercises were carried out by the Ministry of Agro Industry and Food Security.

Mr Speaker, Sir, several on-site inspections have also been carried out on 28 March, 10 April, 18 April, 21 April, 25 April, 05 May and 08 May to monitor the situation. Fumigation and

fogging exercises of the whole warehouse have been carried out at regular intervals to reduce the infestation. In addition, the phostoxin treatments of rice are being done in batches at regular intervals.

Consequently, as at 05 May 2023, I am informed that 60,000-70,000 bags were observed to have been affected and are being adequately treated as per recommendation of the Entomology Division of the Ministry of Agro Industry and Food Security before delivery.

Notwithstanding this, I wish to point out that action is being taken to fumigate the whole warehouse. The Entomology Division of the Ministry of Agro-Industry and Food Security has confirmed that the rice stored at Shed A is fit for human consumption, following the treatment held within the warehouse by their team. The Entomology Division of the agricultural services of the Ministry Agro-Industry and Food Security carries out regular inspection of the rice stored at the warehouse and the last visit was effected on 08 May 2023. I am informed by the STC that no product which is unfit for human consumption is delivered by the STC.

Mr Juman: Merci, M. le ministre. Parmi les sachets de riz infectés, l'honorable ministre peut-il nous dire s'il y a eu des sachets ont été détruits, et si oui, quelles sont les procédures et ont-elles été suivies?

Mr Callichurn: Mr Speaker, Sir, the Entomology Division of the Ministry of Agro-Industry and Food Security has confirmed that the rice stored at Shed A is fit for human consumption following the treatment held within the warehouse by their team. As at date, no rice of bag on which – let me be precise – the presence of insects has been reported has been disposed of – none of the rice of bag.

However, Mr Speaker, Sir, being given that rice is a perishable commodity, it is normal that a small percentage may be affected during transportation and would have to be disposed of. I am informed that after a careful assessment, 223 bags have been disposed upon the recommendation of the Ministry of Health and Wellness on 05 May 2023. Like I said, however, I would like to point out that none of the bags which were disposed of were contaminated with insects, rather these bags were wet upon receipt of the container and have been found to be unfit for human consumption by the Ministry of Health and Wellness.

Additionally, I am informed that the loss of these wet bags is a normal occurrence and are covered and refunded through the insurance cover for the product as per the contract of agreement the STC has with its supplier.

Mr Juman: M. le ministre, on est en train de parler de plusieurs milliers de sachets, plusieurs millions de roupies. L'honorable ministre peut-il informer à la Chambre si des tests sont effectués avant que le riz ne soit mis sur le marché et s'il peut déposer les résultats de tous les tests effectués après les importations, avant la mise sur le marché de ce riz, depuis janvier à ce jour ?

Mr Callichurn: I think that I have answered the question in my main reply. I mentioned that before embarkment, this rice is subjected to strict control and they need to present the phytosanitary certificate and other certificates. Unfortunately, I do not have the information requested as to the information just sought, but I can table it if this information is available.

Mr Speaker: Hon. Assirvaden!

TERRAGEN LTD. – NEW POWER PURCHASE AGREEMENT

(No. B/433) Mr P. Assirvaden (Second Member for La Caverne & Phoenix) asked the Minister of Energy and Public Utilities whether, in regard to Terragen Ltd., he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the –

- (a) terms and conditions of the new Power Purchase Agreement for the restart of the operations thereof;
- (b) legal cost paid since the ceasing of operation thereof last year, and
- (c) total cost of energy paid to the remaining three Independent Power Producers to cater for the shortfall thereof being offline indicating the differential cost had it been online for the same period.

Mr Lesjongard: Mr Speaker, Sir, in my reply to PQ B/1106 at our Sitting of 15 November 2022, I had explained the situation leading to Terragen Ltd. ceasing its operation on 29 April 2022 and the immediate measures taken by the Central Electricity Board to meet the energy demand of the country.

It is worth recalling to the House that after having issued to the CEB a Notice of Occurrence of Force Majeure Event relating to the price of coal in March 2022, Terragen Ltd. requested for a revision in the indexation formula under the Power Purchase Agreement. Several meetings were held with Terragen Ltd. with the view to finding a resolution to the matter in a spirit of dialogue and partnership. A counter proposal for a burden-sharing formula was made by the Central Electricity Board. However, same was not retained by Terragen Ltd. On 29 April 2022, during the hearing of the application for injunction lodged by the Central Electricity Board at the level of the Supreme Court, Terragen Ltd. around 16 00 hours disconnected from the grid.

Mr Speaker, Sir, as I had informed the House previously, CEB had taken immediate actions to increase its production of energy from its power plants and review its maintenance schedules. On 27 May 2022, a Notice of Dispute in line with the provisions of the Power Purchase Agreement was issued and the dispute resolution mechanism, as provided for at Clause 6566 of the Power Purchase Agreement, was triggered. A mediation panel was accordingly constituted in June 2022 again in accordance with the provisions of the Power Purchase Agreement. Several meetings were held with both parties. However, no acceptable outcome was reached regarding the resumption of operations on coal. In a spirit of cooperation and dialogue again, both parties thereafter agreed to extend the negotiations period in order to find a resolution to the matter.

Mr Speaker, Sir, I am informed by the Central Electricity Board that on 09 February 2023, Terragen Ltd. gave notice to the Central Electricity Board of a decrease in the prices of coal which brought a material change in the impact of the force majeure event on its economic capacity to produce and supply power to the CEB. Terragen Ltd. intimated that it would resume production on coal upon receipt of the next coal shipment. Terragen Ltd. further requested for a meeting with the Central Electricity Board to discuss the technicalities of resumption of operations.

During the “without prejudice” meetings which ensued between the two parties, Terragen Ltd. proposed that the pricing mechanism under the existing Power Purchase Agreement be amended and locked through a forward buying mechanism for a yearly period and an indexation formula be applied should the price of coal increase significantly after the first forward buying

period. The ceasing of operations by Terragen Ltd. was considered as a breach of contract and operational penalties of an amount of Rs88 m. were applicable under the PPA.

Terragen Ltd., however, indicated that it was not agreeable to settle the full amount of Rs88 m., but instead proposed an amount of Rs30 m. The Board of Directors of CEB, on 30 March 2023, decided that there would be no objection for Terragen Ltd. to resume operations on coal subject to the following conditions –

- (a) Terragen Ltd. to operate in accordance with the existing terms and conditions of the Power Purchase Agreement;
- (b) Terragen Ltd to pay an amount of Rs88 m. corresponding to operational penalties as per the Power Purchase Agreement. It was agreed that an upfront amount of Rs30 m. be paid before start of operations and the balance in monthly settlements over the remaining period of the Power Purchase Agreement;
- (c) Terragen Ltd to agree to the ongoing disputes coming to an end;
- (d) Terragen Ltd should also secure a Generation Licence from the Utility Regulatory Authority, and
- (e) a Settlement Agreement is to be signed between the two parties to give effect to the above decision, before Terragen Ltd resumes operations.

Terragen Ltd conveyed its agreement to the above conditions on 19 April 2023 and on the same date deposited a cheque of Rs30 m. with the CEB. A Settlement Agreement was signed between both parties on 29 April 2023 following which Terragen Ltd resumed operations on coal on 30 April 2023.

Mr Speaker, Sir, I will say in no unclear terms, that Terragen Ltd has resumed operations on coal on 30 April 2023 on the same terms and conditions of its existing Power Purchase Agreement with the Central Electricity Board. There has been no new Power Purchase Agreement signed between the Central Electricity Board and Terragen Ltd.

Mr Speaker, Sir, at the time Terragen Ltd had ceased operations last year, Members of the Opposition side have tried, over several months, to induce panic among the population and among the economic operators, to a spurious threat of “black-out”...

(Interruptions)

Mr Speaker: Order!

Mr Lesjongard: ... as the economy was recovering from the pandemic.

(Interruptions)

Mr Speaker: Order, both sides!

Mr Lesjongard: I must say, Mr Speaker, Sir, that the Central Electricity Board has been successful in meeting the electricity demand throughout the year and even during the peak summer months. There has been no need to have recourse to the assistance of any IPP. And, Mr Speaker, Sir, it is befitting for me today to express my gratitude and appreciation to the employees of the Central Electricity Board for their dedication and patriotism.

Mr Speaker, Sir, on this side of the House, we have been and we will continue to work in the interest of the population.

At the request of the hon. Member and in a spirit of transparency, I am tabling a copy of the Settlement Agreement signed on 29 April 2023 between the Central Electricity Board and Terragen Ltd, laying out the terms and conditions for the resumption of operations of Terragen Ltd as per the existing Power Purchase Agreement.

Mr Speaker, Sir, as regards part (b) of the question, I have to inform the House that my Ministry and the Central Electricity Board have benefited from a grant of USD 250,000 from the African Legal Support Facility (ALSF), of the African Development Bank, for advisory services in the dispute between CEB and Terragen Ltd. The services of an international legal firm, namely Cleary Gottlieb Steen & Hamilton LLP, have been secured by the ALSF and their counsel has been valuable to the CEB throughout the process. These external legal services have been free of charge.

I am informed by the CEB that the legal fees incurred by the CEB are in relation to the mediation exercise and the services of a local legal firm. Such costs amount to Rs500,000 inclusive of VAT paid to the mediator appointed by the Central Electricity Board and legal fees of Rs125,000 exclusive of VAT to the local legal firm.

Mr Speaker, Sir, concerning part (c) of the question, I am informed that the CEB has been successful in compensating the shortfall in energy that Terragen Ltd used to export to the grid. This has been achieved mainly through an increase in production from CEB power plants and the reprogramming of maintenance. I am informed that for the period 29 April 2022 to 30 April 2023, the remaining three Independent Power Producers (IPP's) operating coal/bagasse fired power plants were not requested to produce additional energy. Hence, no additional payment has been made.

In fact, Mr Speaker, Sir, I am informed that the Central Electricity Board has realised an estimated saving of Rs548 m. for that period, as compared to the scenario where CEB would have accepted the proposal of Terragen Ltd to amend the coal indexation formula under the Power Purchase Agreement.

I thank you, Mr Speaker, Sir.

Mr Speaker: Next question!

SVICC – TRADE FAIR DECEMBER 2022 - OUTCOME

(No. B/434) Mr M. Yeung Sik Yuen (Second Member for Curepipe & Midlands) asked the Minister of Industrial Development, SMEs and Cooperatives whether, in regard to the Trade Fair organised by his Ministry in December 2022 at the Swami Vivekananda International Convention Centre, in Pailles, he will state the outcome thereof.

(Withdrawn)

Mr Ramful: Mr Speaker, Sir, I am not pressing with my question; I am withdrawing the question.

MOGAS & GASOIL PRICE STRUCTURE – TAX & EXCISE DUTY, FUNDS TRANSFERRED & CONTRIBUTIONS CHARGED

(No. B/435) Mr D. Ramful (First Member for Mahebourg & Plaine Magnien) asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to the price structure of Mogas and Gasoil, he will, for the benefit of the House, obtain from the State Trading Corporation the amount of –

- (a) Value Added Tax and Excise Duty transferred to the Consolidated Fund;

- (b) funds transferred to the Price Stabilisation Account, and
- (c) other contributions charged on the consumers since 01 July 2022 to date.

(Withdrawn)

Mr Speaker: Hon. Nuckcheddy!

**NEW FLACQ TEACHING HOSPITAL - EQUIPMENT & FURNITURE
PROCUREMENT**

(No. B/436) Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil) asked the Minister of Health and Wellness whether, in regard to the New Flacq Teaching Hospital, he will state where matters stand as to the procurement of equipment and furniture and of a CT-Scan therefor.

Dr. Jagutpal: Mr Speaker, Sir, the contract for the construction of Phase I of the New Flacq Teaching Hospital, valued at Rs2.6 billion was awarded to Larsen and Toubro Limited in August 2020. The project is being supervised by the Hospital Services Consultancy Corporation (HSCC) (India) Ltd, a Government of India Enterprise, specialised in the implementation of hospital projects.

Initially, the project was scheduled to be completed within a duration of 22 months, by 02 July 2022. However, due to the impact of the COVID-19 pandemic and the Russia/Ukraine War delaying the availability of the raw materials, the expected completion date of the project has been revised to October 2023.

As of the end of April 2023, I have been informed by the Project Management Consultant, HSCC (I) Ltd, that the overall physical completion of works stands at 66%.

Mr Speaker, Sir, I also wish to inform the House that the New Flacq Teaching Hospital will provide services of international standard to people of the region, in line with the Government's policy to develop the country into an educational and medical hub. The hospital will serve around 180,000 inhabitants in the catchment area of Health Region 3. The construction of a ground + 6 building with a total surface area of 94,250 square meters, will provide for around 575 beds, in addition to supply and installation of hi-tech medical and non-medical equipment and furniture.

Mr Speaker, Sir, furthermore, I have been informed that my Ministry is finalising the specifications for the procurement of equipment and furniture. Tendering exercise will soon be initiated for the following new modern equipment, aimed at providing quality care to our patients

–

- (i) CT Scan;
- (ii) MRI;
- (iii) Colour Doppler Ultrasounds;
- (iv) Digital X-ray without Fluoroscopy;
- (v) Digital Mammography;
- (vi) Digital Panoramic X-ray, and
- (vii) Mobile X-ray high frequency.

Mr Nuckcheddy: Thank you, Mr Speaker, Sir. Can the hon. Minister state where matters stand concerning the request for a traffic centre next to the hospital, please?

Dr. Jagutpal: Mr Speaker, Sir, this project is also in the pipeline together with the Ministry of Land Transport and the TMRSU. I do not have the information right now but I will pass it on to the hon. Member.

Mr Speaker: Next question!

INFLATION – RATE & TREND

(No. B/437) **Mr R. Wochit (Third Member for Pamplemousses & Triolet)** asked the Minister of Finance, Economic Planning and Development whether, in regard to inflation, he will state the current rate thereof, indicating if same has been undergoing an upward trend over the last few years and, if so, give details thereof and the reasons therefor.

(Withdrawn)

MOKA TO LA VIGIE STATE LAND – CULTURAL CENTRES CONSTRUCTION

(No. B/438) **Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism

whether, in regard to the transfer of State land allocated to Cultural Centres from Moka to La Vigie, he will state the reasons therefor.

The Deputy Prime Minister: Mr Speaker, Sir, I understand that the hon. gentleman is referring to the leases granted at different dates to the Hindi Speaking Union, the Indo-Mauritian Catholic Association, the Mauritius Tamil Cultural Centre Trust and the Urdu Speaking Union for a construction of Sociocultural Centres in the region of Réduit, Moka.

I am informed that the development of State Land to the south-east of the Réduit roundabout resulted from the acquisition of land from the then Lonrho Sugar Corporation in the year 2001 under the so-called Illovo Deal. In fact, an initial planning exercise was carried out in 2004 relating to land use in the region.

However, in 2006, the planning proposals were reviewed in the light of new requests. Land was thereafter granted to different organisations whether public or private, irrespective of the planning guidelines for varying purposes, including a Cellular Base Station for Emtel Limited, ICAC Headquarters, National Archives and National Library, Office Block for the Electoral Commission's Office, Office Block for Local Government Service Commission, Office Block for the Mauritius Research Innovation Council, Trade Union Trust Fund, a Transformer Room, the C-Care Wellkin Hospital, the upcoming Eye Care Hospital, the Retirement Home/Medical Clinic, the Diabetes Centre, MACOSS, Mauritius Council of Social Services Headquarters, Maharashtra Bhawan, Resource/Day Care Centre, Social Cultural Centres and Spiritual Complex.

The House will agree that such haphazard and infelicitous use of State land is not in accordance with the principles of Land Use Planning and does not serve the national interest. Moreover the Réduit region has acquired enhanced strategic importance in the national development strategy in recent years with the relocation in that region of the Mauritius Broadcasting Corporation, the establishment of the Independent Commission Against Corruption Headquarters, the development of a Major Medical Clinic together with a Senior Living Complex that includes another Medical Clinic and the imminent extension of the Metro Line from Réduit to St Pierre.

It is apposite to note moreover, that of the 24 plots of land, either leased to private bodies or vested in a public body in the Réduit region of the 24 plots of land and despite the fact that

leases to private parties provide for a start and completion of relevant construction within a predefined time period, only 11 plots have so far been developed. In the circumstances, my Ministry decided in or about 2021, to proceed with a new planning exercise for a clustering of compatible activities, taking into account already functional buildings.

Accordingly, Government has decided to retrieve all plots of land which have not yet been developed, except for that vested in the Ministry of Arts and Cultural Heritage. In that case, reference is made to the National Library Project in relation to which tender procedures have reached an advanced stage, I believe, evaluation stage. So, land is therefore being retrieved from the Ministry of Labour, Industrial Relations and Employment, from the Prime Minister's Office, from *Association Alzheimer*, from the Hindi Speaking Union, the Indo-Mauritian Catholic Association, the Mauritius Diabetes Association, the Mauritius Tamil Cultural Centre Trust, the Urdu Speaking Union and I think, Emtel Limited as well, that one I will have to confirm.

In the particular case of the Hindi Speaking Union, the Indo-Mauritian Catholic Association, the Mauritius Tamil Cultural Centre Trust and the Urdu Speaking Union and in order not to cause any undue hardship to them, Government has decided to allocate land of at least equivalent size in the region of La Vigie. I am given to understand that all the organisations mentioned were consulted and were agreeable to the land exchange being effected by Government.

I would wish to add that the land thus retrieved, will then be earmarked for development of a medical hub and related services such as senior living. Moreover, adjacent to this area on the other side of Rivière Cascade, there is an emerging Educational Hub on land acquired from Landscape Mauritius with a Polytechnic, the Civil Service College presently under construction and the forthcoming planetarium.

Mr Nagalingum: Mr Speaker, Sir, I am sure that the Minister is aware of the letter that was sent to the Tamil Cultural Centre Trust. In view of the harsh and highly offensive letter dated 28 April 2023 from the Ministry of Housing and Land to the Tamil Mauritius Cultural Centre Trust, giving a 48 hours' notice to start construction of the Tamil Cultural Centre or face the cancellation of the land leased thus provoking a growing feeling of profound indignation and injustice, will the hon. Deputy Prime Minister consider first, a Stayed Action on that letter and second, meeting urgently the Tamil Community representatives at large, to hear their voice?

The Deputy Prime Minister: Mr Speaker, Sir, I believe the hon. gentleman is completely misguided and I will explain why. The only protest that has been aired has come from the usual troublemakers, that each and every opportunity for whatever reasons and the hon. gentleman...

(Interruptions)

Mr Speaker: Order!

The Deputy Prime Minister:... is well placed to know what I mean...

Mr Nagalingum: Time will tell!

The Deputy Prime Minister: ...will create confusion. So, let me remind the hon. gentleman and I do hope he has listened to my answer. We are undertaking a major planning exercise, clustering of activities that are impacting many different public bodies and Ministries and several private bodies. In the case of these centres, let me say it, first of all, they have been consulted. It was explained to them and they have agreed to the land exchange.

Now, the letter which the hon. gentleman is referring to, is a legal formality. According to normal procedure for Government to terminate such a lease because the conditions have not been complied with, it has to issue such a letter and it did so. This letter has been followed by another letter which explains that land is being retrieved and alternative land is being proposed so that a new lease can be very shortly signed for all four associations. Now, is it a coincidence that just in this single case, there should have been protest from a small group of people that are well-known and the hon. gentleman is well aware, for creating confusion where there is no need for any such confusion?

(Interruptions)

Mr Speaker: The Table has been advised that PQs B/434, B/437, B/441, B/442, B/445, B/446, B/448, B/450, B/465, B/469, B/478, B/479, B/483, B/486, have been withdrawn.

Time over!

Mr Nagalingum: One more, one more!

Dr. Boolell: He has one more question, this is not fair!

(Interruptions)

Mr Speaker: Order! Order! Order! Order, hon. Dr. Boolell! Order! Order! Do not seek attention! This is old fashion. You are seeking attention! This is old fashion!

(Interruptions)

Mr Speaker: Order!

Mr Nagalingum: This is not fair, Mr Speaker, Sir!

(Interruptions)

This is not fair, Mr Speaker, Sir!

(Interruptions)

Mr Speaker: No, you are obstructing the proceeding of the House! Question of fair or not being fair; the time is over. The population is listening! You want to invent the rule? You want to invent Parliament? Time is over, you do not understand? Please, continue!

An hon. Member: *Pas bon, pas bon!*

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 Deputy Prime Minister seconded.

Question put and agreed to

(4.19 p.m.)

STATEMENTS BY MINISTERS

PNQ OF 25 APRIL 2023 – FIGURES CLARIFICATION – ICAC CASES 2019 TO 2022

The Prime Minister: Mr Speaker, Sir, I have two statements to make, one on my reply to the Private Notice Question of the Leader of the Opposition at our Sitting of 25 April 2023, and the other on the judgment which the Special Chamber of the International Tribunal for the Law of the Sea delivered on Friday 28 April 2023.

Mr Speaker, Sir, I wish to bring certain clarifications on the figures which I obtained and provided to the House in the course of my reply to the Private Notice Question of the Leader of the Opposition at our Sitting on Tuesday 25 April 2023, regarding the status of ICAC cases for the period 2019 to 2022.

Mr Speaker, Sir, in fact, based on the information obtained from ICAC, I had, in my reply, informed the House that for the period 2019 to 2022, there were 41 cases awaiting advice from the Office of the Director of Public Prosecutions.

Mr Speaker, Sir, the ICAC has, subsequently, clarified this figure of 41 and informed me that these 41 cases are, in fact, cases that were awaiting advice from the Office of the Director of Public Prosecutions as at 25 April 2023.

Mr Speaker, Sir, I have further been informed by the ICAC that these 41 cases had been referred to the Office of the DPP as follows –

- 1 case had been referred in 2006;
- 1 case in 2012;
- 27 cases had been referred from 2019 to 2022, and
- 12 cases have been referred to the Office of the DPP from 01 January 2023 to 25 April 2023.

Mr Speaker, Sir, I also wish to take this opportunity to rectify a typing error which occurred in my reply to the Private Notice Question.

(Interruptions)

The Prime Minister: *Ki 'hou'?*

Dr. Boolell: *Hou!*

The Prime Minister: *You are a 'hou'!*

Mr Speaker: What is happening?

Dr. Boolell: I have no right to say 'hou'?

Mr Speaker: No, you do not have the right to say 'hou'! You do not have the right! Apologise! Apologise to the House! Respect yourself! You have to respect yourself!

The Prime Minister: Never mind, he is a ‘*hou*’ Member!

Mr Speaker: This is very indecorous! Respect yourself!

(Interruptions)

The Prime Minister: Never mind, Mr Speaker, Sir, he is a ‘*hou*’ Member! He is a ‘*hou*’!

I stated that there were 177 ICAC cases which are awaiting trial. In fact, the correct figure is 117 cases awaiting trial as at 25 April 2023.

ITLOS JUDGMENT – 28 APRIL 2023

Mr Speaker, Sir, my second statement relates to the Judgment which the Special Chamber of the International Tribunal for the Law of the Sea delivered on Friday 28 April 2023, establishing a binding international maritime boundary between Mauritius and Maldives in the region of the Chagos Archipelago.

As the House is aware, following the Advisory Opinion of the International Court of Justice of Monday 25 February 2019 on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965, Mauritius had invited Maldives to engage in negotiations for the delimitation of the maritime boundary between the two States. As Maldives did not respond to that invitation, Mauritius initiated on Tuesday 18 June 2019 arbitral proceedings against Maldives under the United Nations Convention on the Law of the Sea. By a Special Agreement dated Tuesday 24 September 2019, Mauritius and Maldives agreed to transfer the case to a Special Chamber of the International Tribunal for the Law of the Sea (ITLOS) composed of nine Judges.

On Wednesday 18 December 2019, Maldives raised preliminary objections to the jurisdiction of the Special Chamber of ITLOS. At the core of Maldives’ preliminary objections was the claim that there was an unresolved sovereignty dispute between Mauritius and the United Kingdom over the Chagos Archipelago. Maldives argued that the Advisory Opinion of the International Court of Justice of Monday 25 February 2019 did not resolve the sovereignty dispute over the Chagos Archipelago. Maldives also contended that the United Kingdom was an indispensable third party and that its absence from the proceedings prevented the Special Chamber from exercising jurisdiction.

In its Judgment of Thursday 28 January 2021, the Special Chamber of ITLOS rejected all the preliminary objections of Maldives and held that it had jurisdiction to adjudicate on the dispute submitted to it by the Parties. It also fully endorsed the authoritative determinations made by the International Court of Justice in its Advisory Opinion of Monday 25 February 2019 and confirmed that Mauritius has undisputed sovereignty over the Chagos Archipelago. As to the claim that the United Kingdom was an indispensable party, the Special Chamber ruled that claims of sovereignty by the United Kingdom can only be considered as mere assertions and did not give them any right to be a party.

Following two rounds of written submissions and a hearing held from Monday 17 to Monday 24 October 2022, the Special Chamber of ITLOS delivered on Friday 28 April 2023 its Judgment on the merits of the case brought by Mauritius against Maldives.

In its Judgment which is final and binding, the Special Chamber unanimously established a maritime boundary between Mauritius and Maldives, which delimits their Exclusive Economic Zones and their continental shelves within 200 nautical miles in the region of the Chagos Archipelago.

In order to carry out the delimitation exercise, the Special Chamber used the well-known equidistance/relevant circumstances method, as agreed by both Mauritius and Maldives. In applying this delimitation method, the Special Chamber followed the three-stage approach. In the first stage, it proceeded with the construction of the provisional equidistance line. In the second stage, it considered whether there were any relevant circumstances requiring an adjustment of the provisional equidistance line. In the third and final stage, it checked whether there was any significant disproportion between the ratio of the lengths of the relevant coasts of the Parties and the ratio of the areas allocated to them.

For the construction of the provisional equidistance line, the Special Chamber of ITLOS used base points on Peros Banhos and Salomon Islands for Mauritius and on Addu Atoll for Maldives. It did not select any base points on Blenheim Reef for the following reasons –

- (a) according to the jurisprudence, international courts and tribunals have rarely placed base points on a low-tide elevation for the construction of the provisional equidistance line;

- (b) placing base points on Blenheim Reef would have had a substantial impact on the provisional equidistance as they would have controlled almost half of the provisional equidistance line, and
- (c) Mauritius would have had approximately 4,690 square kilometers of additional maritime space, which would have amounted to 4.9 per cent of the overlapping area. This would have created a serious disproportion in the third stage and would have needed a correction anyway.

In the second stage of the delimitation process, the Special Chamber considered that given the presence of extensive areas of drying reefs on Blenheim Reef as shown by the geodetic survey carried out by Mauritius in February 2022, Blenheim Reef should be given half effect in order to reach an equitable solution. The Special Chamber held that these drying reefs amount to “other natural features” within the meaning of Article 46 (b) of the United Nations Convention on the Law of the Sea, and together with a group of islands and interconnecting waters, form the Chagos Archipelago. Following the adjustment made by the Special Chamber, the area allocated to Mauritius increased by around 2,345 square kilometres, in relation to the provisional equidistance line. The Special Chamber also confirmed that archipelagic baselines can be drawn from Blenheim Reef for the purpose of establishing the exclusive economic zone of Mauritius.

The House will recall that the scientific survey of Blenheim Reef was the first visit ever organised by Government to the Chagos Archipelago since our independence. Thanks to the survey, significant weight has been given by the Special Chamber of ITLOS to Blenheim Reef in the delimitation of the maritime boundary between Mauritius and Maldives.

Under the third stage of the delimitation process, the Special Chamber found that there was no significant disproportion between the ratio of the areas allocated to the Parties which is 1:0.960 in favour of Maldives and the ratio of the lengths of the respective coasts of the Parties which is 1:1.033 in favour of Mauritius.

As a result of the delimitation exercise, Mauritius has been allocated an area of 45,331 square kilometers and Maldives, an area of 47,232 square kilometers. In terms of figures, Mauritius was allocated more than 1,600 square kilometers than what Maldives had claimed Mauritius was entitled to and Maldives obtained only 90 square kilometers more than what Mauritius had attributed to it.

On the other hand, the Special Chamber declined to address the question of whether Maldives has an entitlement to a continental shelf beyond 200 nautical miles which may extend within the exclusive economic zone of Mauritius. It pointed out that the maritime boundary which it had established between Mauritius and Maldives leaves no areas to be further delimited within the 200 nautical miles limit of either Party.

Mr Speaker, Sir, the Special Chamber also unanimously ruled that it had jurisdiction to delimit the extended continental shelf between Mauritius and Maldives beyond 200 nautical miles. It rejected Maldives' contention that at the time when Mauritius initiated proceedings against Maldives, there was no dispute as regards the Mauritius claim to entitlement to the continental shelf beyond 200 nautical miles in the Northern Chagos Archipelago Region, and that such claim is, therefore, outside the Special Chamber's jurisdiction.

The Special Chamber further unanimously rejected the objection raised by Maldives to the admissibility of the Mauritius claim to the continental shelf beyond 200 nautical miles on the grounds that Mauritius had not filed in a timely manner its submission with the Commission on the Limits of the Continental Shelf.

However, the Special Chamber unanimously found that it was not in a position to determine the entitlement of Mauritius to a continental shelf beyond 200 nautical miles in the Northern Chagos Archipelago Region in view of significant scientific uncertainty. Consequently, the Special Chamber decided that it would not proceed to delimit the continental shelf between Mauritius and Maldives beyond 200 nautical miles. Nonetheless, the Special Chamber encouraged Mauritius and Maldives to consider giving their consent for the Commission on the Limits of the Continental Shelf to consider each other's respective submissions which are currently frozen because of objections leveled by each one against the other. Mauritius will take a decision on this matter in due course.

Mr Speaker, Sir, let me conclude by saying that contrary to what some people and some segments of the Press continue to say, the geodetic survey carried out by Government on Blenheim Reef in February 2022 has borne its fruits in the outcome of the Special Chamber's decision. It also achieved other important objectives which I listed in my statement of Tuesday 29 March 2022 to the House, namely –

- (a) the survey allowed Mauritius to assert its sovereignty over the Chagos Archipelago and enabled Mauritian representatives to hoist the flag of Mauritius on Peros Banhos, Salomon Islands and Blenheim Reef;
- (b) the survey provided the opportunity to representatives of the Chagossian community to return to their birthplace for the first time without any foreign escort or restrictions, and
- (c) the international Press coverage of the visit had a tremendous impact around the world, particularly in the United Kingdom and has contributed to the United Kingdom's decision to seek negotiations with Mauritius over the exercise of sovereignty over the Chagos Archipelago.

Mr Speaker, Sir, the Judgment of the Special Chamber of ITLOS is historical and of high significant importance as it once again confirms that the Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of Mauritius and that Mauritius is the only State which has sovereignty over the Chagos Archipelago.

The Judgment also paves the way for us to continue working towards implementing a programme for resettlement in the Chagos Archipelago, particularly with a view to enabling our citizens of Chagossian origin to fulfil their aspiration to return to their birthplace in full dignity and with due respect for their human rights.

Let me also emphasise that this second phase of the case was not meant to designate a winner and a loser. Both Maldives and Mauritius agreed at the start of the proceedings to seek an equitable delimitation of their respective maritime boundary on the basis of equidistance and this is exactly what the Special Chamber did.

I would like to thank our external legal team led by Professor Philippe Sands, GCSK, KC and Mr Paul Reichler, GCSK and experts as well as our local team for their excellent work.

Thank you.

Mr Speaker: Hon. Ganoo!

(4.39 p.m.)

CUREPIPE NORTH METRO STATION – FATAL ACCIDENT

The Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade (Mr A. Ganoo): Mr Speaker, Sir, with your permission, I shall make a Statement in relation to the accident which occurred on Saturday 06 May 2023 at the Curepipe North Station and which led to the sad demise of a young woman.

Allow me, Mr Speaker, Sir, to convey on behalf of the Prime Minister, the Government and in my own name, our sincere condolences to the bereaved family.

We are deeply saddened by the accident and our thoughts today go to the victim and her family.

Mr Speaker, Sir, according to the information provided to me, the accident occurred while the victim was crossing the platform at the Curepipe North Station which is located at the junction of Curepipe and Floréal, next to Théodore Sauzier Street. Unfortunately, while doing so, she was hit by a Light Rail Vehicle which was proceeding to Curepipe.

I am informed that the Train Captain sounded the bell twice but unfortunately the accident could not be avoided.

Shortly after the accident, the Police, the Mauritius Fire and Rescue Services and the SAMU attended the site to provide assistance to the victim. Sadly, it was found that she had passed away. Train services were temporarily interrupted as from Phoenix Mall Station.

I am further informed that a police inquiry is ongoing and there is need to wait for the outcome of the investigation in order to determine the exact circumstances which led to the accident.

Mr Speaker, Sir, my Ministry, in collaboration with relevant stakeholders, is continuously sensitising the public on measures to be adopted with regard to precautions to be adopted at level crossings. Likewise, several campaigns have been launched by the Traffic Management and Road Safety Unit along with Metro Express Limited with a view to instilling safe practices among the population especially following the introduction of the light rail transit system so that the public is more cautious as to their safety at level crossings.

Mr Speaker, Sir, I wish to make an earnest appeal, once again for road and rail users as well as the public to exercise more caution and to strictly abide to safety signs and instructions given by the Police so that their safety is not compromised.

My Ministry and the Government remain committed to reducing casualties and to make our transport system safer. However, this would be achieved only with the cooperation of all stakeholders.

Mr Speaker, Sir, before I conclude, let me reiterate once again my deepest condolences to the aggrieved family for their loss.

I thank you for your attention.

Mr Speaker: Hon. Lesjongard!

(4.42 p.m.)

TERRAGEN LTD. - RESUMPTION OF OPERATIONS

The Minister of Energy and Public Utilities (Mr G. Lesjongard): Thank you, Mr Speaker, Sir.

Mr Speaker, Sir, with your permission, I wish to make a Statement regarding the resumption of operations of Terragen Ltd. of its coal fired power plant with effect from 30 April 2023.

Mr Speaker, Sir, the Central Electricity Board (CEB) and Terragen Ltd. (ex. CTBV) had signed a Power Purchase Agreement (PPA) on 24 June 1998 for the operation of a coal/bagasse fired steam power plant at Mapou for an initial duration of 20 years. The minimum power guarantees under the Power Purchase Agreement were 46MW during crop season and 62MW during intercrop season. At its expiry on 30 June 2020, the Power Purchase Agreement was extended by both parties, on the same terms and conditions, for a first additional term of 30 months starting from 01 July 2020 to 31 December 2022 and a second additional term of 30 months starting on 01 January 2023 to 30 June 2025.

On 04 March 2022, Terragen Ltd. issued a Notice of Force Majeure Event to the CEB due to the act of war by Russia causing a sharp rise in the price of coal. Terragen Ltd. accordingly, requested for a revision in the indexation formula under the Power Purchase Agreement. Several meetings were held with Terragen Ltd. with a view to finding a resolution to the matter in a spirit of dialogue and partnership. CEB had, on its part, made a proposal to Terragen Ltd. for a burden-sharing formula. However, the proposal from CEB was not retained by Terragen Ltd.

On 29 April 2022, while the hearing of the Application for an Injunction lodged by the CEB against Terragen Ltd. was ongoing at the level of the Supreme Court, Terragen Ltd. ceased its operations around 16 00 hrs.

The CEB reacted promptly by reviewing its generation planning, increasing production from its own power plants and by reprogramming its maintenance schedule, in order to ensure security of supply and satisfy the electricity demand to the population without disruption.

Mr Speaker, Sir, in line with the provisions of the Power Purchase Agreement, the dispute resolution mechanism was triggered, and on 27 May 2022, a Notice of Dispute was issued by the CEB. A mediation panel was accordingly constituted in June 2022 and four meetings held between both parties. However, no agreement with regard to the issue of Force Majeure and resumption of operations could be reached. Nonetheless, in a spirit of continued dialogue and partnership and prior to proceeding on arbitration which could be a costly exercise, both parties agreed to extend the negotiations period in order to find a resolution to the dispute.

In the meantime, my Ministry had secured a Grant of an amount of up to USD 250,000 from the African Legal Services Facility of the African Development Bank to provide advisory services to the Ministry and the CEB with regard to negotiations to be conducted between Terragen Ltd. and the CEB. External legal firm Cleary Gottlieb Steen & Hamilton LLP was selected by the African Legal Services Facility for this purpose.

Mr Speaker, Sir, on 09 February 2023, Terragen Ltd. gave notice to the CEB of a decrease in the prices of coal on the international market which had brought a material change in the impact of the Force Majeure event on its economic capacity to produce and supply power to the CEB. It indicated that it would resume production on coal shortly and requested for a meeting with CEB to discuss the technicalities for the resumption thereof.

Four “without prejudice” meetings were held, thereafter, between the CEB and Terragen Ltd. to discuss the latter’s intention to resume operations on coal. At the outset, Terragen Ltd. made a proposal for a revision of the price indexation formula for either a pass-through mechanism or for a hedging of the price of coal. This proposal was not agreed by CEB which maintained that there should not be any fundamental change to the Power Purchase Agreement and that the following conditions should be met –

- (a) The position of Terragen Ltd. on the Force Majeure event must be waived;
- (b) The current dispute between the parties will come to an end;
- (c) The terms and conditions of the PPA will be maintained;
- (d) The quantum of settlement amount would be discussed and agreed, and
- (e) An agreement will be signed prior to Terragen Ltd. resuming operations.

Terragen Ltd. agreed to the above terms and conditions. However, it indicated that it would only pay Rs30 m. instead of Rs88 m.

On 30 March 2023, the Board of Directors of the Central Electricity Board approved that Terragen Ltd. resume operations on coal on the following conditions –

- (a) that Terragen Ltd. will operate in accordance with existing terms and conditions of the Power Purchase Agreement;
- (b) all ongoing disputes will come to an end;
- (c) Terragen Ltd. will have to pay an amount of Rs88 m. to the CEB which corresponds to the maximum operational penalties applicable under the Power Purchase Agreement for breach of contract. However, Terragen Ltd. could be allowed to pay an upfront amount of Rs30 m. prior to start of operations and the balance settled in equal monthly settlements over the remaining period of the Power Purchase Agreement, and
- (d) a Settlement Agreement be signed between both parties to give effect to these decisions, before Terragen Ltd. could resume operations.

Terragen Ltd. was informed of the above decision, to which it conveyed its agreement. As such, on 19 April 2023, Terragen Ltd. effected a payment of Rs30 m. to the Central Electricity Board. The Settlement Agreement between Terragen Ltd. and CEB was signed on 29 April 2023 and Terragen Ltd. resumed operations from coal on 30 April 2023.

Mr Speaker, Sir, I will highlight the main terms and conditions of the Settlement Agreement as follows –

- (a) without admission of liability, Terragen Ltd. agrees to pay Rs88 m., the Consideration Settlement, which corresponds to the operational penalties under the Power Purchase Agreement and an upfront payment of Rs30 m. will be made by 20 April 2023 and the balance of Rs58 m. in equal consecutive monthly instalments until expiry of the Power Purchase Agreement;
- (b) subject to the payment of Rs30 m. made by Terragen Ltd., the latter can resume its operations using coal in accordance with existing terms and conditions of the Power Purchase Agreement;
- (c) a generation license be secured by Terragen Ltd. from the Utility Regulatory Authority, and
- (d) both parties waive any claim against each other and give final quittance, release and discharge in connection with claims relating to the dispute.

Mr Speaker, Sir, between 29 April 2022 to 30 April 2023, the CEB has succeeded in meeting the electricity demand of the country, including during the peak summer months, whilst compensating the shortfall in energy that Terragen Ltd. used to export to the grid. This has been mainly achieved through an increase in production from CEB power plants and a reprogramming of maintenance schedules. The CEB did not solicit additional energy from the other Independent Power Producers. Allow me, Mr Speaker, Sir, to end my statement by expressing my appreciation and gratitude to the employees of the CEB for their dedication and patriotism.

I thank you, Mr Speaker, Sir.

PUBLIC BILLS

Second Reading

THE MAURITIUS DIGITAL PROMOTION AGENCY BILL

(NO. III OF 2023)

Order read for resuming adjourned debate on the Mauritius Digital Promotion Agency Bill (No. III of 2023).

Question again proposed.

(4.51 p.m.)

The Minister of Arts and Cultural Heritage (Mr A. Teeluck): Thank you, Mr Speaker, Sir. Thank you for allowing me to bring my contribution in the debates around the Mauritius Digital Promotion Agency Bill.

Ce projet de loi vient abroger une loi datant du siècle dernier. M. le président, à l'introduction du National Computer Board Act en 1988, ou même la version révisée et amendée de 1998, l'informatique et la communication telle que nous les connaissons aujourd'hui étaient, à cette période, élémentaires que dans ses fonctionnalités ou dans son utilisation. Même si référence est faite à l'an 1998, à cette époque, on se souvient tous que la connexion à l'internet, M. le président, se faisait sur un ordinateur avec un CPU aussi grand qu'un meuble de rangement et un écran as bulky as a microwave oven.

On se souvient of the very famous Nokia 3310 with touch pads and a small black and white screen and the most advanced feature of the Nokia 3310 was an in-built game 'snake.' Today, Mr Speaker, Sir, when we see our mobile phones, they are so advanced and so connected that you do not need to come to Vacoas to see our 1st of May *miting*. All the Members of the Opposition were able to follow our *miting* live. This is how advanced technology has become.

An hon. Member: *Pe danse tou!*

Mr Teeluck: *Ti kav zwen nou ensam laba!*

(Interruptions)

Mr Speaker: Order!

Mr Teeluck: We were, à *cette époque*, save for MBC radio and MBC TV, reliant on newspapers; in the traditional paper version, of course, to read through articles, *soit le matin, soit l'après midi*. If reporters are to report the news that happened in the morning, usually it would be the day after. But, Mr Speaker, Sir, so much has changed. Today, we live the experience of technology and communication at a different level. News is reported to the minute; *les travaux parlementaires* are watched live on a mobile phone.

When hon. Bodha says that nothing has changed, nothing has happened, well, Mr Speaker, Sir, change happens step by step. How can we forget that to be able to enjoy parliamentary proceedings through our PCs, laptops, tablets, mobile phones, there was the first

step to introduce live broadcasting of parliamentary proceedings. How can hon. Bodha forget that he was in that Government, a SAJ led Government? Technology has allowed that these live broadcastings find their ways to our mobile screens today.

Hon. Bodha says that nothing has changed and nothing has happened. But how can he forget that the first step towards all the radios today: being able to rebroadcast live parliamentary proceedings by using digital platforms, by using social media platforms and even doing live *plateau* and *commentaires* and all, is a result of the audacious and courageous decision à *libéraliser les ondes et permettre aux radios d'opérer!* Hon. Bodha, you were part of that Government! And not just parliamentary proceedings, Mr Speaker, Sir, there are so many other changes that happened over the years. We have at the right time and at the right moment taken decisions to walk along the evolution of communication and technology. Hon. Bodha, you have asserted or I would say your assertion that nothing has changed rests on the fact that Google is not present in Mauritius.

This is what was said last time. But about Microsoft? Microsoft has a market capitalisation, as at 2022, to USD1.91 trillion. Microsoft is in Mauritius! What about Accenture? Annual revenue of USD61.6 billion for fiscal year 2022; *Accenture est à Maurice!* Oracle, fiscal year 2022, total revenue of USD42.4 billion; Orange, Allianz, *et j'en passe*. We rank as the first African country having introduced and complied to the General Data Protection Regulation, first in the Sub-Saharan African and 45th in the world as per the Global Innovation Index 2020, first in Africa, 52nd globally as per the Global Competitiveness Index, 17th globally Cyber Security Index and so on.

Mr Speaker, Sir, we are growing and we are evolving, it is not correct to state that nothing has changed or nothing is being done. We are moving forward along with this digital world. As at 2021, the ICT sector contributed to 6.9% of the GDP with a GDP growth of +7.1%. 900 companies are operating today in this sector and employing 32,000 professionals. As at 2018, the figures 24,000; it means a growth of 8,000 more employment in the sector.

Various other sectors are going digital; I will not repeat what my other colleagues have already said in relation to the relevant sectors. But another sector where we are also going digital is the Ministry of Public Service. With the help of the UNDP, it has already embarked in the project of the Electronic Document Management System, which is of course as at now on a pilot

basis but upon successful completion, which is due by end of June this year, will be implemented in other Ministries.

Now, Mr Speaker, Sir, my friend, hon. Dr. Gungapersad, from the Constituency No. 6, preceded me in these debates during the last Sitting and he opened his speech with allusion to calling a spade a spade and referring to the ICT agreement signed between India and Mauritius during a visit to Mauritius in 2000. Very true! And given our special relationship with India, such an important agreement was concluded. A relationship with India, which I must highlight, has now been further consolidated and which now lays its foundation not only on economic and cultural ties but a relationship with a strong foundation based on friendship between our two Prime Ministers, hon. Pravind Kumar Jugnauth and hon. Shri Narendra Modi Ji. A strong relationship which translates itself amongst others in the fact that Mauritius has been invited to the table of the G20 Forum this year in India, a privilege and an honour for the country. I seize this opportunity to thank the Government of India for this unique, friendly and esteemed gesture towards our Prime Minister and the country.

But coming back to the ICT agreement, yes, signing the agreement was important. We are grateful to the Government of India for its all-out support to our ICT initiatives. But, let us call a spade a spade or as we say in French, *appelons un chat un chat*, Mr Speaker, Sir. Things started moving as from 2001 when the Government then took the decision to incorporate the Business Parks of Mauritius Ltd, with a clear mandate to develop and manage business parks and help make information, communication and technology a key pillar of the Mauritian economy. This is when things started moving. And, that same year, the budget exercise provided for Rs500 m. for the initial components of the Ebène Cybercity Project, after which *R 200 millions* were in the form of government equity participation in the Business Parks of Mauritius Ltd. What we see today, Mr Speaker, Sir, is the result of decisions taken at the right time; those investments which were farsighted and visionary.

Hon. Dr. Gungapersad also referred to online classes during COVID-19 and he coined that those online classes as “disastrous”. Mr Speaker, Sir, COVID-19 was a very particular situation, not just for Mauritius but for the whole world. There was no manual, no way forward. There was nothing, no roadmap to COVID-19 and we had to adapt to the second, to the minute, to the day, to the week, to the month to be able to cater for all those thousands of students,

primary and secondary. I have to congratulate the Vice Prime Minister, hon. Mrs Leela Devi Dookun-Luchoomun for the incredible work done because we saw the results of online classes when *les résultats ont été annoncés pour l'année académique*, especially for those who followed classes online. *Les résultats* are proof that online classes worked perfectly. You see, Mr Speaker, Sir, when you introduce a new system, an online system, of course, there will be some issues *mais en gros*, it worked *parce que les résultats l'ont prouvé*. So, it is wrong to say it is disastrous. What is disastrous rather? I would say what is disastrous. Online classes during COVID-19 were a real challenge; it was a real challenge and we need to acknowledge and to accept that. Despite those challenges, we were able to provide proper education to all those students. We have to acknowledge that and it is wrong to say it was disastrous. But what was disastrous?

During his speech, hon. Dr. Gungapersad also talked about the Tablet Computer Project. Well, that was disastrous. And I am not saying it, it is not subjective. It is not me trying to do politics out of it. It is the Audit Report for Financial Year 2014. The Audit Report says that. A project of a value of Rs134 m., and I will quote some paragraphs of the Report at that time –

- “The tablets, originally meant for Form IV Students in 2013, Year 4 Pre-vocational students and educators, were actually distributed to Form V students and educators. [The distribution was due in 2013 but done in 2014] when the students were busy preparing for School Certificate Examinations.”
- “The implementation of the project was not properly coordinated, since access to WiFi facility were not made available by the MICT [of that time] in all secondary schools at the time of distribution (...)”
- “The Tablets Computers were meant to be distributed to 20,700 Form IV students (...)”

However, *à la fin du projet* some “2,400 tablets were left dormant”, and with most of the other tablets being distributed to students who had already left school in Year 4. This is disastrous! This is disastrous; not online classes which was a challenge that was properly tackled.

Mr Speaker, Sir, we are currently at a crossroad not only locally but globally. Many countries have already embarked in a transition mainly to sustain their respective economy and it

is but natural step for us to learn from them and adopt their best practices. Here I am referring to India, Singapore, and Estonia. I think it is high time that we also evolve.

I will end my speech, Mr Speaker, Sir, simply by congratulating my colleague Deepak Balgobin for coming forward of course with this Bill, but also for the tremendous work being done in the ICT sector along the vision set by the Prime Minister for the sector, and also for allowing Mauritius to shine beyond borders *jusqu'à dans l'espace* with our own nanosatellite.

Thank you, Mr Speaker, Sir.

Mr Speaker: Hon. Dr. Mrs Chukowry!

(5.07 p.m.)

Dr. Mrs D. Chukowry (Second Member for GRNW & Port Louis West): Thank you, Mr Speaker, Sir.

Hon. Members of Parliament, I wish to express my sincere gratitude to hon. Deepak Balgobin, Minister of Information Technology, Communication and Innovation for tabling in this august Assembly, the Mauritius Digital Promotion Agency Bill. Allow me to convey my word of thanks to the hon. Minister for his commitment and dedication to promoting the growth and development of the Information and Communication Technology Sector in Mauritius.

M. le président, le projet cyber cité a été lancé sous le gouvernement de Sir Anerood Jugnauth en 2001 alors qu'il était Premier ministre. SAJ avait une vision, celle de créer un centre de haute technologie à Ebène et aujourd'hui, les faits semblent lui donner raison.

As we are all aware, the ICT Sector has become an essential driver of economic growth and social progress in the 21st century. It is a sector that has transformed the way we live, work and communicate with each other. In Mauritius, the ICT Sector has made noteworthy contributions to the economy, generating employment opportunities, attracting foreign investment and promoting innovation and creativity. It generates significant revenues, creates employment opportunities and drives innovation and creativity.

By strengthening the ICT sector in Mauritius –

- 1) Firstly, we can create a robust ecosystem that attracts investment, fosters entrepreneurship and contributes to sustainable economic growth and development;
- 2) Secondly, becoming a key player in the region can enhance Mauritius' global reputation and image. By positioning ourselves as a hub for ICT innovation and expertise, we can attract international businesses investors and talents. This can lead to increase straight, foreign direct investment and knowledge transfer which can further boost the economy and enhance Mauritius' standing in the global arena;
- 3) Thirdly, the ICT sector can play a pivotal role in addressing key societal challenges. For instance, it can help in bridging the digital divide, improving access to education and health care and enhancing public service delivery, and
- 4) Fourthly, the ICT sector can serve as a catalyst for social development. It can promote digital literacy, enhance digital skills and empower marginalised communities.

Mr Speaker, Sir, this can lead to increase social inclusion, reduce poverty and improve quality of life for all Mauritian citizens. However, we must acknowledge that there are still significant challenges facing the ICT sector in Mauritius. Despite the progress made over the years, there are still major disparities in access to ICT infrastructure and services, particularly in under-served and marginalised communities. Moreover, there is a need for continuous up-scaling and reskilling of the workforce to keep up with the latest trends and development in the sector.

Mr Speaker, Sir, I am confident that the establishment of the Mauritius Digital Promotion Agency will provide the necessary institutional framework to drive the growth and development of the ICT Sector in Mauritius. The MDPA will work towards achieving the Bill's objectives by providing training and education to individuals and businesses, promoting innovation and creativity and advising the Minister on national policies related to ICT.

Mr Speaker, Sir, implementing data driven strategies can be highly effective in boosting the ICT sector in Mauritius. This involves collecting and analysing relevant data to identify trends, patterns and insights that can inform our digital promotion strategies. By using data to

inform our decision, we can make more informed decisions about which digital channel to prioritise, how to optimise our online presence and how to improve our overall digital promotion efforts.

Furthermore by investing in data, analytic tools and talent, we can ensure that our digital promotions strategies are constantly evolving and adapting to changing market strengths and user behaviours.

Mr Speaker, Sir, boosting the ICT Sector in Mauritius through digital promotion, requires a comprehensive and data-driven approach. The Mauritius Digital Promotion Agency Bill is a comprehensive legislation that seeks to repeal and replace the National Computer Board Act and establish the Mauritius Digital Promotion Agency. The main objective of the Bill is to promote and develop the information and communication technology sector in Mauritius through skills development, modernisation and achieving basic ICT proficiency among all population groups.

Additionally, the MDPA will advise the Minister on national strategies related to their advancement, expansion and application of ICT architectures in Mauritius. The Mauritius Digital Promotion Agency Bill establishes the MDPA as a statutory body with the Board of Directors appointed by the Minister. The MDPA will have the power to employ staff, enter into contracts and undertake any activities that are necessary for the achievement of its objectives.

Mr Speaker, Sir, one of the primary objectives of the Mauritius Digital Promotion Agency Bill is to boost the growth of the ICT Sector in Mauritius. The MDPA will be responsible for promoting and developing the ICT Sector through skills enlargement and innovation. This includes providing training and education to individuals and businesses, to enhance their ICT skills and knowledge. The MDPA will also support the research and development activities to promote innovation in the ICT sector.

Mr Speaker, Sir, the Mauritius Digital Promotion Agency Bill recognises the importance of achieving basic ICT proficiency among all population groups in Mauritius. The MDPA will work towards achieving this objective by providing training and education to individuals and businesses. The MDPA will also work with other organisations to provide access to ICT infrastructure and services to vulnerable groups. The Mauritius Digital Promotion Agency Bill aims to confront the aforementioned challenges by instituting the Mauritius Digital Promotion

Agency as a statutory entity, tasked with the responsibility of advancing and nurturing the Information and Communication Technology Industry in Mauritius.

The objectives of the Bill are oriented towards enhancing talents consolidation and innovation, ensuring universal ICT proficiency among all demographic groups and providing counsel to the Minister are national policies pertaining to ICT. The MDPA will be responsible for providing the Minister with experts' advice and recommendations on matters related to the ICT sector. This will help ensure that national policies related to ICT are evidence-based and aligned with the latest trends and development in the sector. In order to address the significant disparities and access to information and technology in Mauritius, it is imperative that we invest in comprehensive training and education programs to equip both individual and businesses with the necessary skills and knowledge to effectively leverage ICT infrastructure and services.

This necessitates the expansion of training programs and courses that teach digital literacy, coding and other pertinent proficiencies. Priority must be given to ensuring the accessibility of these programs to underserved communities and disadvantaged areas.

The MPDA will therefore be the driver of the above endeavours and thus encourage innovation and creativity in the development of local ICT solutions that are tailored to the unique needs and challenges of our communities. This can be accomplished by fostering an enabling environment that provides support to start-ups and entrepreneurs including access to funding mentorship and networking opportunities. This approach will maximise the potential of ICTs to drive economic growth and social development in Mauritius.

Mr Speaker, Sir, some key strategies that the MPDA will be expected to utilise can be employed to promote growth and development in this sector are –

1. Education and training

Education and training are crucial components in the development of the ICT sector. Providing quality education and training to individuals and businesses can help to ensure that they are equipped with the necessary skills and knowledge to compete in the digital economy. This can be achieved through formal education programs such as degree programs as well as vocational training programs such as coding bootcamp;

2. Research and Development

Investing in research and development can foster innovation and creativity in the ICT sector. Encouraging research and development initiatives can lead to the creation of new technologies, products and services that can spur growth and create employment opportunities;

3. Entrepreneurship

Promoting entrepreneurship can be an effective way to stimulate growth and development in the ICT sector by supporting the creation of start-up and providing funding, mental shape and other resources. The Government can help to nurture the growth of the ICT sector;

4. Infrastructure

Adequate ICT infrastructure is essential for the growth and development of the sector. The Government can invest in infrastructure development such as broadband connectivity and data centres to provide businesses with the necessary infrastructure to operate effectively, and lastly

5. Regulatory framework

Establishing a supportive regulatory framework that fosters innovation and protects intellectual property can be crucial in encouraging growth and development in the ICT sector. Clear and predictable regulations can provide a stable environment for businesses to operate while protecting the rights of individuals and businesses. The MPDA seeks to engage with stakeholders from across the public and private sectors to identify areas where Government intervention can enhance access to ICT infrastructure and services. Through effective collaboration, we can formulate policies that promote inclusivity and ensure that all Mauritian citizens have the opportunity to benefit from the digital revolution.

Mr Speaker, Sir, it is imperative that we work together to establish a comprehensive framework that facilitates the equitable distribution of ICT resources and services across the nation. Undoubtedly, the Mauritius Digital Promotion Agency Bill constitutes a significant legislative measure aimed at facilitating the advancement of the information and communication

technology sector in Mauritius. By prioritising skills development, innovation and universal ICT proficiency, this Bill holds the potential to elevate the country's ICT landscape to new heights.

The establishment of the Mauritius Digital Promotion Agency as a statutory body will provide the necessary institutional framework for attaining these intents. The Bill's focus on boosting the growth of the ICT sector, achieving basic ICT proficiency and advising the Minister on national policies related to ICT, will help ensure that Mauritius remains competitive in the global digital economy.

Mr Speaker, Sir, in conclusion, I will urge all hon. Members of Parliament to support the Mauritius Digital Promotion Agency Bill and help pave the way for a brighter and more prosperous future for the ICT sector in Mauritius. Together we can build a stronger and more resilient digital economy that benefits all Mauritians. Thank you.

Mr Speaker: Hon. Minister Balgobin!

(5.24 p.m.)

The Minister of Information Technology, Communication and Innovation (Mr D. Balgobin): M. le président, permettez-moi tout d'abord de remercier tous les Membres des deux côtés de la Chambre pour leurs contributions au débat sur ce sujet et sur ce projet de loi extrêmement important.

Au fil des années, la technologie a énormément évolué et a changé de grands secteurs. Les décideurs sont confrontés à un environnement technologique de plus en plus dynamique avec diverses opinions parmi lesquelles choisir et ce nouveau projet de loi ouvrira la voie à l'architecture de notre écosystème numérique.

Depuis sa création en 1988, le *National Computer Board* a construit une base solide dans la promotion de la culture numérique à Maurice et a jeté les bases de ce qui deviendra désormais la *Mauritius Digital Promotion Agency*. Avec ses nouveaux rôles, responsabilités et une approche ciblée, le MDPA sera en ligne avec l'agenda du gouvernement en ce qu'il s'agit de la transformation numérique du pays et il nous permettra de répondre aux attentes de nos citoyens modernes et d'améliorer leur qualité de vie.

Dans ce processus de transformation numérique, la vision de ce gouvernement, dirigé par l'honorable Premier ministre, est que Maurice devienne une plaque tournante numérique pour la région et place le pays sur la scène mondiale.

Mr Speaker, Sir, the merits of the Bill has been debated at length. I have listened with much attention to what Members from both sides of the House have said and I have noted, more specifically from Members of the Opposition, several elements, which require clarifications.

First of all, allow me to thank hon. Dr. Boolell who has welcomed the setting up of the agency. However, it is unfortunate that his opinion about welcoming the setting up of the agency is not shared among the other Members of the Opposition. I suppose, Mr Speaker, Sir, that this is a common denominator on the other side of the House, as it seems that they are, as expected, not able to get their acts together, be it in or outside Parliament.

(Interruptions)

Hon. Dr. Boolell raised some doubts regarding the implementation of the report of the consultant and he hoped, and I quote –

“that the Bill does justice to the findings of the report.”

Allow me, Mr Speaker, Sir, to reassure hon. Dr. Boolell that this Bill, in fact, emanates as a recommendation of the report submitted by the Consultant appointed to look into the restructuration of the National Computer Board.

The consultant submitted his recommendations after a thorough analysis of the ICT landscape in Mauritius. Hon. Dr. Boolell mentioned about Estonia, hon. Bodha also mentioned about Estonia and Singapore. They have taken into consideration best practices in countries like Estonia and Singapore. It is present in the report. In his report the consultant highlighted the need to create a synergy amongst the different organisations in the ICT sector in Mauritius.

The proposed mandate and organisation structure of the Mauritius Digital Promotion Agency have been worked out in such a way as to ensure that the revamped organisation would be entrusted with responsibilities which would complement those of other institutions in the sector.

Mr Speaker, Sir, there seems to be a total confusion in the minds of the Members on the other side of the House who intervened on this Bill regarding duplications in the roles and responsibilities of the different departments and parastatals falling under my Ministry.

Let me clear this confusion once and for all. The Mauritius Digital Promotion Agency (MDPA), as its name suggests and as mentioned in the Explanatory Memorandum, will be responsible for boosting the ICT sector through skills development and ICT culture promotion. Whereas, all matters related to emerging technologies, he mentioned Artificial Intelligence, Advanced Artificial Intelligence, Blockchain, are under the responsibility of the Mauritius Emerging Technologies Council.

On the other hand, the main responsibility of the Mauritius Research and Innovation Council is to promote and pioneer research for sustainable development to enhance the quality of life of the people of Mauritius, foster a research, innovation and entrepreneurship culture among others.

The Computer Emergency Response Team (CERT-MU), the national agency for coordinating cybersecurity response activities and promoting cybersecurity, operates as a Department under my Ministry. Hon. Dr. Boolell mentioned that the functions of the CERT-MU were stripped off of the NCB's responsibilities. Once again, he is wrong in his statement, because the CERT-MU has been given its legal mandate under the Cybersecurity and Cybercrime Act passed in Parliament on 19 November 2021 and proclaimed in December the same year.

I can understand how hon. Dr. Boolell missed that point, as he was himself, missing in Parliament, being suspended for so many sessions at that time.

(Interruptions)

500 milles par minute. Mr Speaker, Sir, *quatre jours à Paris.* Let me invite him to consult Hansard to get his facts right.

As for the Government Online Centre (GOC), hon. Dr. Boolell mentioned that it "has been dumped in a corner". Once again, I wish to mention that this is not true at all. The GOC will be operating as a full-fledged department of my Ministry and the procedures, thereof, are

ongoing. Further, hon. Dr. Boolell mentioned the success of other African countries like Rwanda and Kenya, and according to him, we should catch up with them.

Let me enlighten the hon. Member on this matter Mr Speaker, Sir. Unlike what he believes, Mauritius is the reference in the field of ICT and innovation in Africa. I will give you a few facts, you take note –

- The International Telecommunication Union (ITU) ranks Mauritius 1st in Africa and 17th in the World in Cybersecurity in 2020. I will table those indexes Mr Speaker, Sir. Hon. Boolell can have a look and get his facts right.
- The Global Innovation Index (GII) published by the World Intellectual Property Organization (WIPO), ranks Mauritius 45th in the world in his last year's report.
- Mauritius is the 1st African country to introduce and comply to the General Data Protection Regulation (GDPR).
- We are 1st in Africa – again – and 13th globally for Ease of Doing Business and ICT forms a big part of it.
- 1st in Africa, 52nd in the world as per Global Competitiveness Index.
- 27th globally and among the top 25 nations and 1st in Africa again in the digital resonance ranking.
- Internet Population Penetration Rate stands at 146%.
- Mobile Penetration Rate has risen up, 163%.

The proof of the pudding is in the eating, Mr Speaker, Sir. Let me table all these documents, indexes to get the facts right about why we should not catch up with other countries. We respect other countries in the Africa. We are already 1st in this league.

The hon. Member mentioned about Rwanda, let us catch up with Rwanda. Even Rwanda has approached my Ministry for support and collaboration and we are helping them in setting up their Data Protection Office. We are helping them in setting up the CERT of Rwanda and in addition, similar requests have also been received from various countries in the Africa, namely The Gambia, Nigeria, Malawi, Seychelles, Togo, Benin, Madagascar, and most recently, last week Zambia have approached my Ministry so that we could share our expertise and experience to them.

Hon. Dr. Boolell also referred to what was announced in the 2020/2021 budget regarding the setting up of a Mauritius Digital Transformation Agency, which is meant to regroup the different Departments of my Ministry (CIB, CISD, ITSU) to speed up digital transformation of the public service and the whole economy.

The hon. Member stated that this review is “not even in the cloud”. I think Mr Speaker, Sir that the hon. Member “*est sur son propre nuage*”. Let me inform the hon. Member that my Ministry enlisted the services – listen well, because you mentioned we have to follow other countries and get expertise; we should not, we have already done it – of the e-Governance Academy of Estonia as consultant who came up with a report in June 2022 recommending a new institutional structure for my Ministry. The implementation of the recommendations is currently being looked into and very soon I will come up with concrete measures for the re-organisation of my Ministry.

Again, hon. Dr. Boolell referred to policies and strategies that were formulated under the then Labour Government, including the e-Government Strategy 2013. Did he know that back then that there were only some 60 e-Services and today we have reached not less than 140 e-Services and the number is on the rise?

Mr Speaker, Sir, hon. Dr. Boolell mentioned collaboration with India. I welcome the suggestion from hon. Dr. Boolell regarding the enlistment of professionals from India, which is not a secret to anyone and India is a success story when it comes to the ICT sector. Even hon. Teeluck mentioned our relationship with India.

Surprisingly, though it is of public domain, hon. Dr. Boolell seems to ignore the fact that my Ministry has signed a Memorandum of Cooperation with India on a collaboration in the use of IT in Government, expertise sharing and capacity building, among others.

Here, Mr Speaker, Sir, whilst we, as a Government, are thankful to the Republic of India for their unwavering support in all sectors, including the ICT sector, it is regrettable that on the other side of the House, such efforts are not appreciated. As we signed the MoC with India in the field of ICT, as rightly suggested by hon. Dr. Boolell, we see the MoC is being questioned by hon. Joanna Bérenger. I am referring, of course, to her Facebook post dated 31 January 2023, –

“*Gouvernman bizin rann piblik Memorandum of Cooperation of India. Where is transparans?*” she mentioned.

And I will table it for the public to know.

So, when we are signing MoC with Rwanda, when we are signing MoU with Dubai nobody ask questions. Nobody challenges the fact that we are signing MoU’s with other countries.

Dr. Boolell: *Bravo!*

Mr Balgobin: No, it is true, hon. Dr. Boolell! *C’est vrai!*

(Interruptions)

And, when we are signing MoU with India as recommended by hon. Dr. Boolell, himself, questions are being asked in public about *transparans*. I leave it to the population to judge, Mr Speaker, Sir. I am not going to delve.

Encore une fois, M. le président, nous avons un exemple de plus du manque de cohérence parmi les membres de l’autre côté de la Chambre qui définitivement n’arrivent pas à accorder leurs violons. J’espère, M. le président, que l’honorable Dr. Boolell a été éclairé et qu’il n’est plus dans les nuages – *in the clouds*. Mais toutefois, je note avec appréciation, qu’il a souhaité du succès à la MDPA.

Now, Mr Speaker, Sir, listening to hon. Anne Navarre-Marie.

Mrs Navarre-Marie: Not Anne Navarre-Marie, sorry !

Mr Balgobin: To hon. Navarre-Marie, my apologies. When I listened to her intervention, it got me to think that the hon. Member has been totally misguided and got totally confused. It is very likely that she was not properly briefed; maybe by the person who wrote her speech. For example, she mentioned a couple of times, a Cyber Security Authority – I think 3 or 4 times she mentioned the Cyber Security Authority – or even a Cybercrime Authority. These institutions do not even exist! We have never heard of a Cyber Security Authority in this country. And she is making reference to Cyber Security Authority in Mauritius. This is why I am saying maybe when she was reading her speech, somebody else just mentioned Cyber Security Authority and it was mentioned in this House.

An hon.Member: ChatGPT!

Mr Balgobin: It is not ChatGPT because ChatGPT gives proper information.

The hon. Member, Mr Speaker, Sir, also mentioned about Mauritius Transformational Agency Bill that was announced in the Budget 2021. I have gone and checked with my hon. friend, Dr. Padayachy, I have gone and read the whole budget speech and once again, the hon. Member is completely off-track. Such a measure was never announced. In fact, what was announced – maybe there was a mistake, I understand – was not a Mauritius Transformational Bill but was the Mauritius Digital Transformation Agency (MDTA) which I have just mentioned and explained to hon. Dr. Boolell how we are with Estonia bringing up all institutions toward one umbrella.

Furthermore, the hon. Member mentioned that she was expecting the Minister to come up with solutions to address long waiting queues at various Governmental departments. I am not surprised at all, Mr Speaker, Sir, that the hon. Member *est coupée de la réalité*. My Ministry has, since 2021, implemented an EQMS – and if you don't know what an EQMS is, it is an Electronic Queue Management System.

Mrs Navarre-Marie: *To mem to pa kone!*

(Interruptions)

Mr Balgobin: *Mo pou dir la kisa malin la, atann enn ti moman !*

My Ministry has, since 2021, implemented an EQMS, that is, as I said, the Electronic Queue Management System known as *MoRendezVous*. The very purpose of this e-Service is to address the queuing issue.

As at now, Mr Speaker, Sir, more than 31,000 appointment bookings have been made on the system across the different sites where the EQMS is available. And the hon. Member is saying that she is expecting the Minister to come up with solutions to address queuing and waiting queues in Government institutions where the system is already present since 2021. That is why I am saying, we are, on this side of the House - *coupé de la réalité!*

Also, the hon. Member made a totally inaccurate Statement when she referred to overlapping functions of the MDPA and ICTA when it comes to the operation of the Certificate Authority.

Effectivement, M. le président, pour la énième fois, l'honorable membre s'est emmêlée les pinceaux! Une simple recherche sur Google – *pa googool* comme disait l'honorable Bodha sur Google – lui aurait indiqué clairement les attributions de l'ICTA en tant que régulateur.

I hope that the hon. Member does some homework by herself and not read speeches written and I am sure she has good internet connectivity at home – I am sure she has – because every time she has a turn down, she calls me to help and I do help. And so, I am sure she has very good connectivity, she can do some good homework.

The hon. Member talked about a “wake-up call” for the institutions in her speech in Hansard. I have no doubt, Mr Speaker, Sir, that with regard to what she said in her debate where most of her statement was wrong because I am giving the facts, she has not woken up yet.

M. le président, la digitalisation des services du gouvernement est en marche depuis des années déjà et j'espère que l'honorable membre est en mesure tant bien que mal de suivre cette évolution, la vitesse dont on bouge.

Mr Speaker, Sir, the hon. Member further expressed her concerns regarding the staff of GOC and CERT who were supposedly forced to take their retirement if they did not wish to join the Ministry. I do not know what is the source of such information of the hon. Member, but I can tell the House that this never happened. Never happened! It is very easy to come and say all types of things here, but it never happened that staffs of GOC or CERT for that matter were forced to retirement. In fact, where the CERT-MU is concerned, the staffs were redeployed to my Ministry last year and they all willingly joined in accordance to established procedures.

Mr Speaker, Sir, I have listened attentively to hon. Dr. Gungapersad on the Bill. Well, I am surprised to note that his intervention was mainly geared towards the education sector. The MDPA Bill, as I mentioned already, is concerned with ICT culture promotion across the board and not only with the education sector, per se. There is more to that, Mr Speaker, Sir. The new focus is towards bridging the digital divide among citizens. Nevertheless, I will reply to a few queries that he made in his speech.

Hon. Dr. Gungapersad, during his intervention on the Bill, was quite concerned with the success rates in school as well as the enrolment rate in Computer Science at tertiary levels. I think that he mentioned something like, I am quoting Hansard –

“600 only successfully completed their HSC with Computer Science. How will basic ICT proficiency among population groups be achieved with only 600?”

But he fails to mention that the participation in the Tertiary Education Report of 2021 of the Higher Education Commission (HEC) is talking about 600 students at secondary level. Here there are 5,680 students enrolled in the ICT undergraduate and postgraduate programmes in both public and private institutions in Mauritius. This, he fails to mention, and the number is increasingly going on every year.

The hon. Member is talking about digital inclusiveness. Digital inclusion means ensuring that everyone has equal access to digital technologies, and the skills needed to effectively use them regardless of their background, their income level or geographic location. With regards to the Children Innovative Learning and Design (CHILD) programme, coding today is being taught at the primary level. I am sure that the hon. Member will understand that this is a new project. We are training our youth for the future and this is the very purpose of the Bill, Mr Speaker, Sir.

The hon. Dr. Gungapersad questioned about the Minister being given such powers which do not exist in any other countries of the world. Let me remind the hon. Member, forget about other countries in the world, let us look at Mauritius itself. Hon. Dr. Boolell – he left the House in the meantime – mentioned about the Labour government. Not less than 14 laws were passed by the Labour government mentioning the powers of the Minister with regard to appointment of staff. He is talking about us being the first one in the world. I will give you a few examples, Mr Speaker, Sir –

- (i) The Training and Employment of Disabled Persons Act, Powers of the Minister of Section 8;
- (ii) National Robbery Act (1996), Section 9;
- (iii) The ex-NATReSA (1996), Section 11;
- (iv) RDA Act (1998), Section 14,
- (v) National Youth Council Act (1998), Section 9.

And I can go on like this.

He is saying in this House that we are the only country in the world and we are the only ones in the world that have been given powers to the Minister to do any good to the institution. They, themselves in their Labour regime, have passed nearly 14 laws with the same clause of the law: Powers of the Minister. *Démagogie totale!* I'll table the document, Mr Speaker, Sir, maybe if he has some time to look at it.

Mr Speaker, Sir, my summing-up would not be complete if I do not...

(Interruptions)

I am coming to it! *Du calme, du calme*, I am coming to it.

My summing-up would not be complete if I do not once again clear the air with regards to the certification authority (CA). One of the functions of the MDPA is operation of a CA. On this proposal, once again, I have the feeling that the hon. Member has failed to grasp its importance and its meaning to the ICT ecosystem. I will enlighten him. Simply put, a CA is an entity that issues digital certificates.

Certification Authorities play a pivotal role in establishing and maintaining trust in online transactions as the digital certificates they issue are a way to prove that any website is legitimate and not operated by hackers or other ill-intentioned persons.

In the Mauritian context, as I had already mentioned in my address in the Second Reading, I can proudly state that we, once again, are amongst the few countries where Government has its own Certificate Authority, the MauSign, which is operational since August 2021, with a global security standard. So far, my Ministry has been promoting this service through a massive awareness campaign. We have been working in collaboration with the public and private sectors for the development of necessary training with regard to use of the MauSign service.

I must point out, as an example, that the digital certificates issued by MauSign are being used by most bidders on the Government eProcurement platform. Today, we have reached a level where we have digitalised services, procurement are being done online. For one to be able to do such a transaction online, they need to certify their documents and this is where the rule of CA comes in because they provide you with a digital certificate, where they certify that document to be used online.

Mr Speaker, Sir, I cannot sum up without referring to the issues raised by hon. Bodha. In his speech, he started by questioning if we have incentives, so that “Goo-Gool”...

An hon. Member: Stumbled!

Mr Balgobin: No, he said. I am quoting.

An hon. Member: Oh, he said ‘Goo-Gool’!

Mr Balgobin: ...“Goo-Gool” can be set up in Mauritius.

First of all, it is not “Goo-Gool”, it is Google. I will not go on with that, I think hon. Teeluck just mentioned all the other big companies set up in Mauritius – Microsoft, Oracle, Veritas, Accenture, and Ceridian. You just named it; everybody is present here.

The hon. Member mentioned that as Minister of Public Infrastructure, he wanted to set up a cashless bus service, and also as Minister of Foreign Affairs, he was personally involved to set up Electronic Document Management System (EDMS). He mentioned that both projects could not be implemented. And according to the hon. Member... *Ah! Monsieur Bodha est de retour.*

An hon. Member: *Pa prese, pa prese!*

An hon. Member: *Goo-Gool!*

Mr Speaker: Order!

Mr Balgobin: So, let me take this part a little bit again with your permission, Mr Speaker, Sir, because it is important. He mentioned that as Minister of MPI, he wanted to set up cashless bus service, and as Minister of Foreign Affairs, he was involved to set up EDMS. Both projects failed and something was wrong. He did not mention what was wrong but he said something was wrong.

Yes, Mr Speaker, Sir, the hon. Member was right in saying so. In fact, what happened here, he admitted that as a Minister, he was unable to drive two important projects efficiently. In other terms, what he is saying, the hon. Member is criticising his own leadership as he confessed that he failed other there in implementing those projects.

I congratulate hon. Hurdoyal. Hon. Hurdoyal not only defeated their Leader in Constituency No. 10, but as a new and young Minister, he implemented e-HR in the Public Service, together with the help of my Ministry. As a young Minister, first time being elected and

first time as Minister, he implemented EDMS in the Public Service already, and hon. Bodha is saying after 5 years as a Minister, he was not able to do the same project. This is where “Goo-Gool” fails, Mr Speaker, Sir. It fails! Anyway...

An hon. Member: *Ala li ale!*

Mr Balgobin: ... I will not dwell longer...

(Interruptions)

Mr Speaker: Order!

Mr Balgobin: I will not dwell longer on what the hon. Member stated. The hon. Member must have been overwhelmed as till now, he is still trying to be *Calife à la place du Calife!* He is still trying.

Anyway, Mr Speaker, Sir, with these few words, I am sure that I have cleared the total confusion of the Members of the Opposition mentioning institutions that do not exist, talking about Bills that do not exist, giving facts but hiding the real facts and so on and so forth. And also “Goo-Gool”!

Let me thank once again Members of both sides of the House for their interventions on the Bill, and in particular, acknowledging that the key importance of digital transformation of the country through the new roles and responsibilities assigned to the Agency. I wish to thank also the staff of my Ministry for their hard work and patience in drafting the Bill.

Mr Speaker, Sir, this Government, under the able leadership of our Prime Minister, is committed to the successful implementation of the Mauritius Digital Promotion Agency (MDPA) and we will ensure that citizens are ready to enter the upcoming digital world that we are building together, and we will not fail here.

Digital inclusiveness is not only a matter of equity and social justice but an economic imperative. Ensuring that everyone has equal access to digital technologies and skills can help promote innovation, create job opportunities, and of course, boost economic growth. Therefore, Mr Speaker, Sir, it is crucial that we work together making digital inclusiveness a reality.

With these words, Mr Speaker, Sir, I commend the Bill to the House.

Question put and agreed to.

Bill read a second time and committed.

Mr Speaker: Hon. Members, at this stage, I will break for 45 minutes.

At 6.05 p.m., the Sitting was suspended.

On resuming at 6.50 p.m. with Mr Speaker in the Chair.

COMMITTEE STAGE

(Mr Speaker in the Chair)

The Mauritius Digital Promotion Agency Bill (No. III of 2023) was considered and agreed to.

On the Assembly resuming with Mr Speaker in the Chair, Mr Speaker reported accordingly.

Third Reading

On motion made and seconded, the Mauritius Digital Promotion Agency Bill (No. III of 2023) was read a third time and passed.

Second Reading

THE CAUDAN BRIDGES, PORT LOUIS (AUTHORISED CONSTRUCTION) (AMENDMENT) BILL (NO. V OF 2023)

Order for Second Reading read.

(6.53 p.m.)

The Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism (Mr S. Obeegadoo): Mr Speaker, Sir, I move that the Caudan Bridges, Port Louis (Authorised Construction) (Amendment) Bill (No. V of 2023) be read a second time.

The object of this Bill, Mr Speaker, Sir, is to authorise Caudan Development Limited to operate a pedestrian swing bridge over the *bassin du* Caudan for the purpose of enabling the public to commute between the Caudan Waterfront and Les Salines area. In addition, a provision is being made to hold the Caudan Development Limited liable for any claim that may arise from the use of the bridge built by it, including but not limited to any accident or mishap.

Mr Speaker, Sir, I wish, at the outset, to explain the rationale underlying the present bill. Caudan Development Limited has built a swing bridge between the Caudan Waterfront Marina Parking and the opposite bank of *le bassin du* Caudan at Les Salines. This bridge is meant to offer a pedestrian link between the Caudan Waterfront and major developments in progress at Les Salines that is on the other bank, namely Odysseo Oceanarium and the Cruise Terminal, amongst other developments. These developments are of course of national interest and the swing bridge will substantially ease movement of the general public, including tourists in that particular area.

The bridge is expected to enhance the overall waterfront experience for both local and international visitors coming from either the cruise terminal which is being built next to the Odysseo Oceanarium or other parts of the country and wishing to visit Port Louis, the capital city, and its immediate surroundings. The visitor experience will begin at the cruise terminal all the way up to the Aapravasi Ghat and even the Port Louis Market.

Furthermore, in view of its structural characteristics, the bridge will also provide controlled access for all vessels entering the *bassin du* Caudan.

Mr Speaker, Sir, the House might be interested to know that Caudan Development Limited purchased in fact a swing bridge from the V&A Waterfront in Cape Town back in 2021. The structure was disassembled and various elements thereof were modified to enable the containerised shipping of all of its constituent parts to Mauritius. The company then appointed ARUP (Mauritius) Ltd as consultant to support in the renovation, reassembly, installation and commissioning of the swing bridge. I am informed by Caudan Development Limited that the total cost of the bridge stands at around Rs16 m.

Caudan Development Limited has, after obtaining a Building and Land Use Permit from the Municipal City Council of Port Louis and other clearances from relevant authorities including the Mauritius Ports Authority, already installed the swing bridge. The land on both sides of the bridge belongs to the Mauritius Ports Authority, which has leased it to Caudan Development Limited. This bridge will rotate, I am told, anticlockwise so that the public will have access to Le Suffren and Odysseo Oceanarium. As a result, the bridge will cross the *bassin du* Caudan which forms part of public domain.

Now, in August 2021, ARUP (Mauritius) Ltd, on behalf of Caudan Development Limited, sought clearance from my Ministry, the Ministry of Housing and Land Use Planning in order to operate the bridge. Now, as Members of the House may know; on the basis of Article 538 of our Civil Code, the public domain cannot, of course, be alienated and just as was the case in 2019 when an overhead footbridge was built over the Mont Choisy-Cap Malheureux Road, legal advice obtained by Government was to the effect that as the bridge would cross a public domain, an Act of Parliament is hence required. So, therefore in the light of this advice and in conformity with past practice over the years in situations where crossing at the public domain is concerned, the present Bill has been introduced before the House.

Now, prior to introduction of the Bill, of course, due consultations have taken place with all relevant departments, including the –

- (i) the Defence and Home Affairs Division of the Prime Minister's Office;
- (ii) the External Communications Division of the Prime Minister's Office;
- (iii) the Ministry of Environment, Solid Waste Management and Climate Change;
- (iv) the Ministry of Blue Economy, Marine Resources, Fisheries and Shipping;
- (v) the Mauritius Sports Authority, and
- (vi) the Department of Continental Shelf, Maritime Zones Administration and Exploration.

There are no objections to the operation of the swing bridge. Nonetheless, a number of conditions have been imposed on Caudan Development Limited and I will quote a number of these conditions –

- (i) the bridge will be operational only during day time between the hours of 09 00 in the morning and 18 00 p.m. in the evening and it will be manned by two operators who will ensure that all safety conditions are observed having regard to the use of the bridge;
- (ii) the bridge will be under CCTV surveillance to provide added security to pedestrians using/crossing the bridge;
- (iii) relevant safety equipment will be available;

- (iv) the bridge will only be opened when weather conditions are favourable, and will therefore be closed in the case of bad weather, cyclones, heavy swells or any other natural calamity;
- (v) should the need arise upon specific request from concerned authorities, cruise ships and in the case of emergencies, the Caudan Development Limited may consider extending normal opening hours of the bridge, and
- (vi) no obstruction may be caused to embarkations entering the Bassin du Caudan by the Bridge.

Now, being given that the swing bridge is not a scheduled undertaking as per the fifth Schedule of the Environment Protection Act 2002 (as amended), an Environmental Impact Assessment or a Preliminary Environmental Report Approval is not warranted.

I wish also to point out as per Clause 4 of the Bill, the pedestrian swing bridge is 34.381 metres long and 2.3 metres wide. It is a steel structure with wooden planks and it is built at a height of 2.3 metres above sea level. Its rotating and support mechanism along with its control system will lie on the Caudan Waterfront bank and it will be supported by what are called 'contained piling structures' while the landing concrete structures will be on the opposite bank next to the boundary wall of Le Suffren Hotel and in front of the Odysseo Oceanarium.

I have already mentioned that the operation of the swing bridge will be the responsibility of two agents employed by Caudan Development Limited who will open and close the bridge to ensure the safe passage of any vessels, embarkations, crossing into the Bassin du Caudan. Caudan Development Limited has indeed undertaken to observe all relevant health and safety regulations applicable in this case.

In line with Section 3 of the principal Act, the swing bridge will be kept in good repair at all times by Caudan Development Limited at its own cost and the company will also ensure that the bridge is not a source of danger to the public. I am informed that maintenance work will be carried out by Caudan Development Limited and the company *Industrie et Services de l'Océan Indien Ltée*, which in fact fixed the bridge when it had to be set up.

Of course, the pedestrian bridge will be the property of the Government of Mauritius but, shall not be part of the public domain. In line with Section 5 of the Caudan Bridges, Port Louis

(Authorised Construction) Act, which is the principal Act, Caudan Development Limited will have to pay to Government and to the Municipal Council of Port Louis, an annual fee which may be revised every five years.

Now, I believe, Mr Speaker, Sir, that the bridge will contribute to improving walkability in the waterfront area as such a pedestrian bridge over the Bassin du Caudan will provide an easy and direct link from the Caudan Waterfront to the Les Salines area for people to access services and amenities of both areas. It will provide a safe and efficient way for pedestrians to cross the Bassin du Caudan without having to use a vehicle or a ferry. It will also minimise interaction between people and vehicular traffic, therefore enhancing road safety for visitors whether local or international in the area.

Mr Speaker, Sir, of course, Mauritius is signatory of the United Nations Convention on the Rights of Persons with Disabilities and it is therefore apposite to note that the swing bridge is disabled friendly and easily accessible.

Mr Speaker, Sir, the pedestrian swing bridge is designed to swing out of the way of boats that need to pass through to go into the Bassin du Caudan, allowing for the safe and interrupted flow of both pedestrians and boat traffic. Additionally, this pedestrian swing will undoubtedly constitute a tourist attraction and add aesthetic value to the area.

With these words, Mr Speaker Sir, I commend the Bill to the House.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs. L.D. Dookun-Luchoomun) seconded.

Mr Speaker: Hon. Osman Mahomed!

(7.07 p.m)

Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central): Thank you, Mr Speaker, Sir, for giving me the opportunity to intervene on the Caudan Bridges, Port Louis (Authorised Construction) (Amendment) Bill. No major qualms; it's going to be a very short intervention, only a few points that I have observed to highlight and for the Minister to clarify because along the way, I will explain what it is.

Well what the hon. Deputy Prime Minister, Minister of Housing and Land Use Planning has circulated for us to debate is very different from other similar amendments to the said Act or even on structures having been built in the past, over the Pouce Stream which I intervened on in 2018; for example, during the previous mandate and more recently on the Mont Choisy-Cap Malheureux Bill, which you just mentioned in your introductory remarks, in 2020.

The difference is that all others have had their respective implementation presented in Parliament before construction, but this one is different in so far as it is being done after the construction has occurred.

The swing bridge, in fact at some point, as the Minister has said, will lie on the Caudan Wharf; it is already located there. I have visited it this morning. In fact, I even have a photo of it; it is a very nice looking structure, no major issues about it - a white painted coloured structure. I am not too sure whether the Minister has been on site, but here it is. It is a movable bridge that has its primary support foundation as a vertical pin on the Caudan Wharf Marina Site parking and on which the bridge pivots horizontally, as explained earlier, to join the other side, meaning the recently constructed Odysseo Oceanarium and the Cruise Terminal; their access which seems to be a problem so far will be addressed once the bridge is operational.

So, everybody knew that it was going to swing over the Caudan bassin to enable the public to commute between Caudan Waterfront and Les Salines as mentioned. Then, my question is: why has the Minister, responsible for Land Use Planning, brought the Bill for debate after the construction has been done? When we could have debated on it before construction like we did in the past, we are put before a *fait accompli*, so to speak.

Is it because the Ministry has been contacted only when Caudan Development Ltd has realised that it won't be able to operate the swing bridge over the Caudan Bassin before the Ministry of Housing and Land Use Planning has given its approval? Is that the case? Well, if that is the case, then there is a serious coordination problem between authorities because I am informed that the Municipal Council of Port Louis has already issued a Building and Land Use Planning, as the Minister has mentioned earlier, to Caudan Development Ltd. Obviously so, otherwise, it would not have taken the risk to construct something without the Municipal Council of Port Louis' approval. Would the hon. Minister of Housing and Land Use Planning, who is also the Deputy Prime Minister, agree that this could have had serious repercussions if it was not

possible for him, for whatever technical reasons, under his jurisdiction to allow the bridge to swing over the Caudan Bassin?

Which authority would have borne the responsibility of such a *méli-mélo* and the claim that the developer could have put to the Municipal Council of Port Louis because it has given a BLUP and the bridge is not able to operate? There could have been claims from the developer. What about if all Members in this House were not agreeable with the construction even though the Council has approved the project?

The moot point is any structure which crosses waterways must have the approval of the hon. Members in the House, according to law, isn't it? I am not saying that the project is a bad one, but I am raising this issue as a matter of principle in public administration.

Now, on a different note, during my site visit this morning and from information that I have gathered on site, I think the Minister has touched on this as well, the bridge is not a new one, but it is a second hand one that has been shipped from South Africa, as said, and installed here. Now, I have tried to obtain the age of that steel structure, because steel in the marine environment tends to corrode very fast if it is not galvanised, but my host at the Caudan Water Development Ltd. could not enlighten me on the age. I am not saying that it is corroded because the structure has been freshly painted in white. So, you cannot see the real state.

So, my question here is which authority has issued a fit for use certificate on this massive structure that crosses the Caudan Bassin and on which people will walk over 34 metres, as stated in the Bill?

Petite anecdote at this stage; the last time we had a similar amendment in Parliament was on the Mont Choisy-Cap Malheureux (Amendment) Bill, which I referred to earlier, an amendment on which I had intervened, given my views, but I do recall hon. Abbas Mamode, then Opposition MP, who is going to intervene after me, took the sketches of the hon. Obeegadoo in his hand and said it was a terrible eye sore. Yes! You forgot? But then, he was sitting on the Opposition benches and has since cross over to the Government side. Being given that he is speaking after me later today, I would like to listen to his intervention with a lot of interest and if he does not have the photo, I have it with me.

Now, I want to point out something very strange that I have noticed between this amendment and the one that was circulated in the House when The Caudan Bridges, Port Louis (Authorised Construction) (Amendment) Bill of 17 August 1996 in order to allow the construction of two bridges back then in 1996.

Firstly, provision is being made to hold Caudan Development Ltd. responsible for all liabilities associated with the construction. I must say that in the 1996's Act, this was still the case, but then, it was clearly specified in law that public domain, that those bridges even though they were not part of the public domain, they shall be the property of the Government of Mauritius. The Minister has said just now that it is going to be the property of the Government of Mauritius, but why is it not clearly stated in the Bill like the case was in the past?

If you want I can give you a copy of the previous Bill, it is clearly stated there in the law so that no one can mess around in the future. Now, you have said it in Parliament, but it is not in the law. Now, as far as the fees associated to be payable as the Minister has mentioned, even in the previous Bill of 1996, it was clearly stated – fees to be payable as may be prescribed by the hon. Minister, and this time again it is not in the law. I am not too sure how it will be taken care of administratively, but I thought it would have been better if it was clearly specified in the law.

Now, again in the previous Bill, because I am using it as a reference, as some point in time it is stated that the design as may be approved by the Minister. Here it is not stated, but before it was stated. So, I believe design criteria like overall dimension, width and span clearance, all these things are approved by the Minister before it is constructed, all these now do not appear. Is it because the bridge has already been constructed and as a consequence of which the Minister has had no chance at all to give his opinion on the design? Basically those were the few points that I wanted to highlight and I thank you for your attention.

Mr Speaker: Hon. Abbas Mamode!

(7.17 p.m.)

Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East):
Thank you, Mr Speaker, Sir. I would like to start my speech by thanking the hon. Deputy Prime Minister, Minister of Housing and Land Use Planning for introducing this Bill to amend The

Caudan Bridges, Port Louis (Authorised Construction) Act so as to authorise the Caudan Development Ltd. to operate a pedestrian swing bridge over the Caudan Bassin.

It is not on land, Mr Speaker, Sir; it is on a bassin at Caudan which is commonly known as Caudan Bassin. So, it is very different from the bridge that was built in the north. A Bill, Mr Speaker, Sir, which will bring the centre of Port Louis at walking distance within Les Salines.

A pedestrian swing bridge also known as a foot bridge or a pedestrian bridge is a type of bridge, Mr Speaker, Sir, designed specifically for pedestrian unlike conventional bridges that allow vehicular traffic. Pedestrian swing bridges are intended to provide safe passage for pedestrian.

Grateful if the Minister can intervene and could consider with the promoters so that in the near future the access to cyclists, handicaps and sometimes small non-motorised vehicles to the pedestrian can also be considered, *trottinette par exemple, M. le président*.

One thing coming to hon. Mohamed, I have been a Councillor for 20 years at the City Council of Port Louis. My very good friend on the other side of the House, hon. Deven Nagalingum has been Mayor of Beau Bassin-Rose Hill. We have been Councillors. Permits may be approved with condition whether in BLP or previously there was no BLP, there was the Works Committee itself and this can be brought to Council and Council can approve with condition and this condition can be what we are discussing today in this Assembly. So, the question of approving permit prior to being brought to Parliament is not a sinister matter. You can rest assured.

The distinguished future of such bridge is its ability to swing horizontally or pivot around at a central point. This movement allows the bridge to accommodate boat traffic or other water way transportation needs. When a vessel needs to pass through, the bridge can swing, open or pivot to create an opening, thus, allowing the boat to navigate the water way without obstructions. Once the vessel has passed, the bridge can be closed again restoring the pathway for pedestrian.

It is interesting to note that it will not be open at night. I've just learned it and it is very interesting to note that it will be safer when closed at night. These bridges serve as important

transportation links enabling pedestrians to cross water ways safely while preserving the mobility of water traffic.

Mr Speaker, Sir, pedestrian swing bridges are not only functional but often serve as architectural landmark and tourist attraction. They can enhance the aesthetic of an area providing a unique vision element to the landscape while meeting the practical transportation needs of pedestrians and boaters alike.

This bridge, Mr Speaker, Sir, will help enhancing the vast Road Decongestion Programme. Motorists coming from the south will be able to drop their car at Les Salines car parks and use the pedestrian swing bridge to enter the City Centre via the Caudan Waterfront.

Furthermore, Mr Speaker, Sir, with all the major projects undertaken by this Government under the Road Decongestion Programme in and within Port Louis, namely, the Decaen Flyover, third lane at Riche Terre, A1-M1 link road and the flyover at Quay D Roundabout. Mr Speaker, Sir, the Quay D Roundabout is a major access point for the Port area and was operating beyond its capacity during both peak and off-peak hours with subsequent queuing along Motorway M2 and adjacent roads such as Marine Road and Military Road, which form part of my constituency. Here, I would like to thank the hon. Minister Bobby Hurreeram for the development he brought within my constituency.

As per the Government Programme 2020-2024, with an emphasis among others on inclusiveness at the heart of the nation, the Government is investing to further modernise the road network access within the country. In the recent years Mr Speaker, Sir, there has been major development along the Motorway M2 where the road corridor has been widened between the port area and Jin Fei, Riche Terre.

Mr Speaker Sir, it is with a similar objective that this Government is passing the needful legislation to allow for the construction of a pedestrian swing bridge over the Caudan Bassin in view to alleviate the traffic further at the south entrance of Port Louis and making it easier for the road users from the south to park their vehicles in Les Salines and get convenient access to the City Centre through this pedestrian swing bridge.

This upcoming swing bridge will also be a connection between Les Salines and Le Caudan Waterfront – a *lieu de vie* where art meets learning, where local craft reaches out to the

world, where art forms merge to give singular experiences and where different culinary specialties meet.

This bridge will, Mr Speaker, Sir, allow to enhance Les Salines region by giving a convenient and improve pedestrian access to the Metro Express and Victoria Urban Terminal. Thus, allowing an economical boost to the existing amenities there, like Odysseo, the Christian Decotter Cruise Terminal, the Docks and Les Salines region.

Mr Speaker, Sir, I thus welcome this Bill which will help reducing the traffic flow entering Port Louis City and help boosting economic development within Port Louis and the Caudan and Les Salines region.

I thank you for your attention.

Mr Speaker: Hon. Ameer Meea!

(7.26 pm)

Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East):
Mr Speaker, Sir, today we are asked to vote the Caudan Bridges, Port Louis (Authorised Construction) (Amendment) Bill and the object of the Bill is to amend the Caudan Bridges, Port Louis (Authorised Construction) Act to authorise the Caudan Development Limited to operate a pedestrian swing bridge over the Caudan Bassin for the purpose of enabling the public to commute between Caudan Waterfront and Les Salines area. In view of the fact that this area forms part of the public domain and the bridge would be crossing over the public domain, an Act of Parliament is required, hence, the need for this Bill. This is in conformity with past practices over the years in such situations.

I have listened to the hon. Deputy Prime Minister, Minister of Housing and Land Use Planning carefully and I have only a few points to raise. So, I am going to be very short in my intervention.

On the outset, let me state that we, on this side of the House, have no big quarrel on such a Bill but during my intervention, I will rather ask some clarifications and also some measures that will have to be taken into consideration in order to ensure safety and security of pedestrians who will be using that bridge.

Firstly, Mr Speaker, Sir, as hon. Osman Mahomed mentioned he went this morning, I went yesterday evening because when the Bill was circulated, we had exactly no idea what it was all about. I thought that next time maybe a photograph would help a lot in terms of understanding what's in it. So, I went there and I had a look at what is being done. It was clear that the Bill was done to connect Caudan Waterfront to the other side where the Odysseo Aquarium is found and this bridge gives access to Odysseo but in the Bill, it is stated that it was for the purpose of enabling the public to commute between Caudan Waterfront and Les Salines but we all know the main idea behind it was connecting it to Odysseo, Suffren and all that is there on the other side because this is done by the Private sector and we know very well, Mr Speaker, Sir, that there is no free lunch.

Mr Speaker, Sir, secondly I was surprised to notice that the bridge has already been built, installed and ready to use. So, I would like to know from the hon. Deputy Prime Minister whether, all necessary permits and clearances were obtained prior to the start of the construction. Maybe during his summing up, the Deputy Prime Minister could give us updates, the information in relation thereto: was it before the construction or after the construction that the permit has been obtained because it is only now that the Bill is coming to the House?

Mr Speaker, Sir, pedestrian bridges provide opportunities to connect people, communities, nature and a pedestrian bridge design process includes seven important considerations. These are the research that I have done on the Net, that is –

- 1) The trail width;
- 2) The site conditions;
- 3) Geotechnical analysis;
- 4) Abutment plan;
- 5) Permits;
- 6) Safety, and
- 7) Durability.

While constructing a pedestrian bridge, there are several important factors to take into consideration and a country which is cyclonic-prone like Mauritius, it has its paramount importance.

So, the width of a pedestrian bridge is dependent on the type of travellers and amount of traffic the bridge will receive. Among the conditions that are essential for it to operate safely, it is the site conditions whether, it is a safe or dangerous; geotechnical analysis – that is where the main concrete poles are inserted in the ground. Has there been any geotechnical analysis? In terms of safety which, as I said, is of paramount importance, and also the durability, that is, the life span of the bridge.

Mr Speaker, Sir, quality and safety inspections; why am I mentioning this to the House and I am insisting on quality and safety inspections is that while doing some research on the Net and today, we are debating this Bill in the House, I came across some press articles and it is good that I share these information that I have gathered on the Net. About six months ago, at least 81 people were killed when a pedestrian bridge over a river in the western Indian State of Gujarat collapsed, plunging hundreds of people into the water. There has been official report of that. And another case which I came across; a pedestrian bridge crowded with tourists, collapsed while people gathered to watch the Dragon boat race. The incident took place in the Green Sand Island Park in Foshan, Guangdong. People were seen walking on the bridge that caved in fearlessly. So, I think, Mr Speaker, Sir, I am mentioning this because prevention is better than cure. I hope that this will be taken into consideration.

Mr Speaker, Sir, as I said in the case in similar legislation, the State normally charges fees as provided for, as assessed by the Valuation Department. The bridge, I am not sure if the hon. Deputy Prime Minister mentioned it, shall be the property of Mauritius. It shall be built and operated by the private sector but Government can, at any point in time, remove the bridge if it so wishes – I think this is normally in the law.

Mr Speaker, Sir, to conclude, recently there was a case of larceny, theft on the bridge which links Victoria Station to the Metro Station which is found in Caudan. We all watched the video on Facebook. Although we are not talking about the same bridge – this one is a covered one, the other one is not covered – but according to my point of view, a security guard is most welcome.

I am done, Mr Speaker, Sir.

Mr Speaker: Hon. Nuckcheddy!

(7.34 p.m)

Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil): Mr Speaker, Sir, thank you for giving me the opportunity to intervene on this Bill which is the Caudan Bridges, Port Louis (Authorised Construction) (Amendment) Bill.

We are talking here about amending the existing Act which already authorises the Caudan Development Ltd. to build bridges under certain conditions and also imposes obligations on the Company that is, the Caudan Development Ltd. to maintain the bridges at its own cost. I listened to hon. Osman Mahomed and he mentioned that he heard the hon. Deputy Prime Minister talking about the bridge being the property of Mauritius but he cannot find it in the amendment but, we are only amending the existing Act, Mr Speaker, Sir, and if you go to the principal Act that we are called to amend this evening, you will see under Section 4 of the existing Act – Public Domain – I think my friend, hon. Aadil Ameer Meea, also mentioned it – which says at the subsection (b) of section 4, it says the bridges –

“(b) shall be the property of the Government of Mauritius.”

So, in my opinion, about the bridge being the property of Mauritius, it is already there in the law.

Mr Speaker, Sir, in the mid-80s while I was at the secondary school, I studied Biology like most of the students at that time and it was also one of my preferred subjects. Biology is a very large and broad field due to the wide variety of life found on this planet but we can put it simply as biology being the study of living things. We were then taught that there are seven characteristics of a living thing and you have to tick all the seven boxes to be classified as a living thing. The first characteristic, Mr Speaker, Sir, was: ‘moves on its own’. Human being, Mr Speaker, Sir, is a living being and has always been on the move. The ability of movement and the necessity has allowed mankind to realise great achievements.

However, movement shall not be in an uneconomic manner. Once, I heard someone saying that, on one occasion, the former Prime Minister of Singapore, Mr Lee Kuan Yew, was asked whether, one day our island could achieve what Singapore has achieved. And you know,

Mr Speaker, Sir, his answer was 'no'. And he further added that it is because we do not seem to have realised that the shortest distance between two points, is a straight line.

Now, with the changing landscape of the island, there is a need for a link between the region of Les Salines and Caudan. So, we want to have a direct access which is eco-friendly and will be part of the modernisation plan of our island, Mr Speaker, Sir.

So, we want to have a direct access which is eco-friendly and will be part of the modernisation plan of our island, Mr Speaker, Sir.

So, this amendment, Mr Speaker, Sir, is about allowing Caudan Development to operate a pedestrian swing bridge over the Caudan Bassin for the purpose of enabling the public to commute between Caudan Waterfront and les Salines area. From the amendments proposed at Section 3 of the Act, I understand that the bridge will be 2.3 metres above water level and on a span of 34.381 metres and 2.3 metres wide. The hon. Deputy Prime Minister mentioned that it will rotate anti-clockwise.

Mr Speaker, Sir, when it comes to bridges, we are talking of the most powerful symbol of human society – a symbol of connection and symbol of harmony. A swing bridge, Mr Speaker, Sir, we must first of all understand, is a fascinating and essential engineering marvel of the world. The purpose of this swing bridge which is meant for operation in areas where there is a high volume of water flow or where the water level rises and falls at different temps of the year. So, what I would like to say is that those who have proposed the swing bridge could have come with other types of bridges, but let me convey my thanks to those people who thought of this swing bridge as it suits the area.

The Bill does not obviously provide any technical detail of the conception of the bridge. However, the hon. Deputy Prime Minister sheds some lights on the technical aspects and now we know that the bridge will be a metallic structure. Swing bridges having been in operation since years in various parts of the world and today their designs have evolved to become more efficient and sophisticated. I just want to highlight here that a swing bridge is an essential part of the world's infrastructure and its role in facilitating transportation and commerce cannot be overstated. It is a testament of human ingenuity and engineering ability. It will continue to play a critical role in the world's transportation infrastructure for many years to come.

The second amendment, Mr Speaker, Sir, is about the liability that the bridge may entail. So, a new section is added to the section 3 of the principle Act where Caudan Development will be liable to any claim that may arise from the use of bridges, including but not limited to any accident or mishap caused to the public. The amendment is, in fact, the last piece of the jigsaw puzzle as the existing law under the section 3 subsection 2 only talks about the obligations of maintaining, whilst this new subsection, Mr Speaker, Sir, is making the company liable for not respecting the obligations of maintenance. Liability entailing from the use of bridge will depend on several factors such as the conditions of the bridge, the design and engineering of the bridge and any warnings or safety precautions that were in place at the time of use.

Claims proven that the bridge was poorly maintained or designed and that this directly caused an injury or property damage, then the entity responsible for maintaining the bridge could be held liable for damages. In this case, the proposed amendment makes it clear that it will be the company, that is, Caudan Development.

Mr Speaker, Sir, this amendment is about a new step in the way of doing things and also a foundation of landmark project and an epitome of modernity. So, I have got no other choice than to acclaim these amendments and bring my full support to it.

Thank you, Mr Speaker, Sir.

Mr Speaker: Hon. Dr. Rawoo!

(7.41 p.m.)

Dr. I. Rawoo (Third Member for Rivière des Anguilles & Souillac): Mr Speaker Sir, as we celebrated Labour Day last week, before starting my debate speech on this current Bill, may I take your permission to pay tribute to the struggles and achievements of all workers in Mauritius.

No work is insignificant. All labour that uplifts humanity has dignity and importance and should be undertaken with painstaking excellence. Without workers, no civilisation could be built. Labour Day is of special significance for all Mauritian workers who for many years have struggled for their social, political and economic rights. We, at the Government, care for the

rights of all workers. I take this opportunity to thank everyone who was present massively in Vacoas last week.

This demonstrates the huge confidence of the population towards the hon. Prime Minister and towards the alliance partners, including the Muvman Liberater,...

(Interruptions)

Mr Speaker: Hon. Dr. Rawoo!

(Interruptions)

Dr. Rawoo: Of hon. Ivan Collendavelloo, the Mouvement Patriotique of...

Mr Speaker: Hon. Dr. Rawoo!

Dr. Rawoo: Yes?

Mr Speaker: Do not cross the bridge!

Dr. Rawoo: I am not. I just wanted to pay tribute to all the workers in Mauritius.

Mr Speaker: Come back to the bridge!

Dr. Rawoo: Now, let us cross the bridge.

M. le président, revenons au débat. Quand Leonard de Vinci s'invite au paysage de Port Louis pour rendre hommage à Mahe de Labourdonnais et au peuple mauricien, on célèbre depuis 2019 les 500 ans de la mort de Léonard de Vinci, considéré comme un des plus grands génies de l'humanité, tant en art qu'en ingénierie. Cette commémoration célébrée à travers le monde rappelle à quel point le maître florentin était en avance sur son époque. 500 ans après sa mort, on peut constater que plusieurs de ses conceptions révolutionnaires auraient pu se réaliser s'il avait eu accès aux matériaux actuels.

M. le président, pensés pendant la renaissance, plusieurs concepts d'ingénierie civile élaborés par Léonard de Vinci, révolutionnaires pour son époque et réalisables pour la nôtre, auraient marqués notre imaginaire collectif : le pont pivotant, le pont à double travée, le pont démontable, le pont de la Corne d'Or.

M. le président, Léonard de Vinci fut le premier qui imagina un pont tournant, dont la principale innovation consistait à déplacer rapidement le tablier sans avoir à le soulever.

Totalement mobile, ce pont tournant est installé sur une rive autour d'un pivot vertical, un pylône qui sert de point d'équilibre. Des cordes et des poulies placent le pont en parallèle de la rive d'ancrage pour laisser passer les bateaux en quelques minutes.

M. le président, 500 ans après le premier pont tournant inventé par Leonard de Vinci, l'île Maurice verra le jour du premier pont tournant de son histoire sous l'égide du gouvernement du Premier ministre, Pravind Kumar Jugnauth. M. le président, l'histoire est toujours créée par des grands leaders visionnaires ; le Premier ministre est certainement parmi ceux.

M. le président, l'objectif de ce projet de loi est d'autoriser Caudan Development Ltd. à exploiter un pont pivotant pour piétons au-dessus du bassin de Caudan afin de permettre au public de se déplacer entre le front de mer de Caudan et la zone de Les Salines.

À Maurice, il y a une prise de conscience croissante de l'importance des infrastructures pour les piétons en termes de trottoirs et de passerelles. Ces ajouts à l'environnement urbain améliorent non seulement la facilité de déplacement en reliant les espaces et en raccourcissant les distances de déplacement, mais sont également plus respectueux de l'environnement. La passerelle piétonne tournante sur le bassin de Caudan peut apparaître comme un ouvrage à usage unique reliant le Caudan Waterfront au quartier des Salines. Mais, c'est plus qu'une simple traversée. Il offre un accès sûr et pratique qui va contribuer à attirer davantage de personnes, locaux et touristes, vers l'Odysseo, l'hôtel Suffren et le futur terminal de croisière, optimisant et valorisant à terme la valeur géographique de la zone. Il peut également servir de point d'entrée capital, donnant le ton de la qualité de l'environnement qui l'entoure.

M. le président, ceci est conforme à la vision stratégique du gouvernement qui propose des projets pour revisiter l'ensemble de Port Louis. L'objectif principal est de donner un nouveau visage à la capitale et ainsi de donner un nouvel élan à l'économie. Les principaux axes de développement comprennent : la refonte des installations portuaires, la mise en place d'une ville culturelle de renommée internationale et la modernisation des transports publics.

M. le président, ce gouvernement sous la houlette du Premier ministre, a investi et continue à investir massivement pour relooker la ville de Port Louis. Au cours des huit dernières années, Port Louis a vu l'émergence d'une série de projets menés à la fois par le secteur privé et le gouvernement pour atteindre les objectifs fixés pour élever Maurice et le placer sur la carte du

monde, et résoudre les nombreux problèmes dans le domaine culturel, tissu urbain, économique et sociétal.

M. le président, le plan gouvernemental pour Port Louis présente une idée de cohésion et d'intégrité sociétale qui se penche sur une myriade de composantes.

En tant que PPS de la circonscription de Port Louis, je suis fier d'être partie des séries de projets indépendants dans les différents quartiers de Plaine Verte, China Town, Aapravasi Ghat, le Waterfront, Victoria Urban Terminal, l'introduction de Metro Express et d'autres projets tels que présentés ont pour objectif convergent l'augmentation des moyens de subsistance des habitants et plaident pour l'équité sociétale.

M. le président, les principaux moteurs clés des différents projets sont –

- Réaffirmer la dimension capitale de Port Louis ;
- Reconnectez-vous avec la mer ;
- Connecter le patrimoine ;
- Insuffler la Vie ;
- Apprivoiser la mobilité, et
- Célébrons dans la ville.

Avec ces nouveaux aménagements, la qualité de vie de 191,000 électeurs s'est nettement améliorée.

M. le président, Port Louis est en train de se transformer en une ville culturelle de renommée internationale avec de nouvelles structures culturellement actives et dynamiques. La ville va ainsi promouvoir une nouvelle offre de loisirs et culturelle pour les mauriciens comme pour les touristes.

L'objectif est de présenter Port Louis comme un modèle à répliquer par d'autres villes et villages et sur le continent africain. Le gouvernement a divers autres projets en cours visant à transformer la capitale en une ville modèle sur le plan culturelle, touristique et économique.

M. le président, pour conclure, je tiens à féliciter le *Deputy Prime Minister*, l'honorable Steven Obeegadoo, d'avoir présenté ce projet de loi novateur à la Chambre aujourd'hui.

Merci, M. le président.

Mr Speaker: Hon. Dr. Mrs Chukowry!

(7.50 p.m.)

Dr. Mrs D. Chukowry (Second Member for GRNW & Port Louis West): Thank you.

Mr Speaker, Sir, hon. Members of Parliament, I rise in support of the Caudan Bridges, Port Louis (Authorised Construction) (Amendment) Bill (No. V of 2023). This Bill seeks to authorise the Caudan Development Limited to operate a pedestrian swing bridge over the Caudan Bassin for the purpose of enabling the public to commute between the Caudan Waterfront and Les Salines area.

I wish to add at the outset, that as a native of Caudan Street and also the PPS of Constituencies No. 1 and 2, the swing bridge provides a deeply meaningful link between Constituencies No. 1 and 2. This cannot be a better realisation that a dream comes true at last, wherein the special and symbiotic relationship between the two constituencies is bequeathed with even greater significance through the visionary enterprise of our Government.

On a first count, the pedestrian swing bridge will enhance the economic potential of the Caudan Waterfront and Les Salines area by promoting tourism and business activities. This area is known for its beautiful scenery, historical landmarks and cultural attractions. However, the lack of connectivity between the two areas has limited its potential for economic growth. The construction of this bridge will address this issue by providing a seamless connection between the two areas, thereby creating more opportunities for visitors and businesses alike. The increased accessibility between the two areas will attract more visitors, providing a boost to the local economy. The convenience of the pedestrian swing bridge will also encourage people to frequent the area more often, leading to increased spending on food, shopping and leisure activities.

This project is not only significant in terms of its design and engineering but also in the benefits it will bring to the local community and economy. The convenience of the pedestrian swing bridge will allow tourists and locals to traverse the area with ease without having to worry about traffic congestion or parking hence, leading to more visitors to explore the area. This will not only create new job opportunities but will also help to sustain existing businesses.

The pedestrian swing bridge will also serve as a catalyst for the development of new businesses and tourist attractions. With the increased foot traffic in the area, entrepreneurs will be more likely to invest in the area, leading to the creation of new businesses and services. This will create a diverse economy with a range of new opportunities for people to work and invest in. The pedestrian swing bridge is a momentous project that will provide numerous benefits to the Caudan Waterfront and Les Salines area.

Secondly, the pedestrian swing bridge will serve as an essential social infrastructure by providing a safe and convenient path for the people. Currently, the main mode of transport to move between these areas is through busy roads, which can be dangerous and often causes traffic congestion. The pedestrian swing bridge will offer a safer alternative to pedestrians and even to those with mobility impairments, creating an accessible and inclusive environment for all.

Mr Speaker, Sir, the safety of pedestrians has always been a significant concern in urban areas and the pedestrian swing bridge will significantly address this issue by offering a dedicated path for pedestrians. The bridge will reduce the risk of accidents and promote safe movement between the two areas.

The pedestrian swing bridge will also improve the overall quality of life for the residents in the area. This will lead to increased social interaction, thereby building a stronger sense of community. The bridge will also provide easy access to important social amenities such as offices, shopping and recreational areas, making it easier for people to move around and access these services.

In addition, the pedestrian swing bridge will promote an inclusive environment for all individuals, regardless of their mobility or disability status. By offering an accessible pathway that accommodates the needs of those with mobility impairment, the bridge will ensure that everyone can participate fully in the social and economic activities of the area. This will lead to a more equitable society that values and accommodates diversity.

Thirdly, the pedestrian swing bridge will reduce the potential danger of accidents involving vehicles in the area. With the increasing traffic, the risk of accidents between the pedestrian and vehicles has become a significant concern. The installation of the pedestrian swing bridge will provide a dedicated pathway for pedestrian, reducing the likelihood of

accidents involving vehicles. By separating the pedestrian from the traffic, the bridge will offer a safer environment for all.

Mr Speaker, Sir, the pedestrian swing bridge will also reduce traffic congestion in the area. With the current mode of transportation, vehicles often get caught in traffic jams, causing frustration and impatience among drivers. The pedestrian swing bridge will provide a dedicated pathway for pedestrians, reducing the number of vehicles on the road. This will not only reduce the risk of accidents, but also contribute to a smoother flow of traffic in the area.

In addition the pedestrian swing bridge will promote sustainable transportation in the area. With the bridge providing a safe and accessible pathway for pedestrians, it will encourage people to use alternative modes of transportations, thereby reducing the carbon footprint in the area. This will contribute to the sustainability of the environment and promote a more eco-friendly lifestyle.

The installation of the pedestrian swing bridge will also improve the overall image of the area. The Caudan Bassin and its surrounding offer a picturesque and lovely view that continues to attract visitors from far and wide. With the installation of the pedestrian swing bridge, people will have the opportunity to experience the beauty of the area while crossing the bridge. Furthermore, the bridge will create a sense of place, bringing people together and fostering a sense of community.

In addition, the bridge will offer opportunities for outdoor activities, contributing to a healthy and active lifestyle for both locals and tourists. The bridge will be an ideal location for those who enjoy being outdoors and connecting with nature as it will offer panoramic views of the surrounding area. Finally, the pedestrian swing bridge will become a beacon of progress and development for the area. The bridge will signify the efforts made by the Local Authorities to improve the quality of life of the people in the area.

Mr Speaker, Sir, the pedestrian swing bridge is an essential infrastructure project that will not only enhance the economic potential of the area but also contribute to the safety, sustainability and overall development of the community. The bridge will offer a unique experience for both locals and tourists, serving as a gathering place for people, promoting outdoor activities and fostering a sense of community. The pedestrian swing bridge will be a

landmark attraction representing progress and development for the area and a symbol of outreaching and hope for the future.

In conclusion, the proposed pedestrian swing bridge will bring about significant economic, social, safety and entertainment benefits for the people of Port Louis. It will provide a safe and accessible mode of transport for pedestrian, enhance the economic potential of the area, reduce the risks of accidents and provide a source of entertainment and recreation.

Therefore I congratulate the hon. Deputy Prime Minister for bringing to the House, the Caudan Bridges, Port Louis (Authorised Construction) (Amendment) Bill of 2023.

Thank you very much for your attention.

Mr Speaker: Hon. Deputy Prime Minister!

(8.01 p.m.)

The Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism (Mr S. Obeegadoo): Mr Speaker, Sir, let me begin as usual, by thanking my colleagues of the House, on both sides for having contributed to the debate.

Mr Speaker, Sir, this is not the first time, of course, that we vote such a Bill and what is common to all of these Bills, let me mention them again, the Queen Street Bridge Act of 97 that was for the Commercial Bank, the MCB in Port Louis, the Teste De Buch Street Bridge Act in 1990, close to the CEB in Curepipe, the University of Mauritius Link Bridge which we all know in 93, the Sir William Newton Underpass 96 for Port Louis and then in 2020, during the present legislature, of course, the Mon Choisy-Cap Malheureux Overhead Pedestrian Bridge Bill. This is not therefore uncommon. It is the case when there is a private initiative initiated of the private sector that, of course, as hon. Ameer Meea pointed out, corresponds to the motivation of the private sector to develop its business but which also goes along in the direction of development in the national interest. It is the perfect example of a public-private partnership creating a win-win situation. In such context, the role of the State is to facilitate the initiative of the private sector while ensuring that in all aspects, the public interest is protected and that is what we are doing here again today. The legal background, I think is now well understood but given that there were still some doubts expressed on the other side, let me remind hon. Osman Mahomed, hon. Ameer Meea that there is a provision in our Code Civil, Article 538 that states that –

« Les chemins, routes et rues à la charge de la nation, les fleuves et rivières navigables ou flottables, les rivages, lais et relais de la mer, les ports, les havres, les rades, et généralement toutes les portions du territoire national qui ne sont pas susceptibles d'une propriété privée, sont considérées comme des dépendances du domaine public. »

Now the implication of that legal provision is that the public domain is not susceptible to private ownership. We are allowing a bridge to be built over public domain. It will be operated by the private sector but it will be owned by Government. This is always the case in all the examples that I gave earlier and the present situation is no different.

So, I was asked why it is not in the Bill and I must express my gratitude to my learned colleague, hon. Nuckcheddy, learned because he, although not a lawyer, was quick to point out to the colleagues of the Opposition that today's Bill is simply an amendment to the main Act which was introduced in 1996 by my good friend, now, the Minister of Foreign Affairs who then was Minister of Housing in 1996 and today's Bill, merely amends, I believe, one section of the principal Act and the schedule of the principal Act. So, the main Act of 1996 stands and provides that any such bridge shall be the property of the Government of Mauritius. It also provides for annual fees to be payable. So I believe hon. Nuckcheddy very ably answered the queries of Members of the Opposition.

Now question which was raised – when was it built? Now, we know that a Building and Land Use Permit was applied for and obtained and that Building and Land Use Permit issued last year by the Municipal City Council of Port Louis had its general conditions and its special conditions for certification of works by an Engineer for clearances from the Ministry of Environment, the Mauritius Ports Authority. So all the required procedure was followed and all the guarantees obtained.

My Ministry was approached by the Consultant on behalf of the Company, Caudan Development Ltd. to seek authority, permission, clearance to operate the bridge and I believe it was then that they realised that matters were not as simple as it would appear.

I believe it was then that they realised that matters were not as simple as it would appear - I will credit them with good faith - and they were advised that this requires Parliament's

approval. Of course, the bridge cannot go into operation unless and until we vote the Bill today. That is very clear and that is how it is meant to be and how it is.

So, the bridge was installed in anticipation of clearance from the Ministry of Housing after the building and land use permit was obtained. Now, as regards the point made by hon. Ameer Meea, yes, the bridge will obviously facilitate movement between Caudan, Le Suffren, the Oceanarium, but remember that just next to the Oceanarium, there is the Cruise Terminal coming up. So, in fact, it will provide wider access beyond clients of Le Suffren and of the Oceanarium. In any event, I think, the access is through the parking of Le Caudan; so, it is open to the public.

Of course, there will always be safety concerns. I remember having said this when we debated the Mont Choisy-Cap Malheureux Bridge and Members of the House opined and they spoke of safety, of access for motorised vehicles, of the aesthetic dimension, whether it will look good. I believe we have to trust the promoters. They are investing money and they need this to be safe and to look good for their business.

It is the role of the State to keep a close watch and I am sure that Members of the Opposition who live in Port Louis or represent Port Louis will help us do the job by going there often, as well as Members of the majority and will be quick to signal if there is anything untoward happening. Of course, once this Bill is enacted and the bridge goes into operation, then all the institutional safety procedures kick in and the different authorities do their jobs as they are warned to do by law.

The other issue raised was safety of pedestrians and risk of larcenies. Well, I stand informed that there will be two security guards at any point in time when the bridge is open to watch the safety issues generally.

So, there we are, Mr Speaker, Sir. I believe I have addressed all the points raised in the course of the debate. Let me thank all those who prepared this Bill at the Ministry of Housing and Land Use Planning, the officers of the State Law Office who vetted and helped finalise the Draft Bill. Let me also thank the Prime Minister and my colleagues of Cabinet for their usual support and also all Members of the House who have contributed and supported this Bill in the course of the debate.

I believe I am done and I only have to commend the Bill to the House. Thank you, Mr Speaker, Sir.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Mr Speaker in the Chair)

The Caudan Bridges, Port Louis (Authorised Construction) (Amendment) Bill (No. V of 2023) was considered and agreed to.

On the Assembly resuming with Mr Speaker in the Chair, Mr Speaker reported accordingly.

Third Reading

On motion made and seconded, the Caudan Bridges, Port Louis (Authorised Construction) (Amendment) Bill (No. V of 2023) was read a third time and passed.

The Deputy Prime Minister: Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday, 16 May 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!

MATTERS RAISED

(8.14 p.m.)

MGR GONIN STREET, PORT LOUIS – BAD STATE

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): Le problème que je souhaite soulever concerne le vice-Premier ministre et ministre des Collectivités

locales, de la Gestion des catastrophes et des risques. Je fais un appel à la municipalité de Port Louis à travers le vice-Premier ministre pour remettre en état les rues de la cité de Port Louis, en particulier à la rue Mgr Gonin, qui a été sérieusement endommagé suite à des travaux et vraisemblablement par des poids lourds qui ont passé sur la rue.

Aujourd'hui, cette rue représente un danger pour les automobilistes. Malheureusement, je ne peux pas déposer une photo de l'état de cette route suite au *ruling* du Speaker, mais je fais un appel au vice-Premier ministre de parler à la municipalité de Port Louis et de remettre en état la rue de Mgr Gonin à Port Louis. Merci.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L.D. Dookun-Luchoomun): M. le président, je transmettrai la demande de l'honorable membre au vice-Premier ministre, le Dr. Husnoo.

Mr Speaker: Hon. Abbas Mamode!

(8.15 p.m.)

RUE AIL DORÉ – SINGLE YELLOW LINE

Mr S. Abbas Mamode (Second Member for Port Louis Maritime & Port Louis East): Merci, M. le président. Ma requête s'adresse au ministre *of Land Transport and Light Rail* et j'espère qu'il y aura quelqu'un qui va lui transmettre, elle concerne la rue Ail Doré, qui s'appelle également Maulana Khushtar. On vient de peindre la rue, c'est-à-dire *single yellow line*, et cela cause beaucoup d'inconvénients surtout aux résidents de la rue. C'est juste devant leurs garages, donc cela cause beaucoup d'inconvénients. Je dirai au ministre de faire le nécessaire pour qu'on enlève ces *single yellow lines*.

The Deputy Prime Minister: M. le président, les remarques de M. le député ont été bien notées et seront communiquées au ministre de tutelle.

(8.16 p.m.)

POUDRE D'OR VILLAGE – TRAFFIC CENTRE – TOILET BLOCK

Dr. M. Gungapersad (Second Member for Grand Baie & Poudre d'Or): Thank you, Mr Speaker, Sir. My request is addressed to the Minister of Local Government and Disaster Risk

Management. The villagers of Poudre d'Or Village contacted me to apprise me that last year the Poudre d'Or Village Traffic Centre was inaugurated. It comprises of bus shelters and a toilet block. However, to date the toilet block is not operational causing inconvenience to the inhabitants or people who transit over there. Will the hon. Minister do the needful so that the toilet block is opened for the public? Thank you.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L.D. Dookun-Luchoomun): Mr Speaker, Sir, the request of the hon. Member will be transmitted to hon. Dr. Husnoo, Vice-Prime Minister, Minister of Local Government and Disaster Risk Management.

(8.17 p.m.)

DE CONTI STREET – DEPLORABLE STATE

Mrs A. Navarre-Marie (Fourth Member for GRNW & Port Louis West): Merci. Ma requête s'adresse au ministre de l'Environnement et pourrait également concerner d'autres ministres, et a trait à un ruisseau ou un canal d'eau stagnante à la rue De Conti longeant l'autoroute à Port Louis. En effet, ce ruisseau longe une maison et cette eau stagnante de couleur marron dégage une odeur nauséabonde et abonde de moustiques. La situation est autant plus grave en période de grosses pluies qui est le cas en ce moment et la cour est complètement inondée. Cette situation représente un réel danger pour la santé d'autant que dans cette cour, il y a trois bébés. Je fais un pressant appel au ministre pour qu'il se concerte avec ses collègues concernés et de dépêcher sur place leur officiers respectif et de faire diligence. Merci.

The Minister of Financial Services and Good Governance (Mr M. Seeruttun): Thank you Mr Speaker, Sir. I will convey the request to my colleague Minister and hopefully he is going to attend to that. Thank you.

Mr Speaker: Hon. Léopold!

(8.18 p.m.)

RODRIGUAN STUDENT NURSES – TRAINING

Mr J. B. Léopold (Second Member for Rodrigues): Thank you Mr Speaker, Sir.

I would like to bring to the attention of the hon. Minister of Health and Wellness the situation of 30 Rodriguan student nurses who have been recruited for a 3-year course in general nursing through the Central School of Nursing. They have been recruited eight months ago after they have had two weeks trials. Eight months have already passed; they are still waiting to start their training. I am therefore humbly requesting the hon. Minister of Health and Wellness to look into that matter and do the needful accordingly.

The Minister of Health and Wellness (Mr K. Jagutpal): Thank you, hon. Member to give me advance notice of this question. I have enquired from the office. The arrangements for the student nurses' stay in Mauritius are done by the Rodrigues Regional Assembly. So, once they have already done their arrangements then the Ministry will proceed with their training. I have been informed that as from July this year, the training will start.

Mr Speaker: Hon. Mrs Luchmun Roy!

(8.20 p.m.)

MORCELLEMENT RAFFRAY, LE HOCHET – ROAD PATCHING WORK

Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue): Thank you Mr Speaker, Sir. My address tonight goes to the Vice-Prime Minister, Minister of Local Government and Disaster Risk Management, hon. Dr. Husnoo.

I am hereby conveying the outcry of inhabitants of Morcellement Raffray, Le Hochet, specifically Avenue Fontaine 23, where the inhabitants have been stating loud that the road is in a really bad state. So, I would request the hon. Vice Prime Minister to use his good office and to request the District Council of Pamplemousses to proceed for some patching work until we do the resurfacing of the road. Thank you very much.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, the request of the hon. Member will be transmitted to the hon. Vice-Prime Minister, Dr Husnoo.

Mr Speaker: Hon. Dhunoo!

(8.21 p.m.)

ANDERSON STREET, CUREPIPE – FLOOD-PRONE AREA

Mr S. Dhunoo (Third Member for Curepipe & Midlands): Thank you Mr Speaker, Sir. My request tonight is addressed to hon. Mahendranuth Hurreeram, Minister of National Infrastructure and Community Development. It concerns Anderson Street in Curepipe and this area is a flood-prone area and is considered as a high risk by the LDA. For more than 30 years, the inhabitants have been facing flooding issues. We are aware of the project being implemented by the NDU. I would be grateful if you could use your good office to intervene with the NDU so that the project is implemented at the earliest possible for the benefits of the inhabitants and all the road users in Curepipe. Thank you.

The Minister of National Infrastructure and Community Development (Mr M. Hurreeram): Mr Speaker, Sir, I thank the hon. Member for having given me advance notice. So, I have gathered some information. I am happy to announce that the big document is ready. We are just awaiting financial clearance from MOFED as there has been a change in the scope of work. The LDA is now revisiting the plan that has been submitted by the consultants. So, tentatively, we are planning to invite bid next month, June 2023 and we will surely award the contract in October 2023. Thank you.

Mr Speaker: Hon. Mrs Mayotte!

(8.22 p.m.)

WESTERN REGION – WATER LEAKAGE

Mrs S. Mayotte (Second Member for Savanne & Black River): Merci M. le président. Ma requête s'adresse à l'honorable Ministre de l'Énergie et des utilités publiques et cela concerne les nombreuses fuites d'eau dans la région de l'ouest, plus particulièrement dans la région de Bambous, Rivière Noire, Case Noyale, Coteau Raffin, La Gaulette et également un peu plus loin à Chamouny et Chemin Grenier. Alors, je demanderais humblement au ministre de tutelle de bien vouloir voir de quoi il en est exactement afin de résoudre au plus vite ce problème de fuite d'eau dans ces régions. Merci M. le président.

The Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism (Mr S. Obeegadoo): M. le président, la requête a bien été notée et sera transmise au ministre de l'Énergie.

Mr Speaker: Hon. David!

(8.23 p.m.)

KENSINGTON TO PORT LOUIS – BUS FACILITIES

Mr F. David (First Member for GRNW & Port Louis West): Merci M. le président. Je m'adresse ce soir au ministre des Transports terrestres en tant que porte-parole des habitants de Pointe aux Sables et en particulier de la localité de Kensington au sujet de la liaison routière par bus entre Kensington et la gare du nord à Port Louis.

M. le président, les usagers de cette ligne de bus opérée par Triolet Bus Services Ltd m'informent qu'ils souffrent régulièrement d'un manque de respect des horaires affichés lorsqu'il ne s'agit pas d'oubli pur et dur du bus qui n'arrive pas, obligeant alors les usagers à marcher de Kensington à l'arrêt de bus se trouvant derrière le supermarché de London Way sur la route de Petit Verger à environ un kilomètre et demi. Puis-je demander au ministre de faire le nécessaire auprès de la *National Land Transport Authority* pour que les horaires et les conditions de la liaison routière entre Kensington et Port Louis soient scrupuleusement respectés. Merci.

The Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism (Mr S. Obeegadoo): M. le président, M. le député a toute notre écoute. Mon collègue, le ministre de tutelle est présentement à une fonction de la délégation européenne comme vous le savez M. le président, d'où son absence. Mais certainement, les observations faites lui seront transmises dès demain.

Mr Speaker: Hon. Ms Tour!

(8.24 p.m.)

H. RAMNARAIN GOVERNMENT SCHOOL – RENOVATION WORKS

Ms J. Tour (Third Member for Port Louis North & Montagne Longue): Thank you, Mr Speaker, Sir. My query is addressed to the Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology, hon. Mrs Leela Devi Dookun-Luchoomun. Renovation works are required at H. Ramnarain Government School in Terre Rouge, namely renovation of the old toilet block, tarring of the school yard, uplifting and upgrading of the boundary wall and fencing. So, I would kindly request the hon. Vice-Prime Minister to kindly extend her help for this to happen. Thank you.

The Vice-Prime Minister, Minister of Education, Tertiary Education, Science and Technology (Mrs L. D. Dookun-Luchoomun): Mr Speaker, Sir, the hon. Member had informed me about her request and I have been informed by the IMU Department of my Ministry that necessary communications have been sent to the Ministry of National Infrastructure and Community Development and works would start shortly. Thank you.

Mr Speaker: Hon. Nuckcheddy!

(8.25 p.m.)

QUEEN VICTORIA – FOOTBRIDGE – RECONSTRUCTION

Mr S. Nuckcheddy (Third Member for Flacq & Bon Accueil): Thank you Mr Speaker, Sir. My request tonight is addressed to the hon. Minister of National Infrastructure and Community Development. It concerns the footbridge at Queen Victoria. It is a footbridge that inhabitants use to accede to the temple but it has now been demolished by the flood and we could not expect more because it was constructed by the Labour Government like it was a Made in China thing. So, in the first flood it disappeared. My request tonight on behalf of the inhabitants of Queen Victoria to the Minister is if he could accelerate on the reconstruction of that foot bridge so that the inhabitants can accede to the temple like they used to do in the past and I thank him for his prompt intervention. Thank you.

The Minister of National Infrastructure and Community Development (Mr M. Hurreeram): Thank you Mr Speaker, Sir. Once again, I thank the hon. Member for the advance notice. So I have gathered information again.

In fact, Servansingh Jadav & Partners Consulting Engineers Ltd appointed as consultant by the NDU for the design and supervision of this project. The Land Drainage Authority has recommended that a holistic study be adopted for the region which has been facing recurrent flooding events. The consultant carried out additional study and recommended that geotechnical investigation be undertaken to assess the existing soil condition in order to finalise the design and foundation of the proposed footbridge. I am further informed that bids will be invited by the NDU, end of May 2023 for the appointment of a contractor for the implementation of works which will be over a duration of five months. So it's progressing nicely. Thank you.

D06/TAKE067&068RS/9

Mr Speaker: Hon. Ameer Meea!

(8.27 p.m.)

PAGODA & AIL DORÉ STREETS – SPEED BUMPS INSTALLATION

Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East):

Mr Speaker, Sir, the issue that I am raising tonight is addressed to the Minister in charge of TMRSU, that is, if I am not wrong the Minister of Land Transport. The House would recall that on 28 April, last month, that is, two weeks back, I raised the issue of a dangerous junction between the road *Ail Doré* and Pagoda Street. When I raised this issue, I appealed to the hon. Minister for the installation of road bumps, that is, speed breakers, but unfortunately nothing has been done. I don't know for what reason and today just a few moments ago, an accident has occurred. Yet, another one! So again, Mr Speaker, Sir, I am appealing to the hon. Minister of Land Transport to do needful urgently.

The Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism (Mr S. Obeegadoo): The request is noted and will be communicated to the Minister.

(8.28 p.m.)

CUREPIPE BOTANICAL GARDEN - KIOSK

Ms J. Bérenger (First Member for Vacoas & Floreal): Ma requête s'adresse au ministre des Arts et du patrimoine culturel concernant un kiosque situé dans le Jardin Botanique de Curepipe. J'aimerais lui demander de coordonner avec la Municipalité afin que le nécessaire soit fait pour sauver ce kiosque qui est d'une importance culturelle historique et qui a une esthétique unique car sa structure en bois est infestée par les termites et menace de s'effondrer à tout moment. Merci

The Minister of Arts and Cultural Heritage (Mr A. Teeluck): The request has been noted, Mr Speaker, Sir.

(8.28 p.m.)

CAROLINE, BEL AIR RIVIÈRE SÈCHE – MUGA

Mr Z. Nazurally (Second Member for Montagne Blanche & GRSE): Thank you very much, Mr Speaker, Sir. My request is addressed to the Minister of Information, Technology, Communication and Innovation. It concerns a MUGA at Caroline, Bel Air Rivière Sèche that has been constructed since quite a while and the inhabitants of Bel Air Rivière Sèche and Caroline are long awaiting its opening and inauguration so that they can make use of all the amenities and facilities thereat. I would request the hon. Minister to use his good office to ensure that the inauguration, opening and the use of the facilities can be made available as soon as possible.

The Minister of Technology, Communication and Innovation (Mr D. Balgobin): Mr Speaker Sir, indeed the MUGA at Bel Air has been constructed and I can reassure the hon. Member that in coming days and weeks, we will do an opening so that the inhabitants of the constituency may enjoy facilities of the MUGA of Bel Air.

Mr Speaker: Time to go home!

At 8.29 p.m., the Assembly was, on its rising, adjourned to Tuesday 16 May 2023 at 11.30 a.m.