



**SEVENTH NATIONAL ASSEMBLY**

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**(UNREVISED)**

**FIRST SESSION**

**TUESDAY 09 NOVEMBER 2021**

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**(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
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Dr. the Hon. Kailesh Kumar Singh Jagutpal	Minister of Health and Wellness
Hon. Sudheer Maudhoo	Minister of Blue Economy, Marine Resources, Fisheries and Shipping
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**MAURITIUS**

**Seventh National Assembly**

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**FIRST SESSION**

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**Debate No. 31 of 2021**

**Sitting of Tuesday 09 November 2021**

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

**The National Anthem was played**

*(The Deputy Speaker in the Chair)*

**PAPERS LAID**

**The Acting Prime Minister (Mr S. Obeegadoo):** Mr Deputy Speaker, Sir, the Papers have been laid on the Table.

**A. Ministry of Education, Tertiary Education, Science and Technology**

The Annual Report of the Rabindranath Tagore Institute for the Financial Year July 2019 to June 2020.

**B. Ministry of Youth Empowerment, Sports and Recreation**

The Annual Reports of the Mauritius Sports Council for the Financial Years 2017/2018 and 2018/2019.

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

The Consumer Protection (Control of Fairs) (Amendment) Regulations 2021. (Government Notice No. 265 of 2021)

**D. Ministry of Health and Wellness**

The COVID-19 (Horse Race Meeting at Champ de Mars) (Amendment No. 8) Regulations 2021. (Government Notice No. 264 of 2021)

**E. Ministry of Arts and Cultural Heritage**

The Annual Reports of the Urdu Speaking Union for the Years ending 30 June 2018 and 30 June 2019

**The Deputy Speaker:** Thank you very much. Please be seated! Gentle reminder to all hon. Members to properly wear their masks! Hon. Leader of the Opposition!

### ORAL ANSWERS TO QUESTIONS

#### COVID-19 – FULLY VACCINATED PERSONS - DEATH - PCR & RAPID ANTIGEN TESTS - TOCILIZUMAB, RONAPREVE & MOLNUPIRAVIR DRUGS - AVAILABILITY

**The Leader of the Opposition (Mr X. L. Duval)** (*by Private Notice*) asked the Minister of Health and Wellness whether, in regard to the COVID-19 pandemic, will he state

–

- (a) the number of fully COVID-19 vaccinated persons who have died since January 2021 to date of COVID-19 and/or admitted to public hospitals in the same period, indicating in each case which vaccine was administered;
- (b) the number of Polymerase Chain Reaction and Rapid Antigen Tests, respectively effected by his Ministry on the local community from 25 October to 07 November 2021, indicating the number found positive, and
- (c) if Tocilizumab, Ronapreve and Molnupiravir are available at his Ministry and, if so, indicate the quantities of each drug in stock today.

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, at the very outset, I wish to express my sincere condolences to the families who have lost one of their members due to COVID-19.

Mr Deputy Speaker, Sir, with regard to part (a) of the question, I wish to inform the House that the number of fully vaccinated persons who have passed away in year 2021 due to COVID-19 and were admitted in our hospitals as at 07 November is 61.

Hon. Members, any death, *c'est un décès de trop*.

Mr Deputy Speaker, Sir, those 61 persons who have passed away due to COVID-19 and who were fully vaccinated and admitted to public hospitals are detailed as follows –

- 48 at ENT Hospital;
- 3 at SSRN Hospital;
- 3 at Dr. Bruno Cheong Hospital;
- 2 at Dr. A. G. Jeetoo Hospital, and
- 5 at Victoria Hospital.

Regarding the vaccines which were administered to those 61 persons, they are as follows –

AstraZeneca	-	5;
Covaxin	-	5;
Jansen	-	7, and
Sinopharm	-	44

Mr Deputy Speaker, Sir, with regard to the number of fully vaccinated persons who have passed away in year 2021 of COVID-19 and who were not admitted in our hospitals as at 07 November, there were two cases, namely one at home and one in a private clinic. Both were fully vaccinated with Covaxin.

Mr Deputy Speaker, Sir, as regards part (b) of the question, the total number of PCR tests effected by my Ministry and private laboratories and clinics from 25 October to 07 November 2021 on the local community is 32,593 and are as follows –

- (i) Central Health Laboratory – 4,410;
- (ii) Airport Health Laboratory – 14,840;
- (iii) Novalab – 4,189;
- (iv) Wellkin – 8,298;
- (v) City Clinic – 743, and
- (vi) Aegle Clinic – 113.

The number of PCR tests found positive from 25 October to 07 November 2021 in the community stands at 1,538.

Mr Deputy Speaker, Sir, with regard to the number of Rapid Antigen Tests (RAT) effected by my Ministry from 25 October to 07 November 2021 on the local community is 42,001, which were effected in our COVID Testing Centres in our Regional Hospitals and other public health institutions.

The number of Rapid Antigen Tests (RAT) found positive from 25 October to 07 November 2021 in the community stands at 13,698.

Mr Deputy Speaker, Sir, with regard to part (c) of the question, my Ministry is at present using the following drugs in the treatment and management of COVID-19 patients in accordance with international guidelines -

- (i) Steroids -
  - Dexamethasone - 6 mg injection – (Stock available is 28,526);
- (ii) Antibiotics -
  - Ceftriaxone (commonly known as Rocephin) - 1g injection - (Stock available 247,320);
  - Meropenem - 1g injection - (Stock available 3,640);
  - Meropenem – 500 mg injection - (Stock available 3,090);
  - Colistin - 1 Mega Unit injection - (Stock available 19,040), and
  - Vancomycin - 1g injection - (Stock available 15,300).
- (iii) Anti-Coagulant, another drug, it is called –
  - Enox...

**Mr X. L. Duval:** Mr Deputy Speaker, Sir, on a point of order.

**The Deputy Speaker:** One second, hon. Minister.

**Mr X. L. Duval:** The question is very specific; it is on Tocilizumab, Ronapreve and Molnupiravir. He does not need to give me all the stock that he has in his Ministry; otherwise, we will be here all day, Sir.

**The Deputy Speaker:** Sure. Hon. Leader of the Opposition, I understand you are taking a point of order. I think it is fair that the hon. Minister gives adequate descriptions. But, hon. Minister, be mindful to answer the question. Thank you very much.

**Dr. Jagutpal:** Yes, I will continue, Mr Deputy Speaker, Sir.

- Enoxaparin (Lovenox) - 0.4ml injection - (Stock available 76,440)

The Drugs and Therapeutic Committee of my Ministry has conveyed approval for the use of other anti-virals such as Faviparivir (Fabiflu). My Ministry has 17,000 tablets of this drug in stock.

In September 2021, the clinico-biological group has recommended the procurement of Tocilizumab Injections and eventually Remdesivir for the treatment of COVID-19 positive patients.

I wish to inform the House that 76 pre-filled syringes of Tocilizumab available on the local market have been procured and have already been used for the treatment of 19 patients from 02 to 19 October 2021.

Furthermore, my Ministry has already initiated tender procedures since 05 October 2021 to procure additional 300 injections, but, based on the increasing trend of COVID-19 patients, my Ministry has increased the quantity to be procured to 600 injections at the cost of around Rs20,000 per injection.

Mr Deputy Speaker, Sir, the House may wish to note that Tocilizumab is still under patent from the Roche Laboratories, hence there is no substitute or bio-similar products. The local representative of the manufacturer of the drug has informed that the drug may be available by December this year depending upon the production capacity of the manufacturer.

As regards the other drugs, namely Ronapreve and Molnupiravir, these drugs are not available on the local market and even on the international market.

Mr Deputy Speaker, Sir, I am informed that Ronapreve is a new molecule developed by MERCK and has been approved for use by WHO.

Regarding Molnupiravir, this is also a newly developed anti-viral COVID-19 drug by MERCK. It is currently being used in the UK only, but has not yet been commercialised.

The Drugs and Therapeutics Committee of my Ministry has already given its approval for the use of these drugs in the management of COVID-19 patients. If I am not mistaken, Mauritius is the second country after UK to have approved the treatment of COVID-19 patients with Ronapreve and Molnupiravir.

My Ministry is also closely monitoring the follow-up on the production of these drugs and will procure same as soon as they are available.

Mr Deputy Speaker, Sir, I wish to highlight that my Ministry has always been at the forefront to procure adequate quantities of COVID-19 vaccines in order to administer same to maximum number of our citizens to protect them from the pandemic, with or without outcry from various quarters. Likewise, my Ministry will ensure that we procure the newly approved drugs for the treatment, care and management of COVID-19 patients.

I seize this opportunity to thank the hon. Members from both sides of the House, the staff of the National Assembly and various Government Departments to have set the example of coming forward for the booster dose in order to encourage the population at large.

Mr Deputy Speaker, Sir, I reiterate my appeal made to the House at our last Sitting to understand and appreciate the paradigm shift that this Government has made in the management of the COVID-19 pandemic from containment of infection to a successfully vaccination programme and now to a new normal under a constant surveillance system ranging from prevention to '*la prise en charge*' of COVID-19 patients.

Thank you, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Thank you, hon. Minister. Hon. Leader of the Opposition!

**Mr X. L. Duval:** Mr Deputy Speaker, Sir, I likewise send my deepest condolences to all the families bereaved by COVID-19.

Paradigm shift, there is, Mr Deputy Speaker, Sir, because looking at the figures, in August 2021, there were fewer people vaccinated and 3 deaths per week. In November, the last figure the hon. Minister gave us, nearly 70% people were vaccinated and 42 deaths in one week. How does the hon. Minister reconcile indeed this paradigm shift, that the more that we vaccinate, the more people are dying?

**The Deputy Speaker:** Hon. Minister, please!

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, any death, as I said earlier, be it 3 in August, be it this week, last week, be it more than 20, any death, *c'est un décès de trop*. But, Mr Deputy Speaker, Sir, how can we, at this moment, justify any death, be it vaccination or not vaccination, be it with comorbidities or whether it is aged people? We have to understand, it is getting out to other countries and no one can justify. Even if the death today is more, even if the vaccination is more, we cannot justify any death. And that is the wrong attitude to start justifying any death that we have.

**Mr X. L. Duval:** I do not think that the hon. Minister has understood my question at all. Who is talking about justifying what? We are talking...

*(Interruptions)*

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, I...

**Mr X. L. Duval:** ... we are saying, Mr Deputy Speaker, Sir...

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr X. L. Duval:** We are saying, Mr Deputy Speaker, Sir...

**Dr. Jagutpal:** Mr Deputy Speaker, Sir...

**The Deputy Speaker:** One person at a time! Hon. Minister, are you done?

**Dr. Jagutpal:** Yes, Mr Deputy Speaker, Sir. I heard hon. Bérenger say something and I want him to withdraw the word!

*(Interruptions)*

**The Deputy Speaker:** Order! Order! Order, please!

*(Interruptions)*

Order! One second! Allow me, please!

Hon. Minister, I do not want any pointing fingers. Are you done with your answers, please?

**Dr. Jagutpal:** Yes, Mr Deputy Speaker, Sir, I have heard hon. Bérenger saying “shit”.

*(Interruptions)*

**An hon. Member:** *Menti!*

**The Deputy Speaker:** Order!

*(Interruptions)*

Hon. Members!

*(Interruptions)*

Hon. Members, I am the one regulating the conduct of this House. I am very happy to allow maximum questions. I did not hear it. Hon. Minister, do you know who said it?

**Dr. Jagutpal:** I have heard it from hon. Bérenger!

**The Deputy Speaker:** Fair enough!

**Mr X. L. Duval:** Mr Deputy Speaker, Sir, on a point of order. We are losing time. You can listen to the recording later.

**The Deputy Speaker:** Good! So, now, we will go to your question. Continue! I do not want to waste time.

**Mr X. L. Duval:** Thank you very much. You can listen to the recording later on.

**The Deputy Speaker:** Yes, sure.

**Mr X. L. Duval:** Now, we come back to this. Nobody is justifying anything. We are asking you. The facts tell you, your own figures tell you, although nobody believes your figures, everybody knows that they are being manipulated. Nevertheless, whatever you have given us, you are giving us the figures: the more that you vaccinate, the more people are dying. As a Minister of Health and Wellness, can you tell us why, what is wrong? Are you using the wrong vaccination?

*(Interruptions)*

**The Deputy Speaker:** Order!

*(Interruptions)*

Order!

**Mr X. L. Duval:** Do you not have...

*(Interruptions)*

Do you not have the right medicine to treat people?

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr X. L. Duval:** Are you letting people die at home? Why are more people dying today? Last week, 42 people, where in August, only 3 people were dying per week.

*(Interruptions)*

**The Deputy Speaker:** Order!

**Dr. Jagutpal:** Mr Deputy Speaker, Sir...

*(Interruptions)*

**The Deputy Speaker:** Order! Order! Let us allow the hon. Minister to reply! Hon. Members, I am here to listen to questions and answers. I want to listen to your constituents as well as I want to listen to questions and answers. Please, Minister!

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, this is called making politics from the *cadavres* of the people!

*(Interruptions)*

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

**Dr. Jagutpal:** This is called making politics with *cadavres* of people, Mr Deputy Speaker, Sir! Now, I will give the answer. First, he said that we are manipulating figures.

*(Interruptions)*

**The Deputy Speaker:** Order! Order!

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, it is shameful because figures and death certificates are all being sent to the Civil Status Office. All these figures, the hon. Member can go and check again! No death can be manipulated. If any death is being manipulated, so, he is blaming the officers working at the Civil Status Office and he is blaming the doctors. They are manipulating the figures.

*(Interruptions)*

**The Deputy Speaker:** Order! I want to listen to the hon. Minister!

**Dr. Jagutpal:** It means that he does not have respect for those officers. This is called manipulation of figures!

Secondly, I have to explain it again because last time, in the PNQ, I did explain why vaccination has come and what the Government is doing. It was at a time where we did not have any knowledge about COVID-19; we had to go for confinement. We did not know how to treat; we did not know how it is transmitted. Gradually, we have been shifting from confinement to vaccination and now giving focus, giving particular attention to those where vaccination is not working, to those people who are contracting COVID-19. This is the focus. What the hon. Member said is right and he put that question to me about what are the medications we are giving and how we are managing COVID-19 patients. That is very good. That has been the paradigm shift. That is what we are saying. This has been the trend not only in Mauritius. The hon. Leader of the Opposition is making as if COVID-19 is present only in Mauritius and we do not have any COVID in no other countries! All people in all other countries are all getting well, getting cured! I think he has to see beyond what is being reported daily and not just fix his attention only on people who are dying and making politics out of the deaths of others.

**Mr X. L. Duval:** Mr Deputy Speaker, Sir, enormous pressure is being put on public health sector doctors to report other than COVID, and that is even in the Press. Mr Deputy Speaker, Sir, I would like to ask the hon. Minister, last week, on Friday, he announced that out of 42 deaths, 22 were fully vaccinated. That means 52% rate of death of vaccinated persons. Does he know that the studies in the U.K show that only 0.51%, that is, 100 times less vaccinated people are dying and the same figure, a little bit higher for Italy? So, tell us then, why is it that 52% of people who died last week were fully vaccinated? This must be, Mr Deputy Speaker, Sir, a world record!

**The Deputy Speaker:** Answer, please!

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, again, it is good that the hon. Leader of the Opposition is making the comparison of Mauritius with U.K. But, at the same time, he has also to compare the comorbidities that we have in Mauritius. I am inviting the hon. Leader of the Opposition to come and say that, yes, 20% of our population is diabetic population. Does he know that diabetes has an impact on every cell of your body? Diabetes patients will have hypertension, will have cardiac comorbidities. Does he know the number of people who are still having comorbidities, who have not been vaccinated? What has been his contribution to make a request, to make a special appeal to those people who have not been vaccinated, who have multiple comorbidities, who have multiple medical problems? What is his appeal? He is comparing Mauritius, the number of people who have been vaccinated, to U.K? But is he comparing the population who is suffering from so many chronic conditions? What is his appeal? What is his contribution? This, he is not saying!

**The Deputy Speaker:** Hon. Leader of the Opposition!

**Mr X. L. Duval:** Personal remarks, I forget it because I am wasting my time! Mr Deputy Speaker, Sir, I will give some figures to the hon. Minister –

- Qatar has 16.7% diabetes. The death rate is 0.05.
- UAE has 16.3% diabetes. The death rate is 0.06.

Here, last week, 52%! So, he can multiply and find out! Mr Deputy Speaker, Sir, I can take Saudi Arabia as well and I can take Malaysia as well. So, there are many countries with high rates of diabetes and very, very, very low rates of death! Is it your treatment for diabetes which is wrong? Is it your treatment for COVID which is wrong? Why are people dying like flies in Mauritius and you are sitting there, incompetent, as usual?

*(Interruptions)*

**The Deputy Speaker:** Order!

**Dr. Jagutpal:** Mr Deputy Speaker, Sir...

*(Interruptions)*

**The Deputy Speaker:** One second! Order! Order!

*(Interruptions)*

I do not want any kind of qualification for people dying! Please!

*(Interruptions)*

**The Deputy Speaker:** Order!

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

**The Deputy Speaker:** Order! Order on my left! Hon. Minister, can you please answer?

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, he has said to me that 'I am sitting over here, incompetent.' In fact, he is saying incompetent to all those...

**The Deputy Speaker:** No! No!

**Dr. Jagutpal:** Mr Deputy Speaker, Sir...

**The Deputy Speaker:** We do not go in cheap politics right now! We go in questions and answers. Please, answer!

*(Interruptions)*

**Dr. Jagutpal:** That is what he said, Mr Deputy Speaker, Sir! That is what he said! Later on, you listen to it!

*(Interruptions)*

Later on, you listen to it, Mr Deputy Speaker, Sir!

**The Deputy Speaker:** Order! Let him answer!

*(Interruptions)*

**An hon. Member:** *Dir li* withdraw!

**The Deputy Speaker:** We will allow the hon. Minister to answer? Please, hon. Minister!

**Dr. Jagutpal:** The hon. Leader of the Opposition compared us to different countries where the percentage of population suffering from diabetes. In that way, he is again blaming all the doctors who are treating diabetes. Mr Deputy Speaker, Sir...

*(Interruptions)*

**The Deputy Speaker:** Speak up! Speak up! I will listen to you.

**Dr. Jagutpal:** ...he is blaming. He is saying our doctors working in the diabetic clinic, working in the hospital, working in the private sector, all the medications that Government is procuring, all medications available in Mauritius, all that are ineffective. It is only the hon. Leader of the Opposition who is right and our doctors are not competent, they are not good at treating diabetes, they are not good at giving the vaccination that we are doing. Again, all those approved vaccinations by WHO, these vaccines also are ineffective. This is the conclusion of the hon. Leader of the Opposition. He will keep on giving the same statement and that would be the answer to him.

**Mr X. L. Duval:** It is my opinion, because there is an independent report on diabetes treatment in Mauritius - I raised it one day in the PNQ - that showed Mauritius is about five times world average in death of diabetes. You should know your file.

Now, Mr Deputy Speaker, Sir, I want to come to the disaster concerning ordering of medicine. And this is why people are dying, because we are giving them Panadol, Lomex Mouthwash and Stopkof for the cough whereas we should be giving them proper medicine. Tocilizumab, Mr Deputy Speaker, Sir, approved by WHO on 05 July, the hon. Minister only bought for 18 people whereas there have been hundreds of deaths since July. Not one is in stock today at the Ministry; Tocilizumab!

Now, Mr Deputy Speaker, Sir, Ronapreve, again, approved since August. Tocilizumab was approved four months ago, and his tender only on 05 October, four months later. Ronapreve approved on 26 August in the UK and only now, two months later, approved by Mauritius. Not one single stock! And Molnupiravir, Mr Deputy Speaker, Sir, many, many countries have pre-ordered; countries like Australia, Malaysia, USA, Singapore, all these have pre-ordered. In Mauritius, zero pre-order, Mr Deputy Speaker, Sir. That is what the Mauritian people rightly call incompetence.

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, I will be back to what the hon. Member has said on diabetes, 5% is not controlled. I believe that every hon. Member should know that diabetes is a chronic condition and it starts by, first, a lot of personal changes in your life, especially concerning diet and exercise. And I wish this hon. Member to set an example, to put his contribution on how to advise people; to be a model, and, so far, he has not done that.

Now, the second part of the question about the medication, he has said that patients are getting Panadol and other drugs, but not those that he has mentioned. Now, I will give you the treatment for COVID infection, dated 01 November, what should be given to asymptomatic patients, treatment for mild symptoms with Paracetamol. This is not mine. This is from the Committee; this is from the experts. The hon. Member is saying that we should not be giving these drugs?

“Use of anti-inflammatory drugs, corticosteroid, including dexamethasone is contraindicated”.

So, I am just reading what is there in the protocol. I can give him a copy if he wishes later on, and at the same time, what and when should other drugs be given; symptomatic cases. This is not my protocol. This is the protocol of doctors. This is the protocol of specialists.

Concerning those two drugs that the hon. Leader of the Opposition has said, Tocilizumab and the other drug, I will make an appeal to this hon. Member. It is, in fact, very challenging to procure these drugs. And I know that, as per your disclosure of declaration of assets, you hold some 43,000 shares in that company...

*(Interruptions)*

**Hon. Members:** Shame!

**The Deputy Speaker:** Order!

*(Interruptions)*

Order!

*(Interruptions)*

Order!

*(Interruptions)*

Order!

**An hon. Member:** *Fer biznes!*

*(Interruptions)*

**The Deputy Speaker:** Order! I just want to say that it is my first PNQ and I think it is very, very hard to be able to listen to either left or right or the hon. Minister. So, I require some decorum, because this is what this House requires: decorum. And this is what all your constituents require from you. Question!

*(Interruptions)*

**An hon. Member:** He personally attacked...

**The Deputy Speaker:** Order! Honourable...

*(Interruptions)*

Order!

*(Interruptions)*

Order! So, I allow the question and answers. The hon. Minister was answering. I want to listen. I want to be able to listen if there is any personal attack so that I can get it.

**An hon. Member:** He has already done so...

**The Deputy Speaker:** Please!

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, I will come back to those two medications that the hon. Member has stated. He has stated that the Government, the Ministry has been late in procuring these drugs. And I am again saying these drugs are available; there are private companies in Mauritius representing these drugs. I am making an appeal to the hon. Leader of the Opposition, because he is having shares in that company and he can, as a citizen of Mauritius...

*(Interruptions)*

**The Deputy Speaker:** No, no, no!

*(Interruptions)*

**Dr. Jagutpal:** ...as somebody...

**The Deputy Speaker:** No!

**Dr. Jagutpal:** ...who is responsible, he can help the Ministry; he can help the country and the Government to get these drugs. That would have been my appeal to him.

*(Interruptions)*

**The Deputy Speaker:** Order! Hon. Leader of the Opposition, you have about two minutes if you want to respond.

**Mr X. L. Duval:** I will respond to it in due time.

**The Deputy Speaker:** You have about two minutes.

**Mr X. L. Duval:** Yes, thank you. Mr Deputy Speaker, Sir, people's lives are at risk. So, I will keep going with my questions. There is a drug called Paxlovid, which is in the pipeline to be approved. Is the hon. Minister again to repeat the same mistakes he has done with Tocilizumab? This is why people are dying. People are dying because he is not giving the right medication and the right treatment in Mauritius. This is why people are dying and that is a truth.

Now, Paxlovid is about to be approved, one understands. Has the Ministry of Health issued any pre-order, contacted any of these persons, whether it is for the Tocilizumab, Ronapreve, Molnupiravir, Paxlovid? Has the Minister placed any pre-order so that we know at least? You have opened the borders, it has been a disaster. People are dying, as I say, in large numbers. And you know also that with diabetes, we are at higher risk than any other country. So, knowing that we are at higher risk than any country, you do not buy any medicine or you do not pre-order any medicine?

**The Deputy Speaker:** Okay. Answer, please!

**Mr X. L. Duval:** That is my question.

**The Deputy Speaker:** Last question after this.

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, I will come back with the medication that I am learning now from the hon. Leader of the Opposition, Paxlovid.

Mr Deputy Speaker, Sir, again, that question of pre-order has come and the hon. Leader of the Opposition is requesting the Minister to order these drugs. So, we do not have any respect to the Trade and Therapeutic Committee; we should not listen to the doctors, the experts who are treating the COVID-19 patients; we should not go according to the advice, and the Minister should tell: 'You know, tomorrow, I will go to the Ministry and then ask my

Senior Chief Executive to order these medications.’ Is this good governance? Is this good practice? The question is left to him.

Now, the second part of the question about opening the borders, Mr Deputy Speaker, Sir, I believe that he knows that very well, more than me. All passengers coming to Mauritius are vaccinated passengers or they have to do a test before entering Mauritius, and all those passengers at the airport do a test unless they are going to a hotel. They have a different protocol of doing the test. How the hon. Leader of the Opposition is stating that opening of borders to passengers is correlated to the number of the cases, it means that he has not understood anything. He should understand that today, we have local cases; we are also doing the testing for the variants and we know very well why we started having local cases; he knows very well. At a time when we have the strategy to contain the virus, doing ‘red zones’, doing all those stuffs to contain the virus and we know what has happened, we know what has been in the *funérailles*, we know what has been in the weddings and what has been in the *dortoirs*. We all know how the virus starts spreading in the community and we know how we have been responsible with the de-confinement, with step by step, stage by stage, and our vaccination. This, he is not going to tell us! He is not going to tell us how vaccination has helped us, because 98% of those who are vaccinated are asymptomatic. This figure is important for us. And we have to focus on those 2%.

So, broadly, if we have today more than 900,000 people who have done their vaccination, I understand there are many cases, that we agree, that we will continue to have community transmission with more cases, but, at the same time, we know that the percentage of people who will be having mild symptoms or who will be having severe symptoms is very less. The Ministry is doing everything to help those people, to give treatment to those people even if they are not vaccinated. Even if they are vaccinated, but, for one reason or the other, they do not have that immunity, their body cannot react to the virus, we are providing that care. That is what we are doing, and we have been doing it from the beginning and we will continue to do it in that way.

**Mr X. L. Duval:** Mr Deputy Speaker, Sir, my last question.

**The Deputy Speaker:** Very short question.

**Mr X. L. Duval:** The answer is long, Mr Deputy Speaker, Sir, not mine! Now, Mr Deputy Speaker, Sir, this is my short question.

**The Deputy Speaker:** No! Short question or I might not allow!

**Mr X. L. Duval:** He has given himself figures to show that positive cases have hit the roof, Mr Deputy Speaker, Sir; three times or four times than even a week previously. So, we expect this week, Mr Deputy Speaker, Sir, that there will be, unfortunately, many more deaths than even last week. Now, this is what I am going to ask, very seriously, the hon. Minister – I will still say the word ‘honourable’. Now, Mr Deputy Speaker, Sir...

**The Deputy Speaker:** Question!

**Mr X. L. Duval:** Is he going to advise Government to reintroduce social restrictions, allow people to go to work, but for the next two or three weeks, to break the cycle of transmission, will he not agree that the only issue is to introduce restrictions on leisure, restrictions on other activities such as transport, closing of schools for the two or three weeks to come so that the cycle of transmission is broken?

**The Deputy Speaker:** Thank you very much. Give the answer!

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, with all the respect, with all the decorum, I will always address the hon. Leader of the Opposition as ‘honourable Member’. I will always give him that respect.

Secondly, Mr Deputy Speaker, Sir, we all do not want to expect any deaths, but we know that we have to put all our efforts, our energy in protecting those people who have contracted the virus and gradually developing severe symptoms and going, at times, into a fatal state. We have to protect those people. I understand that what the hon. Member wants to say is that if we have more cases, that will correspond into the deaths. But we pray that this situation shall not happen, and we have to give our care to those people.

Now, concerning the restrictive measures that we have to put in place, it is, I believe, an appeal to all Members of the House that that should be individual as well. It cannot be only enforcement, of putting restrictions, of putting regulations to make people understand, but it is also an individual responsibility because the virus is in the community; how should we protect ourselves, our families, our children. But, at the same time, now, everyone will see how people are not using the barrier methods; when you see what is going on on the beaches, what is going on in the shopping malls and all that, so I think it is the responsibility of each one of us to advise people to take all the precautions, and now the next is our booster dose.

We should not forget that we have done the first dose, the vaccination campaign started in January, February, and now it is very important for us to do the booster dose, irrespective of whichever vaccine you have done because it was a time that you had to engage

in the vaccination programme. And now it is very important; it is an appeal again, that all Members should send that information, that advice to people that we all have to do our booster dose so as to protect ourselves, to protect our country, and we should protect especially those people who are vulnerable people who can contract the virus and have a very difficult outcome. Thank you, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Thank you very much, hon. Leader of the Opposition. Thank you very much, hon. Minister. And the time is over.

*(Interruptions)*

Hon. Members!

*(Interruptions)*

Hon. Members, the Table has been advised that PQ B/1034 will be replied by the hon. Ag. Prime Minister. PQ B/1003 has been withdrawn.

I will call upon the Fourth Member for Port Louis Maritime and Port Louis East!

#### **CENTRAL CIVIL STATUS OFFICE - DEATHS - NUMBER**

**(No. B/993) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to mainland Mauritius, he will, for the benefit of the House, obtain from the Central Civil Status Office, information as to the number of deaths registered –

- (a) in July, August and September 2019, 2020 and 2021, respectively, and
- (b) since 01 October 2021 to date.

**The Ag. Prime Minister (Mr S. Obeegadoo):** Mr Deputy Speaker, Sir, in regard to part (a) of the question, I am informed by the Registrar of Civil Status and the Ministry of Health and Wellness that the number of deaths registered is as follows –

- for year 2019, in July - 1,046;
- in August - 1,004;
- in September - 957.

That is, a total of 3,007 for the three months, out of which 744 were due to diabetes mellitus; 543 were due to heart diseases; 377 due to cancers; 351 were due to diseases of the

respiratory system such as pneumonia, asthma, pulmonary oedema, and 992 due to other causes such as cerebrovascular disease, hypertensive disease, injury, poisoning, accidents, suicide.

For year 2020, the corresponding number of deaths was as follows –

- July - 981;
- August - 982;
- September - 894.

That is, a total of 2,857, out of which 672 were due to diabetes mellitus; 559 were due to heart diseases; 339 due to cancers; 315 were due to diseases of the respiratory system, and 972 due to other causes, as I mentioned earlier, such as cerebrovascular disease, hypertensive disease, various injuries, poisoning, suicide and accidents.

For year 2021, the corresponding number of deaths was as follows –

- in July - 1,004;
- in August - 1,157;
- in September - 1,198.

That is, a total of 3,359 for the three months.

As regards the precise causes, this information is still being compiled by the Ministry of Health and Wellness.

With regard to part (b) of the question, I am informed that between 01 October and 04 November, there were 1,397 deaths recorded, out of which 122 have been attributed to COVID.

**The Deputy Speaker:** Thank you. Hon. Member!

**Mr Juman:** Thank you. M. le Premier ministre par intérim, en trois mois, on a enregistré à peu près un millier de morts de plus en 2021 comparé à 2020. Rien qu'en octobre 2020, on a 498 morts de plus pour la même période de l'année dernière. Alors, en septembre, on a 305 morts de plus que l'année dernière ; 34% de plus. Est-ce que je peux savoir les causes exactes, si elles sont reliées à la pandémie de la Covid-19 ? Parce que d'après ce que l'on sait, le nombre d'accidents de la route a diminué, le nombre de morts sur nos routes a

diminué, on n'a pas eu d'inondation, de tsunami, etc., pas d'*air crash*. Mais comment peut-on expliquer un millier de morts de plus en trois mois ?

**The Deputy Speaker:** Hon. Ag. Prime Minister, please!

**The Ag. Prime Minister:** D'abord, M. le président, je vais essayer de me retrouver dans l'arithmétique de M. le député. M. le député nous parle d'un millier de cas en plus. Je pense qu'il se réfère au nombre cumulatif sur les trois mois ; juillet à septembre.

**Mr Juman:** Août, septembre !

**The Deputy Speaker:** Order, let him answer!

**The Ag. Prime Minister:** Et moi, je n'arrive pas à un millier. Pour juillet à septembre 2019: 3,007 morts; juillet à septembre 2020: 2,857. Pourquoi moins de morts en 2020? Je ne le sais pas. Des meilleures prises en charge médicales ? Peut-être, je ne le sais pas.

En 2021, le chiffre correspondant est de 3,359. Donc, ce n'est pas un millier de morts en plus. Comparé à 2020, ce serait quoi ? 450, un peu moins de 500 ? Comparé à 2019, ce serait 300. Donc, n'exagérons pas à des fins politiques. Voyons les chiffres ; il y a certes une augmentation, mais pas d'un millier de cas.

Ensuite, M. le député vient nous dire 305 cas de plus en septembre 2021 comparé à 2020. Donc, voyons les chiffres: 1,198, allons dire 1,200 en septembre 2021, et à peu près 900 en septembre 2020. Donc, il a raison, 300 cas environ de plus en septembre.

*(Interruptions)*

**The Deputy Speaker:** Allow him to answer!

*(Interruptions)*

**The Ag. Prime Minister:** M. le député, M. le président a appelé à un peu de respect de la pratique parlementaire. Je ne vous ai pas interrompu.

**An hon. Member:** *Pena manier !*

**The Ag. Prime Minister:** Vous avez toute latitude à parler quand c'est votre tour. Donc, j'espère la même politesse en retour. Le troisième élément, vous dites 449 cas de plus pour le mois d'octobre. Et bien, moi je n'ai pas les chiffres pour le mois d'octobre 2020. Vous n'avez pas demandé ces renseignements et je ne les ai pas offerts, je ne les ai pas sous la main. Donc, en termes de comptabilité, je pense que nous n'avons pas les mêmes données.

Alors, vous posez la question, l'augmentation, parce qu'augmentation il y a. Ce sont les faits objectifs. Il y a une augmentation. Serait-ce dû à la Covid ? Je n'ai pas ces renseignements précis, mais sans doute, sans doute, nous sommes, cette année, beaucoup plus impactés par la pandémie que l'année 2020 ou l'année 2019 où la Covid n'était même pas arrivée à Maurice. Nous savons d'une part qu'il y a eu un *peak*, fin juillet à fin août, donc il y a un effet à retardement, certainement. Nous savons aussi que le virus Delta est désormais bien présent au sein de la communauté. L'expérience internationale nous indique qu'il y a normalement un cycle qui dure quatre semaines environ. C'est l'expérience d'autres pays. Donc, qu'il y ait une augmentation de cas, c'est dans la logique de la pandémie, et malheureusement cela entraîne aussi des décès. Comme le disait mon collègue, chaque décès étant un décès de trop. Mais c'est le cas aujourd'hui, non seulement à Maurice ! Il suffit de regarder les nouvelles à l'international ! Que se passe-t-il en Grande-Bretagne ? Que se passe-t-il en Allemagne ? Que se passe-t-il en France malgré la vaccination ? Et c'est pour cela que la priorité c'est maintenant les doses de rappel. Malgré la vaccination, il y a un nombre conséquent de cas de la Covid à l'international ; il y a un nombre conséquent de décès, y compris parmi les vaccinés, et c'est la question qu'on se pose en ce moment même en Amérique du Nord : pourquoi aux États-Unis, il y a eu une recrudescence de la mortalité parmi les personnes vaccinées ?

**The Deputy Speaker:** Thank you very much. Hon. Member, one last question.

**Mr Juman:** Merci, M. le président. M. le Premier ministre par intérim, je vous donne le chiffre pour octobre 2020, c'est 905, soit 500 de plus rien qu'en octobre. 498 plus précisément. M. le Premier ministre par intérim, le 25 septembre, vous faites une déclaration publique, vous dites que le *peak* est derrière nous. Alors qu'en août, on a 162 morts comparé à l'année dernière, c'est-à-dire 2020. Le mois qui suit, septembre, 301 et octobre, 500. En se basant sur quoi vous faites une déclaration de cette envergure pour dire à la population ? Et ce qui s'ensuit, c'est un assouplissement de toutes les conditions sanitaires qui étaient en place. N'est-ce pas une déclaration irresponsable de votre part, M. le Premier ministre par intérim ?

**The Deputy Speaker:** Thank you. Hon. Ag. Prime Minister!

**The Ag. Prime Minister:** M. le président, soyons clairs. Le pays a été impacté par la Covid pour la première fois en 2020. Nous avons eu pour l'année 2020, 10 morts, ce qui a été une tragédie nationale. C'est la première fois que nous avons perdu des compatriotes due à la

Covid. En 2021, la Covid nous est revenue à partir du mois de mars. Sur la base des chiffres, l'OMS procède à des analyses régulières et l'analyse de l'OMS, que j'ai rendue publique avec l'accord du bureau de l'OMS à Maurice, démontre qu'effectivement le *peak*, le plus grand nombre de cas de Covid et de mortalité que nous avons connu jusqu'au mois de septembre c'était précisément le mois d'août, la période entre fin juillet et fin août. C'est ce que j'ai dit, c'est ce que j'ai expliqué à la population.

La Covid n'est pas prévisible. C'est ce que nous indique l'expérience internationale. Qui aurait prévu qu'en ce moment, il y aurait une recrudescence de cas de Covid précisément dans les pays où les gens sont les plus vaccinés. Israël a connu cela et maintenant l'Angleterre, l'Allemagne et d'autres. Donc, dire qu'il y a eu un *peak* à un certain moment, c'est la vérité objective. Y aura-t-il un autre *peak* ? Je ne le sais pas, personne ne le sait. Ni la science, ni la médecine ne peut prévoir ce qui va se passer. C'est comme cette question d'immunité collective dont fait grand cas certains de l'autre côté de la Chambre. L'immunité collective était un concept tout à fait valable aussi longtemps qu'il n'y avait pas de variant. Aujourd'hui, qui parle d'immunité collective dans les grands pays développés ?

Donc, soyons honnêtes, voyons les faits, il y a eu un *peak* à un certain moment donné et le gouvernement, dans la gestion de la Covid, a évolué. L'honorable ministre de la Santé vient de l'expliquer. Nous ne sommes plus dans une stratégie où l'on croit que l'on peut éradiquer complètement la Covid dans les jours à venir. Aucun pays au monde ne peut le faire. Il faut maintenant gérer de la manière la plus efficace pour protéger notre population.

**The Deputy Speaker:** Thank you, hon. Ag. Prime Minister! I already informed you that this is the last question. Hon. Second Member for Port Louis South and Port Louis Central!

### **EQUAL OPPORTUNITIES COMMISSION - PUBLIC SECTOR - RECRUITMENT**

**(No. B/994) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Equal Opportunities Commission, he will state if consideration will be given for proposed amendments to be introduced thereto with a view to empowering the Commission to make orders relating to employment of officers in the public sector.

**The Ag. Prime Minister:** Mr Deputy Speaker, Sir, the Equal Opportunities Commission (EOC) was established, as we all know, as an independent statutory body under the Equal Opportunities Act of 2008 to promote anti-discrimination and equal opportunity principles and policies throughout Mauritius. Following proclamation of the relevant law, the EOC became operational in May 2012.

Now, according to section 27(3) of the Act, the Commission shall –

“(a) work towards the elimination of discrimination, and the promotion of equality of opportunity and good relations between persons of different status;”

So, that is the first objective.

“(b) keep under review the working of this Act and any relevant law and submit to the Attorney-General proposals for amending them, if required;”

And then, section 27(3) goes on to explain in detail the responsibilities of the Commission in terms of investigating, attempting to reconcile parties, conducting and fostering research and educational programmes, preparing appropriate guidelines and codes to avoid discrimination, and I will not go into all the details so as not to lose time.

It is considered that the EOC improves the human condition in general by empowering people and ensuring inclusiveness, by working towards the elimination of discrimination and the promotion of equality, and the grounds are listed out in section 2 of the Equal Opportunities Act (EOA): age, caste; colour; creed, and so on. There is a long list, which I take it the hon. gentleman is familiar with.

Now, I am informed by the EOC that sections 9 to 16 of the Act prohibit discrimination in, I quote –

“employment activities.”

That is, employment of persons, persons already employed, persons undergoing training, employment agencies, professions, trades or occupations.

The EOC considers complaints of discrimination on specified grounds and attempts to conciliate the employer with the employee. Where conciliation cannot resolve the complaint, it may be referred to the Equal Opportunities Tribunal, which is also set up under the Act, as the hon. gentleman well knows.

Now, the Tribunal then makes orders declaring the rights of the parties because the question refers precisely to orders. So, the Tribunal is empowered to make orders or recommendations and the decision of the Tribunal is then amenable to judicial review.

Now, I am informed by the EOC that, in the light of section 118(4) of our Constitution, which provides that in the exercise of its functions, any Commission established under the Constitution shall not be subject to the direction and control of any person or authority. Accordingly, the EOC does not investigate complaints relating to recruitment effected by these Commissions.

In accordance with the advice that has been tendered by the Attorney General's Office, as at now, the EOC does not make orders relating to the employment of public officers as such. Employment of officers falls in the public sector, at least within the realm of the Service Commissions such as the Public Service Commission, the Disciplined Forces Service Commission and the Local Government Service Commission.

A public officer or a local government officer who has any grievance concerning his appointment or promotion or any disciplinary action can appeal to the Public Bodies Appeal Tribunal, set up under the Public Bodies Appeal Tribunal Act of 2008.

Mr Deputy Speaker, Sir, accordingly, it follows that the proposed amendments to empower the Commission do not arise if the hon. gentleman is referring to recruitment in the public sector.

**The Deputy Speaker:** Thank you, Ag. Prime Minister!

**Mr Uteem:** Mr Deputy Speaker, Sir, the question is very precise, whether this Government will give consideration to amend, if necessary, the Constitution to give power to the Equal Opportunities Commission and Equal Opportunities Tribunal to make orders in respect of people working in the public sector. And this is a recommendation made by the Equal Opportunities Commission as far back as in its Report of 2014, where it states –

“The Commission cannot entertain cases when it comes to the PSC, the JLSC and the DFSC and cannot investigate cases of discrimination in the Public Service, the Judicial and Legal Services and within the Police Force, the Fire Services and the Prison Services.”

So, my question to the hon. Ag. Prime Minister is: will Government come with appropriate legislative amendment to empower the Tribunal to investigate cases of discrimination in cases involving the PSC, the JLSC and the DFSC?

**The Deputy Speaker:** Hon. Ag. Prime Minister, please!

**The Ag. Prime Minister:** If the hon. gentleman is referring to recruitment - because the question speaks of employment, which can mean many things; acts done in the course of employment, conditions of employment -, then we stand guided by the Constitution of the land.

And I wish to draw the attention of the hon. gentleman to the fact that no Government has, so far, addressed this precise issue. When the law was voted in 2008, the then Prime Minister, the Labour Party Prime Minister - I cannot remember whether the PMSD was in Government; yes, I think it was - explained clearly why the law provided what it provides and what would be subject to section 118 of the Constitution. The Public Bodies Appeal Tribunal was enacted and a new section added to the Constitution precisely to give the Public Bodies Appeal Tribunal the possibility of reviewing decisions of the Commissions.

I have taken the pain to look at the electoral manifestoes of the MMM. I looked at the manifestoes of 2010, 2014, which I, myself, authored and there was no specific proposal to that effect; and I looked at the last MMM manifesto where there were general suggestions for more transparency, but nothing specific. So, what I want to say is that, as at now, this Government, like previous Governments, stands guided by the Constitution of the country.

**Mr Uteem:** The Ag. Prime Minister is refusing to answer a very simple question. Will you, now that you are in Government, bring the appropriate legislative change before this House so that a person who feels discriminated because he has not obtained an employment by the PSC or in the Police Service or the Prison Service can seize the Equal Opportunities Commission and investigate a case of discrimination, or will you perpetuate this discrimination between employees of the private sector and employees of the public sector?

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

**The Deputy Speaker:** May I, first of all, just draw your attention that an answer to a question cannot be insisted upon. So, refusing is out of order, but I will ask the Ag. Prime Minister to answer.

**The Ag. Prime Minister:** I have been as clear as can be by explaining that advice tendered by the Attorney General's Office is to the effect that the EOC's powers are subordinate to section 118(4) of the Constitution, and this has been repeatedly explained by different Prime Ministers in this House.

**The Deputy Speaker:** I will allow one last question, unless you are giving way. Hon. Bhagwan, please!

**Mr Bhagwan:** Can I ask the Ag. Prime Minister how does he reconcile the fact that he, himself, made a statement in the House, he can go and see in Hansard, even a public statement, following requests made by the representative of the Trade Union of the Civil Service that the amendment should be brought in the way my hon. friend is stating here in his question - and the Minister himself, then; perhaps his language now has changed that he is in Government! When he was in the Opposition, when he was then the *porte-parole* for the trade union matters, he made statements to that effect that changes should be made to the Constitution to allow civil servants to complain or to ask for redress.

**The Deputy Speaker:** Hon. Ag. Prime Minister!

**The Ag. Prime Minister:** The hon. gentleman seems to have misunderstood. Civil servants can certainly go to the EOC...

*(Interruptions)*

**The Deputy Speaker:** No! Do not disturb, please!

**The Ag. Prime Minister:** *Mo pan interonp twa!*

*(Interruptions)*

**The Deputy Speaker:** Order! Order!

**The Ag. Prime Minister:** *Ekoute! Mo pa ekoute twa, mwa?*

**The Deputy Speaker:** Hon. Ag. Prime Minister!

*(Interruptions)*

Order! Honourable...

*(Interruptions)*

**Mr Bhagwan:** *Na pa rod lamerdman ar mwa!*

*(Interruptions)*

*Na pa rod lamerdman ar mwa!*

**An hon. Member:** *Pa menase!*

**Mr Bhagwan:** *Kiete?*

**An hon. Member:** *Aret menase!*

**The Deputy Speaker:** Order! Order! Order!

*(Interruptions)*

Order! Order on my left, please!

*(Interruptions)*

Order, on my left! Hon. Minister Toussaint, order, please!

It is very good that you are folding your hands, but you should not be folding your hands to me!

**Mr Bhagwan:** No, I am just...

**The Deputy Speaker:** Yes. I think you should not be doing that because...

**Mr Bhagwan:** With respect to you.

**The Deputy Speaker:** Yes, I know, and respect ought to be given to each and every one. I am here to...

*(Interruptions)*

No! Do not continue talking! I want maximum questions and maximum answers! Least number of interruptions! Thank you very much. I think I have been very gentle explaining it to you.

Thank you. Hon. Ag. Prime Minister!

**The Ag. Prime Minister:** Mr Deputy Speaker, Sir, I will first pay a remark. The hon. gentleman has purported to refer to a previous statement I would have made. Now, unless he can substantiate and read out precisely what I would have said, I think it is not proper to cast a slur on Members of this House.

Now, as regards public servants, public servants can certainly go to the Equal Opportunities Commission. Since 2015, the hon. gentleman might want to know that out of a total of 1,211 cases brought before the EOC, 879 were from the public sector. So, two-thirds

of all cases before the EOC are entered by public servants. Thank you, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Thank you very much, Ag. Prime Minister. Hon. Second Member for Port Louis North and Montagne Longue, you have very less time, but we can accommodate your question.

**Mrs Luchmun Roy:** Thank you, Mr Deputy Speaker, Sir. B/995!

**The Deputy Speaker:** Hon. Ag. Prime Minister, please!

**META (FACEBOOK) - ACTION PLAN - MISINFORMATION - CYBER-BULLYING - FAKE PROFILES**

(No. B/995) **Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to Meta (formerly Facebook), he will, for the benefit of the House, obtain from the Information and Communication Technologies Authority, information as to the Action Plan, if any, being envisaged to –

- (a) protect the most vulnerable from misinformation and cyber-bullying, and
- (b) counter fake profiles and hate speech on the said platform.

**The Ag. Prime Minister:** Mr Deputy Speaker, Sir, I do not know whether I can be short because this is a question that requires some information.

**The Deputy Speaker:** I will allow you sufficient time, at least to answer.

**The Ag. Prime Minister:** I will try and provide as much information as I can within the time you will allow. I am informed by the Information and Communication Technologies Authority that under section 18(m) of the ICT Act, it is mandated to –

“take steps to regulate or curtail the harmful and illegal content on the Internet and other information and communication services.”

Being given that both parts of the question are interlinked, it is precisely in this context that the ICTA had, in April 2021, launched a public consultation on proposed amendments to the ICT Act for regulating the use and addressing the abuse and misuse of social media in Mauritius, with a view to protecting vulnerable citizens from such abuse.

Mr Deputy Speaker, Sir, as the responses received were mostly not in favour of the proposals contained in the consultation paper, the proposed amendments to the ICT Act were not followed through, thus, in effect, limiting the scope of the ICTA to effectively regulate and curtail harmful and illegal contents on the internet.

However, the ICTA initiated, I am told, a direct engagement with Facebook, which is the most utilised social media network in Mauritius. Since September 2020, I understand that the ICTA contacted the policy arm of Facebook for Sub-Saharan Africa to discuss the issues of problematic posts on the platform and their removal. A number of online meetings were held with Facebook's Policy team for the African region, notably on 21 May 2021, 02 June 2021 and 07 July 2021. The engagement was initiated and sustained by ICTA with the objective of exerting collaborative control over problematic posts.

Mr Deputy Speaker, Sir, these problematic posts were flagged to the Facebook team, but the procedures which Facebook seemed to adopt remained somewhat obtuse, that is, insensitive as they were according to its own standards which do not necessarily always suit the interests of our population and that the posts would remain on the platform for weeks whilst Facebook would deliberate on whether they should be removed or not. In the majority of cases, the requests for removal were turned down by Facebook.

Mr Deputy Speaker, Sir, on all occasions, ICTA underlined, in no uncertain terms, the real risks to the delicate social fabric of our country. ICTA even made a proposal to Facebook for the signing of a Memorandum of Understanding specifying the areas for collaboration. But this proposal was not accepted by Facebook.

The fact that the posts and comment threads generated were, more often than not, in Mauritian Kreol was another factor raised with Facebook. And Facebook announced its plans - this is well-known to the public - to recruit moderators so that problematic content in Mauritian Kreol could be addressed. But no recruitment of moderators has been effected by Facebook.

So, all the efforts on the part of ICTA to try and gain momentum in terms of engagement with Facebook did not yield the expected results. There was no commitment from Facebook to collaborate.

In July 2021, the Ministry of Information Technology, Communication and Innovation addressed a correspondence to Mr Mark Zuckerberg, Chief Executive Officer (CEO) of Facebook - I understand it is now called Meta - requesting a meeting with him on

these issues. The office of the CEO referred the Ministry of Information Technology, Communication and Innovation to the Facebook Director of Public Policy for Africa for further discussions, one Mr Boakye.

In July 2021, an online meeting was held with Mr Boakye and his collaborators focusing on greater collaboration. And the Computer Emergency Response Team (CERT-MU) has been the only reporting agency to Facebook to ensure consistency and efficient coordination, as is the case in other countries.

Now, following Government's decision of 06 August 2021, the CERT-MU has now been designated as the sole agency reporting to Facebook.

Now, there was a second follow-up meeting on 16 August 2021 and Facebook proposed a programme of activities and workshops to be conducted in Mauritius, to build awareness on responsible online behaviour and so on. The details of these activities are still being worked out.

However, I wish to point out, Mr Deputy Speaker, Sir, that protecting vulnerable persons against cybercrimes is not the mandate of ICTA only. There are other organisations involved in this task such as the Police and, of course, the Ministry of Information Technology, Communication and Innovation, through the CERT-MU.

In addition, the Finance (Miscellaneous Provisions) Act 2021, amended section 46 of the ICT Act to bring more clarity in regard to the offence of any person using an information and communication technology to send a message which is obscene, indecent, offensive, abusive, threatening, menacing, false or misleading.

As colleagues are aware, the Computer Misuse and Cybercrime Act (CMCA) 2003 is being repealed and a new Bill, the Cybersecurity and Cybercrime Bill is before the House to be debated today. The new Bill is aligned with the Budapest Convention on Cybercrime and the African Union Convention on Cyber Security and Personal Data Protection. Now, the new Bill has been drafted considering new forms of cybercrime that have emerged and it introduces a number of provisions to address the issues raised by the hon. lady. For instance –

1. the establishment of a National Cybersecurity Committee to advise Government;
2. the criminalisation of the misuse of fake profile, cyberbullying, cyber extortion and revenge pornography, with heavy penalties;

3. placing the responsibility on the administrator of pages on social networking services and internet-based messaging services, to moderate and control undesirable content, and
4. the definition of undesirable content as including online content that is deceptive or inaccurate, posted with intent to defame, threaten, abuse or mislead the public, and so on.

I do not want here to debate the Bill, which is on the agenda. Suffice it to say that for its part, the Police Cybercrime Unit with the support of the Police IT Unit has been investigating offences under the ICT Act and the Computer Misuse and Cybercrime Act 2003. And these two units are now working on a Police Strategic Transformation Plan 2021-2025, which will encompass new measures to combat cybercrime more effectively, including cyberbullying.

Mr Deputy Speaker, Sir, let me end by saying that combating cybercrime is a matter of public interest and Government will leave no stone unturned to address this problem through a wide array of measures as stated, including consolidation of the legislative framework.

**The Deputy Speaker:** Thank you, Ag. Prime Minister!

The Table has been advised that PQs B/1004, B/1005 and B/1006 have been withdrawn. Unfortunately, hon. Second Member for Port Louis North and Montagne Longue, the time is over!

Hon. First Member for Port Louis South and Port Louis Central!

### **NATIONAL HOUSING DEVELOPMENT COMPANY LTD – DESIGN IMPLEMENTATION UNIT**

**(No. B/1009) 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 Design Implementation Unit of the National Housing Development Company Ltd., he will, for the benefit of the House, obtain therefrom, information as to the –

- (a) duties and responsibilities thereof;
- (b) staff posted thereat, and
- (c) professional and training benefitted if any, indicating –

- (i) who dispensed same, and
- (ii) costs thereof.

**The Ag. Prime Minister:** Yes, Mr Deputy Speaker, Sir, with regard to part (a), I am informed by the NHDC Ltd that the Design and Implementation Unit was set up in May 2019 to optimise use of in-house human resource capacity so as to reduce dependency on external Consultants and thereby limiting expenditure in terms of consultancy fees. Now, the Unit has since then been fully involved in the elaboration of project concepts, architectural design, structural design, mechanical and electrical design, procurement exercise and contract management. I am further informed that at present the Unit is responsible for the following ongoing projects –

1. design and implementation of 1050 housing units being funded under the Saudi Development Fund. The construction of which is to be carried out at Mont Goût, Bassin, Petit Bel Air and Cascavelle, and
2. design and implementation of 224 housing units at La Valette.

Having regard to part (b) of the question, according to information provided by the NHDC Ltd. the Design and Implementation Unit has a staff, which comprises –

- 1 Project Manager;
- 1 Mechanical/Electrical Engineer;
- 2 Trainee Engineers;
- 3 Technical Officers;
- 1 Computer-Aided Design Specialist, and
- 1 Clerk.

As regards part (c), Mr Deputy Speaker, Sir, I am tabling the requested information.

**The Deputy Speaker:** Thank you, Ag. Prime Minister! Hon. Member!

**Mr Osman Mahomed:** Yes.

**The Deputy Speaker:** You want to see the paper first?

**Mr Osman Mahomed:** Yes, I would like to have a copy of the document that has been tabled.

**The Deputy Speaker:** Please, do needful!

**Mr Osman Mahomed:** Can I ask the hon. Minister to confirm to the House whether the Project Manager of that Department, Mr Jhugroo, was appointed at the Head of this Department before he was even registered as an Engineer? And as a consequence of this, the NHDC has had to have recourse to external training - of course, I am waiting for the document to come - to a certain Mr Govind Coopoosamy to the tune of Rs6.48 m., which is very unusual that someone be appointed and he is not qualified as an Engineer to sign for design that is being done and external training is being provided to him.

**The Deputy Speaker:** Ag. Prime Minister!

**The Ag. Prime Minister:** I regret to say that I have no idea, Mr Deputy Speaker, Sir. As I have explained before, I am not involved in the daily running of the NHDC Ltd. I do not know the gentleman who is at the head of this Unit. If a specific question had been put, of course, I would have been happy to respond. I do not have the information requested at hand.

**The Deputy Speaker:** Hon. First Member, again!

**Mr Osman Mahomed:** Mr Jhugroo was appointed way before the Minister became Minister, by his predecessor, Mr Mahen Jhugroo. Now, can I ask the hon. Minister about the two projects that he has just mentioned, whether the actual design of that project, be it architectural and engineering design, has been done by the Design Implementation Unit or has the NHDC had to have recourse to external Consultant notwithstanding the fact that this Department is now in operation?

**The Ag. Prime Minister:** Again, Mr Deputy Speaker, Sir, I would have been delighted to provide the information had it been asked. What I do have at hand is a description of the nature of these two projects. I see that the short term objectives of the units include the design and implementation of the 1,500 housing units under the line of credit from the Exim Bank of India. But again, if the information is asked either in this House or if the hon. gentleman wants to write to me, I shall provide the information.

**The Deputy Speaker:** Hon. Member, you have another question!

**Mr Osman Mahomed:** It was part of my question actually. So, can I have a third question?

**The Deputy Speaker:** Yes, I am giving you another question.

**Mr Osman Mahomed:** Thank you. Hon. Minister, Mr Jhugroo is the head of this Department and I have been Managing Director of the NHDC before. Since he has become

head of this Department, there is a very unusual happening there. All Managers are being issued credit cards, including him. Because of him, I understand all Managers are having credit cards and I am going to table the decision that has been taken at the NHDC. It is a signed document. With a certain limit, but with a view it can be increased in the future. It is as if the NHDC is going on a spending spree. Can I ask the hon. Minister to look into this state of affairs if he is not aware? I would be glad to talk to him even afterwards, because this is very unusual at the level of the NHDC.

**The Deputy Speaker:** So, let me just make one remark. It is an authenticated document?

**Mr Osman Mahomed:** Yes, it is signed by people who have sat in the Tender Committee approving that credit cards be issued to Managers at the NHDC, which is very unusual happening.

**The Deputy Speaker:** Thank you very much. Hon. Ag. Prime Minister!

**The Ag. Prime Minister:** Mr Deputy Speaker, Sir, I am pained to say this but I believe this is an abuse of supplementary questions and I will explain why. Standing Order 26 is very clear. It says supplementary questions may only be put for the further elucidation of information requested and a supplementary question must not introduce a matter not included in the original question.

Now, consider the question, Mr Deputy Speaker, Sir. I am being asked the duties and responsibilities of the Unit, the staff posted thereat, what training. I tried to understand what this means, professional and training benefited, I suppose it means training offered to the staff, who dispensed same and the costs thereof, and I have provided that information. Now I am being asked whether staff or managers have been issued with credit cards. What does this have to do with the question? It is clear that the person answering the question will not have such information. Supplementary question becomes an excuse to level broad allegations with no answerability on the part of the questioner.

*(Interruptions)*

**Mr Assirvaden:** Mr Deputy Speaker, on a point of order! Point of order!

*(Interruptions)*

**The Deputy Speaker:** Order!

I will listen to all point of orders, you know that. But let me have some order so that I can listen.

Yes, your point of order, hon. Member!

**Mr Assirvaden:** Sur le même point soulevé par le Premier ministre par intérim. C'est malheureux, M. le président, que quand le Premier ministre par intérim est acculé, il n'arrive pas à répondre aux questions, il trouve...

*(Interruptions)*

**The Deputy Speaker:** No! No! Order! Order! Order!

**Mr Assirvaden:** Il trouve des échappatoires ...

*(Interruptions)*

**The Deputy Speaker:** Order!

*(Interruptions)*

Order! Order!

I think I have given you the pleasure of listening to you but, as of now, it is improper for me, being in the Chair, to allow an hon. Member to cast any kind of expression to a Member, 'acculé', *et tout ça*. It is not proper right now. So, we will just move with the further questions. We will give more time for questions and answers. So, I think proper notice taken in this House that supplementary questions must arise out of the main question.

The Table has been advised...

*(Interruptions)*

Order!

**Mr Assirvaden:** J'ai bien dit acculé et pas autre chose.

**The Deputy Speaker:** I am going to be glad to give you one more point of order or a warning.

*(Interruptions)*

Thank you. So, the Table has been advised that PQ...

*(Interruptions)*

Order!

I think it is almost lunch time. Those who want to go for lunch, they can! I will continue. The Table has been advised...

*(Interruptions)*

Order!

The Table has been advised that PQ B/1010, PQ B/1015, PQ B/1022, B/1030, B/1057, B/1064, B/1065 have been withdrawn.

Hon. First Member!

**Mr Osman Mahomed:** In the light, I have withdrawn B/1010 because I am going to meet with the same kind of attitude.

**The Deputy Speaker:** That is very gentlemanly and it is appreciated by the House.

**NHDC HOUSING UNITS – UNOCCUPIED/ABANDONED –NEEDY  
BENEFICIARIES - REALLOCATION**

**(No. B/1010) 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 unoccupied/abandoned NHDC housing units, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., information as to if –

- (a) a survey thereof has been carried out and, if so, indicate the outcome thereof, and
- (b) consideration will be given for same to be reallocated to needy beneficiaries after a certain number of years of inoccupancy/abandonment by the initial beneficiaries as from the date of allocation.

*(Withdrawn)*

**Mr Osman Mahomed:** I will go to B/1011.

**The Deputy Speaker:** Thank you very much! Next question B/1011 is to the hon. Minister!

**BETAMAX LTD CASE – LEGAL COSTS**

**(No. B/1011) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central)** asked the Minister of Labour, Human Resource Development and Training,

Minister of Commerce and Consumer Protection whether, in regard to the case opposing Betamax Ltd. to the State of Mauritius, he will, for the benefit of the House, obtain and table details of all associated legal costs, including local and abroad, incurred by Government as at to date and still due.

**Mr Callichurn:** Mr Deputy Speaker, Sir, during the period February 2015 to date, the State Trading Corporation has paid a total amount of Rs147.9 m. as legal fees and associated costs in Singapore, Mauritius, India and UK with regard to the cases of Betamax Ltd.

In addition, following to the judgement of the Privy Council in favour of Betamax Ltd., the latter has submitted to the STC a claim for cases at the level of the Privy Council and the Supreme Court of Mauritius. Both claims are being followed by the legal teams of STC and the amounts have not yet been finalised.

**Mr Osman Mahomed:** You are not tabling anything, are you? Because I had requested for a breakdown. The hon. Minister gave a lump sum, but is he tabling the breakdowns thereof or not?

**Mr Callichurn:** Well, I have just stated that there are matters still pending at the Supreme Court and the Privy Council, so we are not in presence of the total claim.

**The Deputy Speaker:** Next question!

**Mr Osman Mahomed:** Can I ask the hon. Minister whether in regard to the original advice tendered to the STC and to which STC based itself for the resiliation of the contract, he will state whether the claim has already been received, finalised and payment effected to that legal adviser and to have the name and the sum paid to that legal adviser who has, in my opinion, so wrongly advised the Government of Mauritius?

**Mr Callichurn:** Well, Mr Deputy Speaker...

**The Deputy Speaker:** No, no! Expression of opinion is not permitted in question. Move to the next question!

**Mr Callichurn:** Yes, thank you, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Please, answer the question.

**Mr Callichurn:** Mr Deputy Speaker, Sir, I will be glad if the hon. Member could come with a specific question because...

**Mr Osman Mahomed:** This is scandalous! My question is broad and I have asked to table all expenses incurred in relation to the Betamax case versus the State of Mauritius. Why is the hon. Minister using subterfuge not to answer this question?

**Mr Callichurn:** I am not using subterfuge not to answer this question, Mr Deputy Speaker, Sir. I have clearly mentioned that there are cases still pending at the Supreme Court and the fees have not been finalised, the claims also.

**The Deputy Speaker:** I will have last question, would you give it to...

*(Interruptions)*

Order! Order! Order on the left!

*(Interruptions)*

Order on the left! And order on the right as well!

Question please!

**Mr Osman Mahomed:** Mr Deputy Speaker, Sir, I am asking the question through you. Would you not agree with me that my question was explicit insofar as that particular information that I have just asked the hon. Minister?

*(Interruptions)*

**The Deputy Speaker:** Order! I will listen to everything! I am patient in my job. Well, I will listen to you, I do not want...

*(Interruptions)*

Order! Order!

**Mr Callichurn:** Mr Deputy Speaker, Sir,...

**The Deputy Speaker:** Let him finish! We will listen to him, we will listen to you, we will listen to everybody who has a right. Please, your last question!

**Mr Osman Mahomed:** Insofar as to the identity and the sum paid to that legal adviser, which was many years ago – we are talking about six to seven years ago – whether by now, and my question being so broad as to ask all legal costs that have been incurred, that the Minister should have been able to tell us this information today.

**The Deputy Speaker:** So, I have got your question.

**Mr Callichurn:** Mr Deputy Speaker, Sir, since the hon. Member is insisting, I will table the different fees paid to the different lawyers, but what I will not table is the fees which are yet to be determined because the case is ongoing at the Supreme Court and the Privy Council in respect of the local legal representatives. The documents that I will table are with regard to Dipka Mishra, Lahoti Advocates, Advani & Co., Rajah & Tann, Lloyds Michaux, Tim Maxwell, Bureau Francis Lefebvre, Singapore International Arbitration Centre, Island Resort Ltd Mauritius, Westin, which is not part of your question, but I am willing to table that as well. It is with respect to accommodation of the lawyers Alain Choo Choy, James Guthrie and Royds Withy King.

**An hon. Member:** Table!

**The Deputy Speaker:** Order! He said he is tabling!

**Mr Callichurn:** Yes!

*(Interruptions)*

**The Deputy Speaker:** Please, Minister!

**Mr Callichurn:** I undertook to table. Give me time!

**The Deputy Speaker:** Minister, look at me! Answer to me! You are done?

**Mr Callichurn:** Yes.

**The Deputy Speaker:** Thank you very much. Next question, hon. First Member!

**Mr Osman Mahomed:** Next PQ or next question?

**The Deputy Speaker:** Next PQ!

**Mr Osman Mahomed:** Can I have one question?

**The Deputy Speaker:** Unfortunately, that is why I said one last question; if you are willing to give it.

#### **DRAIN INFRASTRUCTURE CONSTRUCTION LTD – CONTRACTS**

**(No. B/1012) Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central)** asked the Minister of National Infrastructure and Community Development whether, in regard to the Drain Infrastructure Construction Ltd., he will state if the contracts to be allocated by the company will be subject to the Public Procurement Act and, if not, why not.

*(Interruptions)*

**An hon. Member:** There is a formal request for food!

**The Deputy Speaker:** In fact, it is open for those who do not think it is important to be here questioning or answering, food is available!

*(Interruptions)*

I want PQs and answers because I am here to work! PQ? Answer, please!

**Mr Hurreeram:** Mr Deputy Speaker, Sir, on 22 October 2021, Government agreed to the setting up of a dedicated special purpose vehicle to be known as the Drain Infrastructure Construction Ltd to fast track implementation of the National Flood Management Programme. The company will initially be called upon to implement major drain projects across the island, particularly in highly vulnerable areas as would be identified by the Land Drainage Authority.

Mr Deputy Speaker, Sir, as at date, the company has not yet been incorporated. It would therefore be premature for me to comment on the manner in which the company will operate or will allocate contracts. However, I can confirm that the principle of good governance will have to be observed by the new entity. Thank you.

**The Deputy Speaker:** Thank you. Hon. Member.

**Mr Osman Mahomed:** Thank you, Mr Deputy Speaker, Sir, according to that same Cabinet decision; mention is mentioned about a sum of Rs10.4 billion that this company is going to spend. Can I ask the hon. Minister at least whether this company – because the Cabinet decision is not clear in that respect – whether, it would be a contractor like once upon a time DWC was or will it be an agency awarding contract just like the NDU is actually? This is my question.

**Mr Hurreeram:** Mr Deputy Speaker, Sir, as I have already replied, we have received a decision from Cabinet to incorporate. This is being worked upon, so, *en temps et lieu on va répondre*.

**Mr Osman Mahomed:** Sorry, Mr Deputy Speaker, Sir...

**The Deputy Speaker:** Do not be sorry, you will have your chance.

**Mr Osman Mahomed:** I am quite baffled by this answer.

**The Deputy Speaker:** No, do not make comments. Look at me, put questions.

*(Interruptions)*

**Mr Osman Mahomed:** The Cabinet takes a decision without clarity of purpose! It takes a decision not knowing what is the purpose of that company.

*(Interruptions)*

What kind of Cabinet decision is that?

**The Deputy Speaker:** No! Hon. Minister, I have been listening...

*(Interruptions)*

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

**The Deputy Speaker:** Maybe you will be.

**An hon. Member:** Soon!

**The Deputy Speaker:** Maybe, maybe you as well but for now I have rightfully grasped the answer of the Minister. Minister, I grasped your previous answer. Do you have anything more to add in reply? Thank you very much. Lunch time!

*At 1.07 p.m., the Sitting was suspended.*

*On resuming at 2.42 p.m. with the Deputy Speaker in the Chair.*

**The Deputy Speaker:** Thank you very much. Please be seated!

Hon. Fourth Member for Port Louis Maritime and Port Louis East is not here. Next question again is hon. Fourth Member for Port Louis Maritime and Port Louis East; I will wait for B/1014. You have just missed one question, hon. Member. I have called the first question already; you were not present, unfortunately. So, it is the second question, with all due respect.

### **PACK & BLISTER – VENTILATORS**

**(No. B/1014) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Wellness whether, in regard to the 50 ventilators acquired from Pack & Blister through emergency procurement, he will state if –

- (a) his Ministry has been or will be reimbursed due to same being defective;
- (b) same have been or will be replaced, and
- (c) any legal actions been initiated against the said supplier.

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, I wish to refer the hon. Member to the reply I made to PQs B/993 and B/1020 on 08 December 2020 and PQ A/6 on 23 March 2021 wherein I informed the House that my Ministry had apprised Pack & Blister of the non-conformity of the ventilators supplied and requested the supplier to take back all the ventilators and to refund the sum of 1,800,000 EUR already paid.

With regard to part (a) of the question, my Ministry in consultation with the Attorney General's Office is pursuing the matter with Pack & Blister for the refund of the sum paid to the latter company.

In regard to part (b) of the question, my Ministry has completed all formalities for the return of the ventilators to Pack & Blister. The consignment has been shipped on 26 October 2021 and is expected to arrive in Spain by 11 December 2021.

Regarding the replacement of the ventilators, I wish to inform the House that as at date we have 111 functional ventilators distributed in Government hospitals as follows –

- 21 at Dr. A. G. Jeetoo Hospital;
- 16 at SSRN Hospital;
- 9 at Dr. Bruno Cheong Hospital;
- 14 at Nehru Hospital;
- 21 at Victoria Hospital;
- 25 at ENT Hospital, and
- 5 at Souillac Hospital.

With regard to part (b) of the question, my Ministry is following up the matter with the Attorney General's Office. Three solutions are being explored namely –

- (i) for Pack & Blister to refund the amount already paid to it for the ventilators,
- (ii) for Pack & Blister to provide to my Ministry 50 ventilators and accessories conforming to our requirements and needs in consultation with our local suppliers, and
- (iii) for the Ministry to request Pack & Blister to provide goods/equipment other than ventilators to offset the amount owed to Government in consultation with our local suppliers.

As regards part (c) of the question, my Ministry is also liaising with the Attorney General's Office for any legal action against the supplier in case the latter does not reimburse the amount already paid or agree to a solution.

**Mr Juman:** Thank you, hon. Minister. Can I know whether there has been any additional cost incurred in the transshipment of the 50 ventilators to Spain or Turkey, if yes, how much?

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, yes, there has been an additional cost because the ventilators have been shipped through a freight forwarder. Unfortunately, I do not have the amount, but I will table the amount that we have paid.

**The Deputy Speaker:** Next question!

**Mr Juman:** Hon. Minister, is it that the cost for a shipment can range between Rs1 m. to Rs2 m.?

**Dr. Jagutpal:** I am sorry I do not have these figures with me.

**Mr Juman:** Can I know, as at now, where matters stand? Have they decided to refund the money or to change the ventilators?

**Dr. Jagutpal:** I have already given ...

**Mr Juman:** In the last correspondence, what did they say?

**Dr. Jagutpal:** I have already given the three solutions that are being explored. Now, until the ventilators do not reach Spain, then we will have the next...

**Mr Juman:** When were they shipped?

**The Deputy Speaker:** Order! Order! Order! Order!

*(Interruptions)*

Questions followed by answers! Allow the mover of the question! Questions only!

**Mr Juman:** When were the ventilators shipped to Spain, and when were they expected to reach Spain as per your shipping agent?

**Dr. Jagutpal:** In my statement, I have already said that the consignment has been shipped on 26 October 2021 and is expected to arrive in Spain by 11 December 2021. I repeat that.

**The Deputy Speaker:** Thank you! Hon. Dr. Aumeer!

**Dr. Aumeer:** Thank you, Mr Deputy Speaker, Sir. So much has been said about Pack & Blister over the last couple of 12 months. Can the Minister inform the House who is the person or company who has bridged contact with the Ministry of Health and Pack & Blister and did a very poor job with regard to the KYC of such company and its directors? Thank you.

**The Deputy Speaker:** Answer, hon. Minister!

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, according to the documents that I have with me, there have been several offers made through different companies. For example, FTM Group, Ducray Lenoir, Dick Kwan Tat, all these companies made their offers to the Ministry and from there on the different procedures were followed. These are the documents that I have and the reply I have to give.

**The Deputy Speaker:** You have a last question, hon. Assirvaden!

**Mr Assirvaden:** Merci, M. le président. M. le ministre, vu la sensibilité de la commande, est-ce que vous pouvez nous dire si Pack & Blister a un agent, *a crown agent*, ici, dans le pays qui est enregistré au sein du ministère, qui est plus facile d'être contacter pour résoudre ce problème?

**The Deputy Speaker:** I got your question! Hon. Minister!

**Dr. Jagutpal:** Hon. Member, whatever document I have with me, there is nothing like any agent or any supplier of Pack & Blister in Mauritius.

**The Deputy Speaker:** There is a last question; we give it to hon. Assirvaden?

Hon. Third Member for Beau Bassin and Petite Rivière, next question!

#### **A1M1 BRIDGE PROJECT - CONTRACT VALUE & DESIGN COST**

**(No. B/1015) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of National Infrastructure and Community Development whether, in regard to the A1M1 Bridge Project, he will, for the benefit of the House, obtain from the Road Development Authority, information as to the –

- (a) contract value thereof, and
- (b) amount paid by the Authority to the Korean Expressway Corporation for the design thereof.

*(Withdrawn)*

**MON CHOISY, FLIC-EN-FLAC, BELLE-MARE & LA PRAIRIE PUBLIC  
BEACHES - DISABLED PERSONS - ACCESS FACILITIES**

(No. B/1016) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the proposed upgrading of the facilities at the Mon Choisy, Flic-en-Flac, Belle-Mare and La Prairie public beaches to facilitate access thereto by the disabled persons, as announced in the budgetary measures 2021-2022, she will state where matters stand.

**Mrs Jeewa-Daureeawoo:** Further to the announcement of the budgetary measure to make public beaches accessible to persons with disabilities, I am informed that the Beach Authority, which falls under the purview of the Ministry of Environment, Solid Waste Management and Climate Change has already initiated necessary actions in this respect.

A first meeting was held on 28 June 2021, with representatives of my Ministry to brainstorm on this particular project.

I am also informed that as at date site visits have already been conducted at Mon Choisy, Flic-en-Flac, Belle-Mare and La Prairie public beaches, respectively. Representatives of the Mauritius Oceanography Institute and National Coast Guard were also present at the site visits.

The project to make public beaches accessible to persons with disabilities will be implemented in a phased manner. My Ministry along with the Beach Authority, the Ministry of Environment, Solid Waste Management and Climate Change are currently working jointly to provide access to persons with disabilities to swimming zones.

The following amenities have also been designed and will be put in place to facilitate access to persons with disabilities –

- disabled-friendly picnic tables;
- disabled-friendly open shower;
- reserved parking slots for persons with disabilities, and
- disabled-friendly toilet blocks.

I am informed that as at 05 November 2021, the above-mentioned works are already in progress at Mon Choisy and has reached 20% completion. Flic-en-Flac public beach, bids submitted for works are currently at bid evaluation stage; for La Prairie public beach, bids for works have been launched and the closing date for bids submission is 01 December 2021; bids for works at Belle-Mare will be launched by mid November 2021.

The above-mentioned works are expected to be completed in or about September next year.

**The Deputy Speaker:** Supplementary!

**Mr Quirin:** Je note sur ce dossier que la *Global Rainbow Foundation* a devancé le ministère concerné avec un projet pilote lancé en septembre dernier sur la plage de Flic-en-Flac. Peut-on savoir de l'honorable ministre si dans la conception, justement, de ce projet, la question écologique a été prise en considération, principalement dans l'achat des équipements appropriés tels que le *mobi-mat* pour l'accès à la plage et les fauteuils de bain qu'on appelle le *J.O.B classic*, si c'est le cas de bien vouloir nous donner des détails ?

**Mrs Jeewa-Daureeawoo:** Well, as I have said, this project is being carried out by the Ministry of Environment. I do know that all these aspects will be taken care of by the said Ministry. The hon. Member mentioned that Rainbow Foundation *a devancé le ministère*. It is not a question of starting the project. He knows very well that at the level of Government, there is a procedure, procedures for projects are very lengthy and we are bound to follow the procedures. So, this is where we are. At least, some works have already started and we do hope that we will be able to complete the project by next year.

**Mr Quirin:** M. le président, donner accès à la mer aux personnes vivant avec handicap, c'est très bien. Pour continuer dans cette même voie, la ministre envisage-t-elle de donner aux personnes vivant avec handicap aussi accès aux piscines publics avec les équipements appropriés ?

**Mrs Jeewa-Daureeawoo:** I regret to say that the question is specific to facilities to be provided to public beaches. So, if the hon. Member comes with a substantive question, of course we will be happy to answer.

**The Deputy Speaker:** Any further supplementary?

**Mr Quirin:** M. le président, avec votre permission, peut-on savoir si le ministère de l'Intégration sociale a aussi prévu l'aménagement de toilettes publiques pour les personnes vivant avec handicap, aussi bien que des espaces de parking afin de faciliter justement l'accès de ces personnes ?

**Mrs Jeewa-Daureeawoo:** Yes, if the hon. Member had listened carefully to my answer, I have said that these facilities have already been designed. So, reserved parking slots

for persons with disabilities and also disabled-friendly toilet blocks, all these amenities are very important to facilitate the life of persons with disabilities.

**The Deputy Speaker:** Thank you, hon. Minister. Next question, please!

### **BARKLY YOUTH CENTRE - MANAGEMENT**

**(No. B/1017) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the Barkly Youth Center, he will state if he is in presence of complaints as to the management thereof and, if so, indicate the measures taken by his Ministry in relation thereto, if any.

**Mr Toussaint:** Mr Deputy Speaker, Sir, I am informed that no official complaint have been filed in respect of the management of Barkly Youth Center. Thank you.

**Mr Quirin:** M. le président, l'honorable ministre n'est pas sans savoir que la situation au niveau des jeunes dans la région de Barkly empire et je crois savoir que l'honorable ministre lui-même avait été invité une fois à rencontrer le Curé de la Paroisse pour en parler il y a quelques mois de cela. Donc, de ce fait, le ministre peut-il nous dire s'il y a des projets à venir par rapport au centre de Barkly, de façon à ce que ce centre soit animé afin justement pour combattre les fléaux qui existent dans cette partie de Beau Bassin ?

**Mr Toussaint:** M. le président, je remercie l'honorable membre pour cette question. Effectivement, à la suite d'un appel du Père Veder, mes officiers et moi-même, nous avons eu une rencontre à la Paroisse de Sacré-Cœur à Beau Bassin en septembre 2020, où mes officiers et moi-même, nous avons écouté un peu les différentes forces vives de la région que le Curé avait convoqué. A la suite de cette réunion de septembre 2020, il y a eu une réunion au centre le 12 novembre 2020. Donc, en septembre, mes officiers et moi, nous avons rencontré le Curé et les forces vives. Novembre 2020, les officiers étaient présents aussi bien que plusieurs personnes de ce groupe ; il y a eu pas mal d'idées qui sont sorties et il y a eu plusieurs propositions d'activités. Malheureusement, comme nous le savons tous, en mars 2021, il y a eu le *lockdown*, etc., et là, les choses reprennent doucement. Enfin nous, on essaye de faire que les choses reprennent doucement, mais ce n'est pas l'avis de tout le monde. *Pe dire ferme partout !* Nous avons identifié quand même pas mal d'activités. Cependant, il faut savoir que pour le moment, les règlements ne permettent pas que les mineurs soient admis dans les *Youth Centres* et je crois aussi que c'est valable pour les centres communautaires. Nous essayons tant bien que mal de faire des choses dans la situation actuelle.

**The Deputy Speaker:** Would you allow a question? If you have a question, go on!

**Mr Quirin:** Ce n'est un secret pour personne que les horaires d'ouverture des centres de jeunesse posent problème. De ce fait, l'honorable ministre peut-il nous dire s'il compte revoir les horaires d'ouverture et envisage-t-il aussi de *empower* les organisations, les ONG de la région, afin qu'ils prennent en main, eux-mêmes, l'organisation de leurs activités mais encadrés, bien sûr, par les officiers de son ministère ?

**Mr Toussaint:** Absolument, M. le président ! Au fait, l'heure d'ouverture dépend des *attendants*. Leurs heures de travail, bon, c'est le système qui est comme ça, de 7 heures à 15 heures. Cependant, toute activité que les habitants, les jeunes de la région souhaiteraient faire et qui dépasserait ces heures-là, nous, au niveau du ministère, à ce moment-là, *we cater for overtime* de sorte à ce que le centre soit accessible.

Par exemple, en ce moment il y a les dimanches une petite équipe qui depuis octobre répète pour un projet/une activité qui s'appelle Acapela, malheureusement avec la COVID, etc., il y a un petit groupe seulement. Donc, s'il y a la demande pour une activité au-delà des heures qui sont réglementées, même un dimanche, même un jour de congé publique, au niveau du ministère nous faisons le nécessaire. C'est valable pour tous les autres centres de jeunesse. Nous faisons le nécessaire en payant l'*overtime* pour l'*attendant* ; c'est lui qui ouvre, c'est lui qui ferme et qui va quitter la clé au poste de police après.

**The Deputy Speaker:** The last question is passed to hon. Bhagwan!

**Mr Bhagwan:** Thank you. Can I ask the hon. Minister, being given that activities are progressing slowly, at least to have a look at the infrastructure itself, the upgrading of the building, the environment, now being given that there is a metro station nearby? *C'est très fréquenté. Donc, donner un lifting au bâtiment va rassurer non seulement les jeunes mais aussi les habitants de ce quartier.*

**Mr Toussaint:** Absolument, M. le président. Nous avons eu un budget cette année pour le *revamping* des *Youth Centres*. Ce sera fait sur une période de trois années. Nous allons revoir tous les centres de jeunesse, comme l'a bien dit l'honorable membre, donner un *relifting* du bâtiment, des activités etc. C'est dans le projet de mon ministère de revoir un peu tous les centres de jeunesse.

**The Deputy Speaker:** Next question! Hon. Quirin!

**SCHOOLS & UNIVERSITIES - NATIONAL COUNCIL FOR SPORTS**

**(No. B/1018) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth Empowerment, Sports and Recreation whether, in regard to the National Council for Sports in Schools and Universities, he will state if same is operational and, if so, indicate the –

- (a) composition of the Board thereof, indicating the –
  - (i) name of the Chairperson and Members thereof and respective date of appointment;
- (b) decisions taken, if any, for the promotion of sports in schools and universities, and
- (c) quantum of
  - (i) funds allocated to the Council, and
  - (ii) fees paid to each member of the council, as at date.

**Mr Toussaint:** Mr Deputy Speaker, Sir, section 31 of the Sports Act 2016 provides for the setting up of the National Council for Sports in Schools and Universities, also known as NCSSU. Its Board was first constituted in July 2017. The Board of the NCSSU was last re-constituted in December 2020, under the chairmanship of Mr Stephan Rock.

With your permission, I am tabling the composition of the Board of the NCSSU.

With regard to part (b) of the question, I am informed that the present Board met on two occasions, namely, 17 December 2020 and 10 February 2021, where a provisional calendar of activities was, *inter alia*, discussed. However, due to the restrictions brought by the COVID-19 pandemic and the subsequent changes brought to the school calendar, sports activities and events could not be organised at the level of schools, colleges and universities.

As for part (c) of the question, an amount of Rs500,000 has been provided in this financial year and the fees payable to the Chairperson and members of the Board are in line with the recommendation of the Ministry of Public Service, Administrative and Institutional Reforms. Thank you.

**The Deputy Speaker:** Supplementary!

**Mr Quirin:** M. le président, je me souviens que depuis 2018 il était question de mettre en place un *Think Tank*, composant de la *Mauritius Secondary School Sports*

*Association (MSSSA)*, du ministère de la Jeunesse et des sports, de la *NCSSU* dans le cas du *nine-year schooling* afin justement de discuter de la meilleure formule à adopter pour le sport scolaire. Peut-on savoir de l'honorable ministre où en sont les résultats des travaux de ce *Think Tank* ?

**Mr Toussaint:** M. le président, il faut savoir que la *MSSSA* est l'entité responsable de l'organisation des activités de sport, comme on appelle, les inter-collèges et, effectivement, il y a eu pas mal de discussions dans ce sens avec les différents partenaires, donc la *MSSSA*. Il faut savoir que sur le *Board*, nous avons aussi un représentant du ministère de l'Éducation. Il y a eu aussi des réunions qui ont été organisées avec les représentants des *PE Teachers*. Malheureusement, nous n'avons pas pu trouver une solution. Il y a eu des réticences - bon, je ne dirai pas de la part de qui - à gauche et à droite pour essayer de trouver une bonne formule en ce qu'il s'agit des inter-collèges. Malheureusement aussi avec 2020 et cette année, le cadre ne nous ne permet pas vraiment d'organiser les compétitions sportives pour les écoles, les collèges aussi bien que les universités.

**The Deputy Speaker:** One more supplementary!

**Mr Quirin:** Je peux comprendre que la COVID-19 a quand même joué au trouble-fête, mais peut-on savoir néanmoins qu'elle est la politique actuelle du ministère de la Jeunesse et des sports par rapport au sport scolaire et que devient la *MSSSA* et ses employés ?

**Mr Toussaint:** Malheureusement, M. le président, je ne peux pas répondre par rapport à la politique du sport scolaire. Évidemment, cela revêt du ministère de l'Éducation. Par rapport à la *MSSSA*, non plus je ne peux pas répondre pour la *MSSSA*. Mon ministère dans le passé donnait un soutien financier à la *MSSSA* par rapport à l'organisation des activités sportives dans les écoles et les collèges. Pour cette année, il n'y a pas de fonds que nous avons donnés à la *MSSSA*, et donc, moi, je ne peux pas répondre pour la *MSSSA*.

**The Deputy Speaker:** Next question!

**Mr Quirin:** Dernière question, M. le président.

**The Deputy Speaker:** No. Next question, hon. Quirin!

**Mr Quirin:** Can I have one last or...

**The Deputy Speaker:** No. I told you it was the last one earlier on. Next question, please!

**Mr Quirin:** Okay. B/1019!

**MAURITIUS SOCIETY OF AUTHORS – BOARD – COMPOSITION –  
MEETING & DECISIONS**

**(No. B/1019) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Arts and Cultural Heritage whether, in regard to the Board of the Mauritius Society of Authors, he will, for the benefit of the House, obtain therefrom, information as to the –

- (a) composition thereof, indicating in each case, the –
  - (i) date of appointment, and
  - (ii) remuneration and other benefits drawn, and
- (b) date of the last meeting thereof and decisions taken, if any.

**Mr Teeluck:** Mr Deputy Speaker, Sir, with regard to part (a) of the question, I am, with your permission, tabling the composition of the Board of the Mauritius Society of Authors, including the date of appointment and remuneration drawn and other benefits drawn by each member.

As regards part (b) of the question, I am informed that the last Board meeting of the Society was held on Wednesday 27 October 2021.

Minutes of Proceedings of a Board meeting, Mr Deputy Speaker, Sir, are approved at the next Board meeting. In view thereof, decisions taken by the Board at the meeting of 27 October 2021 are yet to be ratified.

I rely on the hon. Member for his understanding and we may communicate these decisions at a later stage.

**The Deputy Speaker:** Supplementary!

**Mr Quirin:** M. le président, le fait que les artistes n'ont pas leurs représentants au sein du *Board* est quand même une démarche qu'on pourrait qualifier d'aberrante et surtout quand on connaît le combat qu'il y a eu pour leur retour au sein du *Board* de la *MASA*. De ce fait, l'honorable ministre ne pense-il pas que cette absence des artistes qui sont pénalisés par les décisions qui sont prises, comme, par exemple, cette décision d'arrêter la nouvelle grille tarifaire pour l'utilisation de la musique et justement la veille de son entrée en vigueur ?

**Mr Teeluck:** Mr Deputy Speaker, Sir, I am sure the hon. Member is very conversant with the provisions of the Copyrights Act and he would know that elections are held every

three years. The last Board was constituted in May 2018 when elections were held in April 2018. And after a three-year mandate, those members who are elected, their seats became vacant. There was the election which was scheduled in June but given the sanitary restrictions and we have a general assembly of nearly 400 members where the minimum quorum for election being 70. So, it was very difficult for us to organise the election but we are right now still in discussion with the office of the Electoral Commissioner to see if we can find means and ways to conduct the election under certain conditions, of course, being compliant with the prevailing sanitary laws.

**The Deputy Speaker:** One more supplementary you have?

**Mr Quirin:** Une dernière question. Peut-on savoir quand les droits d'auteur seront payés aux artistes ? Est-ce qu'ils ont reçu là récemment ...

**Mr Teeluck:** The question does not relate directly to your main question but I will still provide you the information.

**The Deputy Speaker:** Thank you very much, Minister.

**Mr Teeluck:** We have a payment mechanism *qui s'étale sur deux exercices en avril et décembre*. We did the first one the beginning of this year when it was due and there is the next one which is scheduled end of this year in December. So, we will go by how it has always been.

**The Deputy Speaker:** Next question, hon. Second Member for Port Louis South and Port Louis Central!

#### **COVID-19 VACCINES - MANUFACTURING PLANT - SETTING UP**

**(No. B/1020) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the proposed setting up of a manufacturing plant for the local production of COVID-19 vaccines and other pharmaceutical products in Mauritius, he will state if any company manufacturing COVID-19 vaccines approved by the World Health Organisation has been approached therefor.

**The Minister of Arts and Cultural Heritage (Mr A. Teeluck):** Mr Deputy Speaker, Sir, from the very outset, I wish to state, that the objective of the Government is to develop pharmaceutical and vaccine manufacturing into an industry that can potentially emerge into a growth pole for the Mauritius economy.

The emphasis on this industry was outlined during the 2021-2022 Budget whereby a seed funding of Rs1 billion was earmarked for internationally renowned pharmaceutical and vaccine laboratories to set up manufacturing activities in Mauritius. We also made provision for the setting up of the Mauritius Institute of Biotechnology (MIB), with a view of channelling this funding into projects that meet the conditions set forth by Government.

Accordingly, pending the setting up of the MIB, the Economic Development Board (EDB) launched an Expression of Interest (EoI) on 19 June 2021 for the “Development of a pharmaceutical and biotechnology industry in Mauritius” in priority areas of vaccines and pharmaceutical products in speciality areas. The Expression of Interest was diffused, through key local and international media, as well as through our embassies in Europe, USA and Asia.

Mr Deputy Speaker, Sir, I wish to inform the House that 40 firms showed interest in the Expression of Interest exercise, which comprised not only vaccine manufacturing but also the production of generic pharmaceuticals and medical devices, amongst others.

As far as vaccine manufacturing is concerned, nine interests were received and five submitted their business proposals.

As part of the evaluation exercise, the EDB had enlisted the services of Dr. Deoraj Caussy, an independent expert in virology to assess the five proposals received. The expert report was submitted on 27 October 2021, and this includes recommendations on the proposals that may be considered by the authorities concerned. The expert’s report will be submitted to the Mauritius Institute of Biotechnology (Mauritius) for its consideration.

Mr Deputy Speaker, Sir, in parallel to this exercise, discussions are also being held with companies producing COVID-19 WHO-approved vaccines, in India and USA.

The MIB Ltd. which has recently been set up, will oversee the implementation of this budgetary measure.

**The Deputy Speaker:** Supplementary!

**Mr Uteem:** Thank you, Mr Deputy Speaker, Sir. May I know from the hon. Minister and I understand that he is not the substantive Minister, with respect to the Mauritius Institute of Biotechnology which he has just mentioned, is this institute today fully operational? Do they have the staff necessary to conduct the assessment, evaluation of proposal that we may receive in connection with application to set up manufacturing plants in Mauritius?

**Mr Teeluck:** Mr Deputy Speaker, Sir, I will only have information relating to the incorporation of the MIB, and I can confirm that the MIB Ltd has been incorporating as a public company but that would be as much as information that I will have at this stage, unfortunately.

**The Deputy Speaker:** I think it is very fair from your side to recognise he is not the substantive Minister. Next supplementary!

**Mr Uteem:** Again if, to the extent it is within the Minister's knowledge, is the hon. Minister in a position to confirm or otherwise a report that came out in the press to the effect that Dr. Caussy actually recommended that a new Expression of Interest be launched because none of the candidates qualified according to him to manufacture vaccine that has been recognised by WHO?

**Mr Teeluck:** Mr Deputy Speaker, Sir, I am not privy to any such report but we will, of course, if there is any such paper or report being published, look into it.

**The Deputy Speaker:** I will allow you more supplementary if you have. Anybody else has supplementary? Next question, hon. Second Member!

#### **DEVELOPMENT BANK OF MAURITIUS - SME SECTOR - SUPPORT**

**(No. B/1021) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the proposed investment of Rs10 billion by the Development Bank of Mauritius to the SME sector to sustain small and medium firms at concessional rate of 0.5 percent per annum, as announced in the Budget Speech 2020-2021, he will, for the benefit of the House, obtain from the Development Bank of Mauritius, information as to where matters stand.

**The Minister of Arts and Cultural Heritage (Mr A. Teeluck):** Mr Deputy Speaker, Sir, following the outbreak of the COVID-19 pandemic, Government has taken several initiatives to support economic operators across different sectors. One of these initiatives is the Rs10 billion earmarked by DBM Ltd to support distressed SMEs and cooperative societies.

A Special Loan Scheme was introduced in August 2020 to provide financial support at a concessional rate of 0.5 per cent per annum to Distressed Enterprises.

The aim of the Scheme is to provide funding to Distressed Enterprises to meet their capital and operating expenses as well as restructure their business, during this pandemic period.

Based on the needs and demands of economic operators, DBM Ltd has diversified its loan portfolio under the Rs10 billion envelope with the objective of preserving jobs and production, including support to cooperative societies, planters, fishermen, beach hawkers, transport operators based at hotels and other economic operators.

In this respect, the following loan schemes with interest rates ranging from zero per cent to 3.5 per cent per annum have been introduced by the DBM Ltd, namely –

- a. The Wage Support Loan Scheme;
- b. The Working Capital Loan Scheme;
- c. The COVID-19 Special Support Scheme;
- d. The SME Interest Free Loan Scheme;
- e. The Loan Scheme to Transport Operators based at hotels, and
- f. The Special Loan Scheme for Retailers.

Mr Deputy Speaker, Sir, I wish to inform the House that, as at date, the DBM Ltd has received some 8,900 applications amounting to Rs4.5 billion out of which Rs3.4 billion have already been approved in respect of some 7,750 beneficiaries.

**The Deputy Speaker:** Supplementary question!

**Mr Uteem:** Again, I understand the Minister is not the substantive Minister, but does the hon. Minister have any information why is it that despite Rs10 billion have been put at the disposal of DBM since 2020 – one and a half years ago – up to now only Rs3.5 billion, 35% of the amount put at their disposal have been disbursed to SMEs who are facing financial difficulties?

**Mr Teeluck:** It is true that Rs3.5 billion have been disbursed but I would like to reiterate that 9,900 applications amounting to Rs4.5 billion have been received at the DBM and the remaining Rs1.1 billion worth applications are being processed. Everyone appreciates that we are talking about nearly 10,000 applications. So, it takes some time in terms of administrative process, but things are being done as swiftly as possible to ensure that all these

SMEs and all these enterprises benefit from the support which has been put in place by the Government.

**The Deputy Speaker:** For the supplementary, anybody else? No? Hon. First Member for GRNW and Port Louis West!

#### **BUS OPERATORS - GRANT**

(No. B/1022) **Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the grant provided to bus operators, he will state the aggregate quantum thereof disbursed for each of the years 2018, 2019, 2020 and since January 2021 to date, indicating if consideration will be given for a revision of the formula for the determination thereof.

*(Withdrawn)*

#### **FORT VICTORIA INHABITANTS - HOUSES - DAMAGES - CEB POWER STATION**

(No. B/1023) **Mr F. David (First Member for GRNW & Port Louis West)** asked the Minister of Energy and Public Utilities whether he will state if he is in presence of representations from the inhabitants of Fort Victoria, in Cassis, regarding damages allegedly caused to their houses by the operation of the Central Electricity Board power station located in the vicinity thereof and, if so, indicate the actions taken or that will be taken in relation thereto.

**The Minister of Industrial Development, SMEs and Cooperatives (Mr S. Bholah):** Mr Deputy Speaker, Sir, I am informed by the Central Electricity Board (CEB) that a group of residents of Fort Victoria, Cassis, have written to the CEB on 12 November 2020 regarding cracks that they have noticed in certain houses that have allegedly been caused by the operation of Fort Victoria Power Station.

I am further informed by the CEB that new generating sets were commissioned at Fort Victoria Power Station in May 2012. Thereafter no new generating set or turbine has been installed there. The state of art technology of these generating sets complies with all environmental norms and operates according to prevailing legislations.

A reply was accordingly made by the CEB to the representative of the inhabitants on 07 December 2020.

Mr Deputy Speaker, Sir, the CEB has pointed out that actions have already been taken to mitigate the risk of noise and vibration impact at Fort Victoria Power Station. Thus 10-metre high sound attenuation boundary walls have been erected near the residential zone in 2004 and 2012 to minimise risk of noise.

In addition, all prime movers for the generating sets at Fort Victoria Power Station are constructed on resilient mountings for absorption of vibrations by spring and hydraulic heavy duty dampers. These spring dampers ensure that vibration impact are reduced to a strict minimum. Values of level measured outside its boundary walls in May 2012 were negligible.

Mr Deputy Speaker, Sir, it is worthy to highlight that in September 2003, a Neighbourhood Vibration and Noise Assessment was carried out by Lloyd's Register Consultancy Services Group. In their conclusions, they mentioned that –

“the local vibration levels measured due to all of the engine configurations investigated are considered too low to directly cause the claimed cosmetic and structural damage in the sample properties tested”.

Moreover, with the decommissioning of the old engines in 2009 and the redevelopment project of the Power Station in 2012, Fort Victoria Power Station now consists of state of the art technology engines which comply with the Environmental Protection Act.

The CEB is operating Fort Victoria Power Station within prescribed laws and regulations in force in Mauritius.

**The Deputy Speaker:** Supplementary question!

**Mr David:** Merci, M. le président. J'aimerais déposer à la Chambre quatre photos concernant deux maisons endommagées à proximité de la centrale thermique de Fort Victoria, l'une à Bain des Dames, l'autre à Cassis où l'on voit clairement les colonnes sévèrement fissurées, les murs lézardés ou encore une partie de plafond décrochée. Je précise que ces photos datent d'il y a trois jours et que je les ai prises moi-même. Puis-je demander à l'honorable ministre de bien vouloir transmettre ma requête au ministère de l'Energie pour qu'une rencontre puisse se faire assez rapidement avec les habitants et je serai évidemment présent, en vue de lancer une nouvelle étude technique pour évaluer tout lien de cause à effet entre la vibration des turbines de la centrale et les dégâts de ces maisons qui, comme vous le verrez, M. le ministre, sont loin d'être des dégâts cosmétiques. Merci.

**Mr Bholah:** J'accueille les photos et je vais les remettre au ministre.

**The Deputy Speaker:** Thank you, any further supplementary? Next question, First Member!

**ENERGY EFFICIENCY POLICY - GREENHOUSE GAS EMISSIONS 2030 -  
PUBLIC BUILDINGS - AIR CONDITIONING**

(No. B/1024) **Mr F. David (First Member for GRNW & Port Louis West)** asked the Minister of Energy and Public Utilities whether, in regard to the Energy Efficiency policy in Mauritius, he will state the contribution thereof in the announced reduction of overall Greenhouse Gas emissions by 40% in 2030 compared to the Business-as-Usual scenario, indicating the actions taken or that will be taken in relation thereto regarding the air conditioning of public buildings.

**The Minister of Industrial Development, SMEs and Cooperatives (Mr S. Bholah):** Mr Deputy Speaker, Sir, according to the updated Nationally Determined Contribution (NDC) of Mauritius approved this year, Mauritius aims to reduce overall Greenhouse Gas emissions by 40% in 2030 compared to the Business As Usual (BAU) scenario. The economy wide emissions reduction target comprises sector specific mitigation targets for energy, waste, transport and industrial processes and product use.

The energy sector represents the largest share of Greenhouse Gas emissions reduction. As such, the mitigation measures in the energy sector include –

- (a) the production of 60% of energy needs from green sources by 2030;
- (b) the phasing out of coal before 2030;
- (c) the development of a biomass framework, and
- (d) an increase in energy efficiency by 10% based on 2019 figures.

In this context, the Energy Efficiency Management Office (EEMO) proposes to lower the electricity demand by 10% by 2030 against the Business As Usual (BAU) scenario through the implementation of energy efficiency actions in energy-intensive end use sectors such as manufacturing and construction. This translates into achieving energy efficiency gains of 392 GWh/yr by 2030 and avoiding GHG emissions of 359.8 thousand tons of CO<sub>2</sub> with the Grid Emission factor taken at 917.8 tons of CO<sub>2</sub> per Gigawatt hour.

Mr Deputy Speaker, Sir, as regards the specific question on air conditioning, it is estimated that cooling from air conditioners accounts for around 30% – 50% of the total electricity used in buildings and at least 15% of the total electricity consumption of the whole island.

Improperly installed and maintained air conditioners cannot achieve good energy efficiency performance and can, hence, be a major cause for increased electricity consumption.

To mitigate this risk, EEMO has already developed guidelines for the proper installation and maintenance of air conditioners with a view to providing key information to installers such that installed units achieve optimal energy performance.

These guidelines will be disseminated to the public and private sector, including installers. The expected benefits would be in terms of reduction of electricity bills in public and commercial buildings and a curtailment in the growth in peak electricity demand.

Mr Deputy Speaker, Sir, for the past three years, the EEMO has provided for energy audits to be conducted in public institutions where energy consumption is significant. To date, energy audits have been conducted in 50 such buildings. The main findings of the audits point to potential for energy saving and efficiency mainly with respect to air conditioning. Thus, guidelines have been developed to help Public Bodies to achieve 5% reduction in electricity consumption as announced in the Budget Speech. The guidelines were launched on the occasion of the World Energy Day event held on October 22, 2021, and will be disseminated to all public bodies shortly.

I wish to add that the Budget Speech 2021/2022 had announced a phased ban on non-inverter air conditioners between 2022 and 2024. Inverter type air conditioners offer energy gains of 15% to 30% over non-inverter type air conditioners and are applicable to tropical climates. EEMO has already carried out consultations with stakeholders in view of implementing the ban to enable a smooth transition.

A sensitisation campaign on energy efficiency has already started and will pursue with particular focus on Air Conditioning in the coming days on radio, TV as well as social media.

**The Deputy Speaker:** Thank you. I understand you do not have any further supplementary. Hon. Osman Mahomed!

**Mr Osman Mahomed:** In regard to energy efficiency in air conditioning in public buildings which the Minister has listed, I did not hear him mention about one project in which public building was concerned and that is the DOWA Project, (Deep Ocean Water Application) using sea water air conditioning which appeared in a few budget speeches years ago. Is this project still on or not?

**Mr Bholah:** I do not have any information on that DOWA issue, but maybe the hon. Member can come later with a substantive question on that particular aspect.

**The Deputy Speaker:** Hon. Member, do understand he is not the substantive Minister. Hon. First Member again!

### **MAURITIUS SOCIETY OF AUTHORS – COPYRIGHT FEES**

(No. B/1025) **Mr F. David (First Member for GRNW & Port Louis West)** asked the Minister of Arts and Cultural Heritage whether, in regard to the announced exemption of certain class of businesses from payment of copyright fees to the Mauritius Society of Authors until 01 July 2022, he will state the compensation policy for copyright owners during the said period.

**Mr Teeluck:** Mr Deputy Speaker, Sir, I am informed that since 2008 Copyright Fees were being charged administratively by the Mauritius Society of Authors (MASA), on behalf of the members of the Society of users of works, that is, *inter alia*, public performance for the diffusion of music, the broadcasting and rebroadcasting of music.

Last year, the Copyright (Fees) Regulations 2020 were introduced on 10 October 2020, to take effect as from 01 July 2021. The Regulations did not only review the tariff rates, which remained unchanged and unrevised since 2008, that is, for more than 12 years, the same tariff as in 2008 were being charged to users of the work, but these Regulations also revised the tariff base of users of a work to ensure a wider collection of copyright fees from other commercial users of music.

For example, new economic operators like holders of Subscription Television Broadcasting License and mobile network operators are now liable to pay copyright fees. It is important to highlight that by shifting from an administrative process, to a legal mechanism for collection, the Copyright (Fees) Regulations 2020, brings certainty in terms of amounts to be collected, draws a defined list of users of work and also – as important – provides for an increase in the rate of copyright fees every two years based on the prevailing inflation rate of the preceding year. This will ensure that the fees are automatically reviewed on a periodic

basis without the need for any administrative intervention such that artists are duly remunerated as far as copyright is concerned – *selon l'évolution du marché économique*.

Mr Deputy Speaker, Sir, after consultations, the Regulations 2020, were amended this year in July 2021, to further enlarge the tariff base by including to the list of users of a work Internet Service Providers, as licensed by the Information and Communication Technologies Authority. This further increases *l'assiette de collection* and also increases the amount of fees collected which are then payable to artists.

These amendments were deemed to have come into operation on 01 July 2021. However, in view of the adverse impact of the prevailing sanitary and economic conditions on businesses, the date of application of the Regulations for tourism sector, hotels and restaurants has been deferred to 01 July 2022. This does not apply to Rodrigues.

Mr Deputy Speaker, Sir, depending on the evolution of the local economic and sanitary context, the provisions of the Regulations would be reviewed in consultation with stakeholders so that Copyright Fees are applied to those businesses and sectors, which are presently relieved from payment of Copyright Fees. We are closely monitoring the economic situation and if the present trend in the tourism sector continues, then a decision will be taken for the application of the Regulations on sectors presently relieved, that is, beginning of next year.

I wish to reassure the hon. Member and the artist community that with the coming into effect of these new regulations, and the inclusion of new sectors as mentioned previously, the amount of collection will increase, because we are tapping new sources of income. Therefore, amount not being collected from sectors being relieved, will be partly recouped from these new added sectors: internet service providers as mentioned, mobile network operators and holders of Subscription Television Broadcasting Licence.

Mr Deputy Speaker, Sir, finally, given the creative sector has been affected because of obvious reasons we have all along taken measures and steps to support the artists community: the Self-Employed Assistance Scheme, our two support plans at the level of the Ministry and the one-off financial supports (in two occasions in 2020 and 2021) paid by the MASA to its members. We will continue to assist the creative sector and support our artists and, Mr Deputy Speaker, Sir, I am informed that, MASA has been able to identify funds to the tune of Rs20 m. for distribution for its members for the December 2021 distribution exercise.

**The Deputy Speaker:** Thank you, Minister. Supplementary!

**Mr David:** Merci, M. le président, cette exemption du paiement des droits d'auteur découle d'une décision du Conseil des Ministres le 23 juillet 2021. Nous parlons donc d'une période d'exemption, pour être très précis de 11 mois et une semaine, du 23 juillet 2021 au 01 juillet 2022. Puis-je demander au ministre d'éclairer la Chambre sur le manque à gagner dans l'assiette de collection des droits d'auteur pendant cette période d'exemption ?

**Mr Teeluck:** I thank the hon. Member for this question. We are presently working on an accounting exercise because we have certainty over amounts collected over precious years, but, for this year, given that we have new sectors, given that we are talking about new rates, there has to be a proper accounting exercise to be conducted because it is a forecast. If I may, for example, the tourism sector, previously as I mentioned in my reply, the collection was an administrative process. There were some establishments or some licensees of the Tourism Authority which were not being charged copyright but today with a clear list of users of work which is in the home of the regulation, we have a clear list of all users.

For example, for the tourism sector, we have an increased rate. But we will have more institutions and more licensees who will have to pay copyright fees. So, this accounting exercise is not tedious, but it will take some time for us to have a correct figure in terms of forecast; but we are working on it right now.

**The Deputy Speaker:** Thank you. I will allow one last question.

**Mr David:** J'attendrai, donc, avec impatience ce calcul qui est en train d'être fait, bien que je sois certain que ces nouveaux utilisateurs ne parviennent pas à compenser ces gros utilisateurs qui sont exemptés pendant quasiment une année. La propriété intellectuelle, M. le président, et le droit d'auteur relèvent du droit privé. Et je crois savoir que M. le ministre est issu d'une profession légale. Puis-je, donc, demander au ministre de quel droit l'État a pu prendre une décision qui va à l'encontre d'un droit privé pour permettre aux utilisateurs de ne pas payer les droits d'auteur pendant quasiment une année alors qu'ils exploitent les œuvres des artistes ?

**Mr Teeluck:** Mr Deputy Speaker, Sir, we have to understand that at no point in time, we want to either infringe or penalise the artists. All of us, even I assume the hon. Member, we are here in the interest of artists, to fight for the interest of the creative community, of the artist community. This decision was taken because we are in a certain specific economic condition, especially when we are talking about the tourism sector, it is no mystery, it is no hidden truth to anyone that hotels, tourist institutions have not operated over so many months,

and we had to take certain decisions to maintain the balance. But, as I said in my reply, we have taken other measures to compensate artists and ensure that there is no loss of revenue, our support plans: the Wage Assistance Scheme, the Self-Employed Assistance Scheme, the one-off payment by MASA, and lastly, the last line in my reply, distribution for this year, December exercise, to the tune of Rs20 m. So, there are measures, there are actions being taken to make sure that our friend artists are not, in any way, penalised because of this. It is not even an exemption; it is relieving certain sectors from payment of copyright fees.

Now, if I may add, I also mentioned that we are monitoring the situation; we are following up and by the beginning of next year, if decisions need to be taken to restore and apply *in toto* the provisions of the regulation, we will do so.

**The Deputy Speaker:** Thank you. Hon. Members, the Table has been advised that PQ B/1040, B/1041, B/1042, B/1052, B/1058, B/1059, B/1060, B/1061 and B/1067 have been withdrawn.

Hon. Fourth Member for Vacoas and Floréal!

#### **BASIC RETIREMENT PENSION – PAYMENT DATE - REVIEW**

**(No. B/1026) Ms S. Anquetil (Fourth Member for Vacoas & Floréal)** asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to the decision to pay the Basic Retirement Pension in bank on the fourth working day of the month as from February 2022, she will state if the members of the Executive Committee of the Senior Citizens Council had been consulted prior thereto, indicating if consideration will be given for a review thereof so as not to negatively impact the majority of the senior citizens.

**Mrs Jeewa-Daureeawoo:** Mr Deputy Speaker, Sir, overpayment of pensions is a serious issue and since 2014 a series of measures have already been taken by my Ministry to address this matter. For example, following several meetings chaired by myself with representatives of the Civil Status Office, a mechanism was put in place for my Ministry to be notified of the death of beneficiaries on a daily basis for the InfoHighway.

In October 2018, following an amendment to the Civil Status Office, we also get information from the Civil Status Office on the change in status of widows on a daily basis through the same platform. In the same year, another mechanism was put in place for all information relating to travel movements of our beneficiaries to be made available to my Ministry by the Passport and Immigration Office.

My Ministry has recently sent a letter dated 25 August 2021 to the Brown Sequard Hospital and to the Commissioner of Prisons to obtain a list of beneficiaries who have been admitted thereat on a monthly basis. It is to be noted that the payment of pension is stopped for beneficiaries who have been admitted to Brown Sequard Hospital for more than three months. As for beneficiaries who are in jail, payment of pension is stopped immediately.

The change in the date of pensions through banks from the first working day to the fourth working day of each month is yet another measure to curb overpayment. This measure will be implemented as from February 2022.

I wish to inform the House that this change does not concern only payment of Basic Retirement Pension, it will be applicable to the payment of all basic pensions. Basic pensions include Basic Retirement Pension, Widows' Basic Pension, Invalid's Basic Pensions and Basic Orphan's Pension.

It is also important to highlight that every year the National Audit Office raises criticism with respect to overpayment of pensions at the level of my Ministry. The change in the date of basic pensions has been made following a comprehensive study carried out by the Office of Public Sector Governance in 2020, on overpayment of pensions at the level of my Ministry. In April 2021, the OPSG submitted its report comprising a list of recommendations. One of the recommendations was to reschedule the date of payment of pension through banks from the first working day to the third or fourth working day of the month to prevent overpayment in some cases of death of beneficiaries.

My Ministry is currently working on other additional measures to control overpayment of pensions, such as the introduction of life certificates if need be, from beneficiaries who are abroad and widowhood certificates to detect remarriage cases.

With regard to double payment, error in contribution and benefit error, my Ministry is closely monitoring this issue. It is to be noted that the Senior Citizens Council was involved in discussions pertaining to this new measure.

**The Deputy Speaker:** Thank you, hon. Minister! Supplementary!

**Ms Anquetil:** Thank you, Mr Deputy Speaker, Sir. *Au lieu de pénaliser 230,000 seniors*, can the Minister state whether consideration will be given to work out a new e-mechanism for updating the departures of senior citizens abroad and those who have passed away in order to avoid overpayment?

**The Deputy Speaker:** Hon. Minister, please!

**Mrs Jeewa-Daureeawoo:** Well, we are not here to trouble the elders. We are not here to cause inconvenience to our elders. I cannot see how our beneficiaries will be penalised in view of the fact that payment of pension is made in advance at the beginning of each month. We are not changing the date of payment of pension from the first working day of the month to the end of the month, as is the case for the payment of salary, for example. So, the change of the date of payment has a specific purpose, we are of the view that it will help to redress overpayment. And as I have mentioned in my reply, this is not the only measure we are taking to curb overpayments, we are also working on other measures because you will understand that one case of overpayment is one case too many.

**The Deputy Speaker:** Thank you, hon. Minister! Last supplementary! You have one; try to get both questions in one.

**Ms Anquetil:** Peut-on savoir de la ministre la somme d'argent qui sera économisé et vu le véritable tollé que cela a soulevé, la ministre peut-elle indiquer à la Chambre si elle compte retourner au Cabinet pour revoir cette décision qui va véritablement et terriblement impacter sur le bien-être de nos *seniors* ?

**Mrs Jeewa-Daureeawoo:** To repeat myself, I am not of the view that this measure will cause trouble, inconvenience to our elders. As I have said, payment of pension is made at the beginning of each month. We have actually 814 Senior Citizens Associations registered. I have not received complaint from any of the associations. So, with regard to the amount that this particular measure will help to recoup, we have an average of 1,000 cases monthly amounting to Rs1.5 m. So, as you can see, it is quite a huge amount.

**The Deputy Speaker:** Thank you, hon. Minister! Hon. Ms Anquetil, next question!

*(Interruptions)*

I would like to, but I have allowed seven minutes; two minutes more to your question than any other questions!

**Ms Anquetil:** Okay.

#### **DR A.G. JEETOO HOSPITAL – 15-MONTHS OLD BABY K.E. - DEATH - INQUIRY**

**(No. B/1027) Ms S. Anquetil (Fourth Member for Vacoas & Floréal)** asked the Minister of Health and Wellness whether, in regard to the issue of two death certificates of

15-months old baby K.E. who died on the night of 08 September 2021 at the Dr A.G. Jeetoo Hospital, he will state where matters stand as to the inquiry initiated thereinto.

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, let me first of all present my sincere condolences to the aggrieved family following the death of baby K.E. I wish to inform the House that the case of 15-months old baby K.E who passed away on the night of 08 September 2021 at Dr. A.G Jeetoo Hospital has been referred to Medical Negligence Standing Committee for enquiry on 13 September 2021.

I am further informed that the Committee has already heard the mother and grandmother of late baby K. E. Moreover, the enquiry panel has also interviewed the Consultant in Charge, Paediatrics, Dr. A.G. Jeetoo Hospital, the Paediatrician and Medical and Health Officers involved in the case on 14 October 2021. The investigation is still ongoing and once the enquiry will be completed, the Committee will submit its report including recommendations, if any, to my Ministry.

**The Deputy Speaker:** Thank you, hon. Minister! Supplementary!

**Ms Anquetil:** Thank you, Mr Deputy Speaker, Sir. Can the Minister state what protocols does his Ministry have with regard to mothers who have been tested positive but who have babies who are themselves negative?

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, the protocol clearly spells out that mothers who have been tested positive have to sign a Consent Form if they still wish to care for their baby. And if they do not wish to care for their baby, in case they are admitted in the hospital, the hospital takes care of the baby.

**The Deputy Speaker:** Next supplementary! You have quite some time.

**Ms Anquetil:** Thank you, Mr Deputy Speaker, Sir. Two different death certificates have been issued. Would the Minister state which one is the correct one?

**Dr. Jagutpal:** This is why an enquiry is being conducted on this matter.

**The Deputy Speaker:** I will allow you one more. Yes, I am allowing you one more.

**Ms Anquetil:** Thank you, you are so nice!

**The Deputy Speaker:** Thank you!

*(Interruptions)*

**Ms Anquetil:** *Tout à l'heure, elle va rire là. Attends! Prépare-toi !*

*(Interruptions)*

**The Deputy Speaker:** No! No! Not that when I am nice, now you start to...

**Ms Anquetil:** No, she is laughing, Mr Deputy Speaker, Sir. She is laughing instead of working!

*(Interruptions)*

**The Deputy Speaker:** Order! Order! Hon. Members, I do not expect when one Member is being disrespectful, another one has to do the same! That is not courtesy or politeness! So, if somebody is doing anything wrong in this House, please do take a point of order. I have been listening and I will continue to listen. Thank you very much. You have a question, I want to hear your question.

**Ms Anquetil:** Thank you, Mr Deputy Speaker, Sir. The fact that this case involves the tragic death of a baby from COVID-19, would the Minister state if he will ask for a speedy inquiry for parents to be aware of the circumstances of the death?

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, the inquiry panel has their own procedures of conducting enquiries and I believe it is not proper for me to go unless there is a delay in the process of the inquiry. The information that they have given to me, I have to respect that information and obviously, rely that the Committee will do their work and produce the report as soon as possible.

**The Deputy Speaker:** Thank you, Minister! Next question, hon. Ms Anquetil!

### **LE MORNE HERITAGE TRUST FUND BOARD**

**(No. B/1028) Ms S. Anquetil (Fourth Member for Vacoas & Floréal)** asked the Minister of Arts and Cultural Heritage whether, in regard to the Le Morne Heritage Trust Fund Board, he will, for the benefit of the House, obtain therefrom, information as the –

- (a) the number of Board meetings held since January 2021 to date, and
- (b) if the Management Plan of the Site dated 2008 has been revised and, if so, give details thereof and, if not, why not.

**Mr Teeluck:** Mr Deputy Speaker, Sir, with regard to part (a) of the question, I am informed by Le Morne Heritage Trust Fund that following the expiry of the tenure of office of the Board, meetings were not held as the Board was being reconstituted.

The Board has now been fully reconstituted following Cabinet approval dated 10 September 2021 and the Board meeting was held on 28 October 2021.

Mr Deputy Speaker, Sir, with regard to the Management Plan 2008, following the recommendations of UNESCO, I am informed that four Management Plans, namely the Local Economic Development Plan, the Land Management Plan, the Lagoon Management Plan and the Integrated Management Plan were prepared and finalised by Le Morne Heritage Trust Fund.

However, since some major views of stakeholders such as Ministries and Departments were not included in the Plans, the views of these stakeholders were again sought by my Ministry. These have now been received and have been forwarded to the Trust Fund on 05 November 2021 for inclusion in the Management Plans.

Once the Plans are finalised and approved by the newly reconstituted Board, approval of the Cabinet would be sought accordingly by my Ministry for submission of the Plans to the UNESCO.

**The Deputy Speaker:** Thank you. Supplementary!

**Ms Anquetil:** Merci, M. le président, je trouve quand même scandaleux, M. le ministre. Je sais que vous n'êtes pas directement lié à cela. Je trouve quand même scandaleux que le *Board* s'est réuni uniquement en quatrième vitesse jeudi, 28 octobre ! Je trouve scandaleux qu'un site qui a été proclamé au patrimoine mondial de l'UNESCO, que le conseil d'administration ne s'est pas réuni pendant 10 mois ! C'est franchement déplorable ! Selon l'UNESCO, M. le président, le *Management Plan* de chaque site classé doit être revu chaque cinq ans. Je déplore que le *Management Plan* préparé par notre équipe, je connais la douleur pour avoir fait avec mon équipe, inscrire ce site au patrimoine mondial de l'UNESCO. Allez demander au Chef du Cabinet, M. Ballah, qui était le *Permanent Secretary* à l'époque, il vous dira comment on a trimé pour avoir ce site la ! Alors, je déplore que le *Management Plan*, préparé par notre équipe en 2008 n'ai pas été révisé à ce jour ! Un *Management Plan* était près fin 2014. En raison du changement de régime, évidemment, le *Management Plan* est resté dans un tiroir. Est-ce que le ministre réalise que son manque de sérieux et de gestion pourrait mettre le site en danger ?

**Mr Teeluck:** Mr Deputy Speaker, Sir, I will try to find the question in between the long speech.

**The Deputy Speaker:** Allow me, please! Hon. Member, I totally agree that you have a pertinent question, a very good question! It is quite long though. So, bear with the Member. This is what is going to be asked, the Members to bear with you. I will bear with you. Go on! We will listen to you. Take all your time!

*(Interruptions)*

I think he got it. Everybody will have their time! Take your time!

**Mr Teeluck:** No, that is fine. I will find my way, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Thank you.

**Mr Teeluck:** I perfectly agree. *On doit trimer* to be able to inscribe a World Heritage Site. We have done it ourselves. We have, on so many occasions, submitted and successfully got inscriptions of tangible or intangible World Heritage Sites. I, myself, I was involved in the inscription of *le Séga Tambour Chagos* in 2019. So, I have personal and direct knowledge of what you are talking about.

Coming to the Management Plan, the Management Plan was prepared by Professor Odendaal in 2013. But, it had to be updated by Professor Aboungo in 2016 and further reviewed in 2019 and 2020 because there are dynamics which are changing in that region. So, we need to, when submitting the four Management Plans, make sure that we address all the issues whether environmental or otherwise, the lagoon, the cultural landscape. It is not a matter of just submitting any other plan to the UNESCO. We need to ensure that we justify and show to UNESCO that we have maintained the sites as it should and this is what we are doing. As I said, we are collecting the last inputs for the report from Ministries and departments. Once we receive it, it will be approved by Cabinet and submitted to UNESCO. We are satisfied with how the work is progress and in a short span of time same will be finalised and submitted to UNESCO.

So, I am not at all worried about the progress of this file.

**Ms Anquetil:** A last one!

**The Deputy Speaker:** Yes, I will give you one more.

**Ms Anquetil:** *Thank you, Mr Deputy Speaker, Sir.* Est-ce que le ministre est prêt à prendre l'engagement de finaliser un plan de gestion dans les meilleurs délais comme mentionné dans le rapport du *State of Conservation* de l'UNESCO ?

**Mr Teeluck:** Mr Deputy Speaker, Sir, I can reassure the hon. Member and the House that I am taking, not just this *dossier* but all *dossiers* at the level of my Ministry with all seriousness. And I will definitely ensure that not just this Management Plan *dossier* but all other issues dealing under the umbrella of my Ministry are dealt swiftly in a short span of time. Thank you, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Thank you, Minister. Hon. Fourth Member, you have another question to your name.

**CAP MALHEUREUX RELAY CENTRE - MRS S. Z. - ALLEGED  
HARASSMENT**

(No. B/1029) Ms S. Anquetil (Fourth Member for Vacoas & Floréal) asked the Minister of Gender Equality and Family Welfare whether, in regard to the recent alleged case of harassment on Mrs S. Z., a care giver at the Relay Centre Cap Malheureux, she will state if her Ministry has initiated an inquiry thereinto.

**Mrs Koonjoo-Shah:** Mr Deputy Speaker, Sir, I am informed by the National Children's Council (NCC) which is responsible for the running of the Cap Malheureux Relay Centre that, on Tuesday 19 October 2021, the Shelter Manager reported several issues regarding the behaviour and the attitude of the said caregiver towards her colleagues and the Manager himself.

On the other hand, on 22 October 2021, the National Children's Council received a letter from the Caregiver who in turn complained about the attitude of the Shelter Manager against her.

Immediately, an enquiry was initiated at the level of the NCC. Consequently, the said Caregiver was officially convened in writing for a meeting at the seat of the National Children's Council on 25 October 2021, but unfortunately, she did not turn up, stating that she had another prior commitment.

However, a meeting was held on 27 October 2021 with the Shelter Manager on this very issue.

Another meeting with both the Shelter Manager and the Child Caregiver to sort out the matter was convened yesterday, 08 November 2021, at the seat of the Council at 10.00 hrs.

The Shelter Manager could not attend as he informed he was not feeling well. However, the Caregiver attended and explained that she was presently facing relational issues with the Shelter Manager. She even submitted another letter confirming only relational problems with the Shelter Manager and that there has never been any case of harassment against her person. She expressed her wish to withdraw her complaint made in the previous letter dated 22 October 2021.

Mr Deputy Speaker, Sir, I would like to table the letter addressed by the said Caregiver to the attention of the House.

**The Deputy Speaker:** Thank you very much. Next supplementary!

**Ms Anquetil:** Mr Deputy Speaker, Sir, can the Minister state whether she has been made aware that on Monday 18 October 2021, at 4.15 p.m., Mr T., the Manager made humiliating remarks against *Madame S.Z.* in his office? I quote –

*“To pe senti pi. Eski tonn bengne tonn vin travay? Lot kou met inpe parfin kan to vin get mwa.”*

**Mrs Koonjoo-Shah:** As I have said in my reply to the question, Mr Deputy Speaker, Sir, the Shelter Manager reported issues on Tuesday 19 October. The hon. Member is referring to an incident that happened on the eve, on Monday 18, as I understand. No, I am not aware of such words being uttered to the Caregiver. And besides, there is a letter of complaint that she has written to the National Children Council about the problem that she is having with the Shelter Manager or her place of work or her colleagues, and in the letter there is nothing of the sort mentioned. The letter is handwritten by the Caregiver.

**Ms Anquetil:** Excusez-moi, M. le president...

**The Deputy Speaker:** I will give you one more question obviously. Stick to...

**Ms Anquetil:** Only one more?

**The Deputy Speaker:** You had two already.

**Ms Anquetil:** No. I got only one for that one. Please!

**The Deputy Speaker:** Have this one. Stick to the question.

**Ms Anquetil:** Okay. *Donc, je suis en possession d'une lettre de la Caregiver qui mentionne les mots que j'ai mentionnés tout à l'heure. Donc, je n'invente rien. Toute est là et je trouve dommage que la ministre n'ait pas pris connaissance de ce courrier.*

Is the Minister aware that the Manager has repeatedly used foul language with the Caregiver and has even received her in his office in an indecent posture? Thank you.

**Mrs Koonjoo-Shah:** Mr Deputy Speaker, Sir, I have just tabled a letter to the attention of this august Assembly, whereby the Caregiver herself has admitted that she has made frivolous and baseless accusations towards the person concerned, the Shelter Manager, and she is hereby withdrawing any case of harassment, or she is going back on her words. Therefore, the letter that the hon. Member is referring to right now cannot be taken into account and besides there has been an inquiry.

*(Interruptions)*

Yes, I understand. I have a copy of the letter as well. I also have a copy, Mr Deputy Speaker, Sir, that the caregiver has taken back her complaint. Well, I have tabled the letter. So, please I would invite the House, especially the hon. Member to take cognizance of the contents of the latest letter written by the Caregiver.

**Ms Anquetil:** A last one, please!

**The Deputy Speaker:** I will give you a last one. Just be mindful that your question takes into account answers already given, otherwise I wouldn't ask the Minister to reply.

**Ms Anquetil:** Is the Minister aware that this case has been reported to the Labour Office and to a union representative? And, will she ensure the House that there will be no cover-up, knowing that Mr T. is related to her?

**Mrs Koonjoo-Shah:** Mr Deputy Speaker, Sir...

**The Deputy Speaker:** No, no, no!

**Mrs Koonjoo-Shah:** ... let me put...

**The Deputy Speaker:** Allow me! Allow me! Now, we are going somewhere which is, in my humble opinion, not proper. But the question is there. I will give the liberty to the Minister whether she wants to answer, or not. Please!

**Mrs Koonjoo-Shah:** Mr Deputy Speaker, Sir, thank you for allowing me the opportunity to answer the hon. Member and the House. The Shelter Manager, Mr T. is in no way related to my person. That is to set the record straight. The original question that actually has some kind of weight and substance, that the matter has been referred to a certain union and to the Labour Office, I wish to, not ensure the House, reassure the House that the matter

is going to be dealt with in all transparency at the level of the authorities it has been lodged at.

Mr Deputy Speaker, Sir, should the hon. Member have any further concern about the allegations made and withdrawn later on by the said Caregiver, should she be in possession of any substantial information, I would very, very happily invite her to go and lodge a case even at the level of the Police and I am certain an investigation will be carried out at that level as well. Thank you.

**The Deputy Speaker:** Thank you for answering, Minister.

Hon. Member, I just have to draw your attention with regard to the letter that you have asked to be tabled. There are is a name therein. It is not proper for me as Chair to allow the name of individual in full to be tabled. So, there is an issue as of now. I cannot allow full name of individual...

**Ms Anquetil:** I have got one with me...

**The Deputy Speaker:** No, no. There is a full name. So, as of now we cannot.

So, next question, hon. Second Member of Port Louis North and Montagne Longue!

#### **OFFSHORE WINDFARMS – FEASIBILITY STUDY**

(No. B/1030) **Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue)** asked the Minister of Energy and Public Utilities whether, in regard to the carrying out of a feasibility study on the implementation of offshore wind farms, as proposed in the annex to the Budget Speech 2021-2022, he will state where matters stand.

*(Withdrawn)*

#### **COVID-19 VACCINATION CALENDAR - MAURITIAN CITIZENS BELOW 18 YEARS OLD**

(No. B/1031) **Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue)** asked the Minister of Health and Wellness whether, in regard to Mauritian citizens below 18 years old, he will state the present number thereof being COVID-19 vaccinated, indicating the calendar for the vaccination of those who are not yet vaccinated.

**The Deputy Speaker:** Hon. Minister!

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, the vaccines that can be administered to children below 18 years old are Pfizer and Moderna.

Given the fact that my Ministry has obtained a first consignment of 70,050 doses of Pfizer vaccines, the National COVID-19 Vaccination Committee recommended that the vaccine be administered to the target group of age 15 to 18 years in Mauritius in a first instance. This was approved by the High-Level Committee.

Mr Deputy Speaker, Sir, our vaccination campaign For those aged 15 to 17 years started on 28 September 2021, the priority was given to students attending secondary schools and as at 03 November 2021, a total of 30,096 out of 43,663 adolescents in this age group had already been administered a first dose of Pfizer vaccine.

As regards to those who have not yet been vaccinated, a calendar is being worked out by my Ministry in collaboration with the Ministry of Education taking into consideration the upcoming consignment of 107,640 doses of Pfizer vaccine that Mauritius would be benefiting from through the dose sharing mechanism of COVAX Facility in mid-November 2021.

Concerning vaccination for some 440 students who do not attend school, a list of these institutions have been provided by the Ministry of Education, Tertiary Education, Science and Technology, and the possibility of carrying out their vaccination in a hospital set up is being looked into.

Mr Deputy Speaker, Sir, due to limited doses of Pfizer vaccine received, priority was given to students aged 15 to 17 upon receipt of the forthcoming consignment of Pfizer vaccine, the calendar will also be established to vaccinate children under 18 years and residing in homes.

**The Deputy Speaker:** Hon. Member, please.

**Mrs Luchmun Roy:** Thank you, Mr Deputy Speaker, Sir. Thank you, hon. Minister for the answer. There are several articles which mentioned about vaccination for infants, that is, those between 5 to 11 years and there are some articles, even in the US they have approved Pfizer as a vaccination for infants. Would the hon. Minister consider vaccinating the infants between 5 to 11?

**Dr. Jagutpal:** Yes, Mr Deputy Speaker, Sir. Obviously, once we receive those vaccines that have already been approved for children and especially for those above five years old, we will go in line with vaccinating those who are not vaccinated so far.

**The Deputy Speaker:** Hon. Ameer Meea has requested a supplementary.

**Mr Ameer Meea:** Mr Deputy Speaker, Sir, the figures given by the hon. Minister clearly show that approximately one third of the population, of the figure that he gave, are not yet vaccinated. And with the sudden rise in COVID-related deaths in some cases among some young persons, will it not be wise for the High-Level Committee, for your Ministry to opt for online courses for primary and secondary schools just like the University of Mauritius has done and though those attending the University of Mauritius are fully vaccinated?

**Dr. Jagutpal:** Mr Deputy Speaker, Sir, now the High-Level Committee together with the Ministry of Education, we are looking into this, closely monitoring the situation and obviously, any decision which will be taken will be obviously informed to all.

**The Deputy Speaker:** So, I do not see any further hands for supplementary.

Hon. Members, the Table has been advised that PQ B/1039, PQ B/1054, PQ B/1055, PQ B/1066, PQ B/1068 and PQ B/1069 have been withdrawn. The hon. First Member for La Caverne/Phoenix, I do not see him here nor has he made any request. The question after as well...

**Mrs Luchmun Roy:** Mr Deputy Speaker, Sir, I have a second question.

**The Deputy Speaker:** Sorry, my apologies I missed one! Hon. Second Member for Port Louis North & Montagne Longue!

#### **AUTISTIC CHILDREN – REGISTERED NGOs – ASSISTANCE & BENEFITS**

**(No. B/1032) Mrs S. Luchmun Roy (Second Member for Port Louis North & Montagne Longue)** asked the Minister of Social Integration, Social Security and National Solidarity whether, in regard to autism, she will state the present number of children suffering therefrom in Mauritius, indicating the –

- (a) number of registered associations working for the welfare thereof, and
- (b) assistance and benefits granted thereto by her Ministry.

**Mrs Jeewa-Daureeawoo:** Mr Deputy Speaker, Sir, I am informed that there are presently 306 children in Mauritius who suffer from autism and are in receipt of the Basic Invalidity Pension.

With regard to part (a) of the question, presently, there are 30 non-governmental organisations (NGOs) working for the welfare of children suffering from autism registered

with my Ministry, including 29 which are also registered with a National Social Inclusion Foundation.

As regards part (b) of the question, my Ministry offers the following assistance to Children suffering from a disability of not less than 60% for a period of at least one year, including children suffering from autism –

- a Basic Invalidity Pension of Rs9,000 monthly;
- a Carer's Allowance of Rs3,500 monthly where the child needs the constant care and attention of another person;
- free domiciliary medical visits to children who are in receipt of Carer's Allowance;
- refund of bus fares to accompanying parents of students with disabilities attending NGOs and mainstream schools;
- duty-free facilities for the purchase of adapted cars to parents of children suffering from autism subject to the recommendation of the medical board;
- a cash grant for the purchase of assistive devices as and when required and as certified by a medical practitioner, and
- concessionary air fare by Air Mauritius and concessionary fee for passport when they travel abroad.

Over and above the support offered by my Ministry, the National Solidarity Fund also offers financial assistance to vulnerable persons, including persons with disabilities and persons suffering from autism. Financial assistance is provided for the following overseas treatment, local treatment, purchase of drugs and medication not available in Government hospitals –

- purchase of adapted electric or motorised wheelchair;
- purchase of medical beds and ripple mattress, and
- hearing aids.

**The Deputy Speaker:** Thank you, hon. Minister. Hon. Member!

**Mrs Luchmun Roy:** Thank you, hon. Minister. Can the hon. Minister inform the House of how many children suffering from autism are currently benefiting from Carer's Allowance as well as domiciliary medical visits?

**Mrs Jeewa-Daureeawoo:** Well, with regard to Carer's Allowance: 123 children, and children benefiting from domiciliary medical visits: 123.

**The Deputy Speaker:** Hon. Member!

**Mrs Luchmun Roy:** For the period 2020-2021, can the hon. Minister inform the House of how much money has been disbursed by the NSF with regard to taking care of autistic children?

**Mrs Jeewa-Daureeawoo:** Yes, please just give me one second, I do have the answer.

**The Deputy Speaker:** Take your time, Minister.

**Mrs Jeewa-Daureeawoo:** Thank you. For January 2020 to December 2020, Rs74.4 m. were disbursed to 29 NGOs. For January 2021 to June 2021, Rs40.4 m. were disbursed to the same amount of NGOs.

**The Deputy Speaker:** No more supplementary I understand. Next Member, hon. First Member for Beau Bassin & Petite Rivière!

**GRA – HEAD OF RACING DIVISION – TERMS & CONDITIONS OF  
EMPLOYMENT – PAY PACKET, BENEFITS & RECRUITMENT PROCEDURES**

**(No. B/1036) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the Gambling Regulatory Authority, he will, for the benefit of the House, obtain therefrom, information as to if the post of Head of the Racing Division thereof has been filled and if so, indicate the –

- (a) name of the incumbent and terms and conditions of employment thereof, including, monthly pay packet and other benefits drawn and if a due diligence exercise was carried out prior to the appointment thereof, and
- (b) recruitment procedures followed therefor.

**The Minister of Arts and Cultural Heritage (Mr A. Teeluck):** Mr Deputy Speaker, Sir, as regards part (a) of the question, I am informed by the Gambling Regulatory Authority that an Expression of Interest was launched on 14 January 2021, inviting both local and

international candidates willing to join the Authority as Head of its current administrative Horse Racing Division.

The services of Mr W.J.W, an Australian National, were enlisted by the Authority on 21 May 2021 on a consultancy basis for a period of two years. However, due to the closure of borders, he assumed duty on 03 September 2021.

He is being paid a monthly consultancy fee of 5,833 Great Britain Pound inclusive of accommodation amounting to 1,250 Great Britain Pound and travelling expenses amounting to 750 Great Britain Pound. As part of his duties, Mr W.J.W will have amongst his assignments the setting-up of the statutory Horse Racing Division which will take over the regulatory and governance functions of the horse racing organiser as set out in the Finance Act 2021.

Mr Deputy Speaker, Sir, prior to his enlistment as Head of the Horse Racing Division, an appropriate due diligence exercise was carried out at the level of the Authority as it is the current practice for any other position to be filled.

As regards part (b) of the question, I wish to inform the hon. Member that subsequent to the invitation of the Expression of Interest, as mentioned earlier, all recruitment procedures, namely screening of applications, interviewing and selection of the most appropriate candidates had been followed.

On the basis of that exercise, Mr W.J.W. was accordingly offered the position of Head of the Horse Racing Division.

**The Deputy Speaker:** Supplementary, please!

**Mr Bhagwan:** I have two supplementaries.

**The Deputy Speaker:** Yes!

**Mr Bhagwan:** The Minister is not the substantive Minister, but can he inform the House whether, in his file, any clearance has been obtained from the Interpol and whether Interpol was asked to give clearance on the character of that person employed?

**Mr Teeluck:** Mr Deputy Speaker, Sir, the information that I have at hand is that an appropriate due diligence exercise was carried out. Whether it also relates to an Interpol search, I would need to seek further information to that.

**The Deputy Speaker:** You have the next supplementary.

**Mr Bhagwan:** May I ask the Minister whether, in his file, he can inform the House whether when Mr D.B., Senior Advisor at the Prime Minister's Office, member of the Board of the GRA was in attendance in that interview or even chaired that interview, whether this is the case?

**Mr Teeluck:** If you will allow me, the selection panel for interview for the post of Head of Horse Racing Division was constituted as follows -

- (i) Mr G.P. Bussier, Board Member and Chairperson;
- (ii) Mr Beekharry, Board Member;
- (iii) Mr Kautick, Board Member
- (iv) Mr C. Ujoodhia, Board Member, and
- (v) Mr A. Ponnusawmy, Officer in charge.

**Mr Bhagwan:** Yes, he is the substantive Minister. Can he inform us that that person who has been employed will be working independently and will not take orders from the Director of the *SMS Pariaz*, who is a well-known supporter of his Government and his Party, Mr Lee Shim?

**The Deputy Speaker:** No, no, no!

**Mr Teeluck:** Mr Deputy Speaker, Sir, the concerned person will definitely work along the terms of his contract of employment.

**The Deputy Speaker:** I have a few minutes left before Question Time is over. I will allow you one more question. Next question!

*(Interruptions)*

This is what I am saying, I will allow you.

**Mr Bhagwan:** I am in a hurry myself.

**The Deputy Speaker:** Go ahead!

**Mr Bhagwan:** B/1027!

#### **CENTRAL PROCUREMENT BOARD – COMPOSITION**

(No. B/1037) **Mr R. Bhagwan ( First Member for Beau Bassin & Petite Rivière)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the Central Procurement Board, he will, for the benefit of the House, obtain therefrom, information as to the composition thereof, indicating the respective dates of appointment thereof.

**The Minister of arts & Cultural Heritage (Mr A. Teeluck):** Mr Deputy Speaker, Sir, with your permission, I am tabling the information sought by the hon. Member.

May I also inform the hon. Member that I have been informed that the composition of the Central Procurement Board (CPB) is currently being reviewed and the Board will soon be reconstituted.

**The Deputy Speaker:** You can have supplementary; I have a couple of minutes. Yes, go ahead.

**Mr Bhagwan:** I think being a Minister, he must be informed. There is actually a problem at the CPB. There are certain people who have been suspended; others are nearly going to jail. Can the Minister inform the House whether such an institution, *qui manipule des milliards et des milliards de roupies de projets et il y a même un secrétaire, un Senior Engineer qui ont été suspendus pour des cas louches par une certaine institution que moi je ne considère pas crédible, mais aussi, quel message que le gouvernement peut transférer à la nation, aux taxpayers sur une institution* which has been allocating billions of rupees of contracts, where *il y a eu des magouilles, des jeux de corruption ?*

**Mr Teeluck:** Mr Deputy Speaker, Sir, I am sorry but I did not actually get the question.

**The Deputy Speaker:** No problem, he will repeat it.

**Mr Bhagwan:** Est-ce que le ministre peut informer la Chambre que cette institution, où des gens ont été suspendus pour corruption, quelle garantie que le gouvernement, je lui dis en tant que ministre, peut donner à la nation, *les taxpayers*, que des milliards de roupies qui ont été allouées et qui vont être allouées à travers le budget, qu'il y aura transparence et qu'il n'y aura aucun cas de trafic d'influence et de corruption à l'avenir ?

**Mr Teeluck:** I just answered the question. The Board is currently being reconstituted. So, I think that is sufficiently clear that we are operating in all transparency and when it comes to the composition of the Board, you will have the names.

**Mr Bhagwan:** One last question.

**The Deputy Speaker:** Yes.

**Mr Bhagwan:** What guarantee does the Minister, on behalf of the Ministry of Finance and Government, that those members who will be chosen to sit on that institution will not be politically, I would say, biased or members of the Party of the Government which are actually involved in active politics? What guarantee does the Minister, Government give to the nation, the

country and the taxpayers that independent people would be appointed to sit in these very important institutions?

**Mr Teeluck:** Mr Deputy Speaker, Sir, appointment will be made according to law and even their terms of service would be according to law.

*(Interruptions)*

**The Deputy Speaker:** Order! Order! Order!

*(Interruptions)*

No, no, no! Hon. First Member!

*(Interruptions)*

No!

*(Interruptions)*

I think it is okay to be a little bit distracted after so many questions.

*(Interruptions)*

Hon. Bhagwan, very respectfully, it is the second time you are doing it for today. Rather than addressing your Point of Order to me, you are addressing it to the Member. It is not very well appreciated.

**Mr Bhagwan:** I thought I was being threatened.

*(Interruptions)*

**The Deputy Speaker:** No! So, tell me, I will do the needful.

*(Interruptions)*

I understand it is very hard to do that.

*(Interruptions)*

Order! Order! I can take one last question because two-hour time ends at 16.22.

*(Interruptions)*

**Mr Teeluck:** Mr Deputy Speaker, Sir, I still need to reply.

*(Interruptions)*

**The Deputy Speaker:** Oh! Yes!

**Mr Teeluck:** To bring comfort, at this meeting of 27 September 2021, the Board of the CPB has decided to set up an Integrity Committee to identify, amongst others: compliance issues, risk and off-road and corruption and to come up with the corrective measures to mitigate them. So, I think this is sufficient guarantee to the House and to the hon. Member that matter is being taken seriously.

**The Deputy Speaker:** We will end Question Time with a young Member. Third Member of Mahebourg and Plaine Magnien!

### **TOURISTS ARRIVAL – 01 OCTOBER 2021 TO 09 NOVEMBER 2021**

**(No. B/1038) Mr R. Doolub (Third Member for Mahebourg & Plaine Magnien)** asked the Deputy Prime Minister, Minister of Housing and Land Use Planning, Minister of Tourism whether, in regard to the tourists, he will state the number of arrivals thereof since 01 October 2021, giving a breakdown as to the country of origin thereof.

**The Ag. Prime Minister (Mr S. Obeegadoo):** Yes, Mr Deputy Speaker, Sir, Statistics Mauritius is the National Body which is responsible for collecting, compiling, analysing and disseminating statistics with regard to the Tourism Sector. However, it has come to my attention that the media is widely using statistics obtained from the Airport Terminal Operations Ltd (ATOL) to report on arrivals in the country since the reopening of borders.

ATOL publishes figures based on incoming passengers, information provided on their disembarkation card. On the other hand, Statistics Mauritius calculates the number of tourists in accordance with the “UN World Tourism Organisation International Recommendations for Tourism Statistics”, based on data submitted by the Passport and Immigration Office.

The Passport and Immigration Office has a different classification of incoming passengers which is divided as between Mauritians and foreigners, and foreigners are further subdivided as between tourists and non-tourists.

Mr Deputy Speaker, Sir, I am informed by the Statistics Unit of my Ministry that between 01 and 07 November 2021, a total of 70,746 tourists arrived in Mauritius. The bulk of the arrivals were from the European Continent, about 80% of total arrivals.

Now, as regards the main markets, the information is as follows –

- 30% of arrivals were from France;
- 19.6% (let's say, 20%) from the UK;
- 10% from Germany;

- 6.5% from South Africa;
- 4.6% from Reunion;
- 4.4% from Switzerland, and
- nearly 3% from Saudi Arabia.

With your permission, Mr Deputy Speaker, Sir, I shall arrange for the information detailing tourist arrivals by country or territory of residence to be placed in the Library.

**The Deputy Speaker:** I am minded to allow the young Member one last supplementary.

**Mr Doolub:** Thank you, Mr Deputy Speaker, Sir. In his reply, the Minister mentioned a figure of 70,746 tourists arriving. If we need to establish a comparison to the corresponding period pre-COVID, I mean, October- November 2019, can the Minister advise what it will represent percentage-wise?

**The Ag. Prime Minister:** I will reply from memory, Mr Deputy Speaker, Sir. I think it should be in the region of 42 to 43% of the corresponding figure for October 2019.

Now that, Mr Deputy Speaker, Sir, is a major achievement. As you know, in 2018 to 2019, we had nearly 1.3 million tourists, which is why in the last Budget the Minister of Finance set as a target 50% of that number, 650,000 tourists that we wish to reach, to bring to Mauritius by the end of June next year. Now, if in the very first month following the reopening of borders we have attained a percentage of 42 or 43%, then, that is a major achievement which augurs very well for the future, which means that the target set at this point in time is certainly achievable. Thank you.

**The Deputy Speaker:** Thank you very much. We are well over two hours for Question Time!

## MOTION

### SUSPENSION OF S.O. 10(2)

**The Ag. Prime Minister:** Mr Deputy Speaker, Sir, I beg to move that all the business on today's Order Paper be exempted from the provisions of paragraph (2) of Standing Order 10.

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

*Question put and agreed to.*

**The Deputy Speaker:** I call upon the hon. Ag. Prime Minister, Minister of Tourism for a Statement.

## **STATEMENTS BY MINISTERS**

### **INCOMING PASSENGERS - SANITARY SITUATION**

**The Ag. Prime Minister:** I have a short Statement, Mr Deputy Speaker, Sir, concerning incoming passengers and the sanitary situation.

As the House is aware, since 01 October 2021, there is a sanitary protocol in place for incoming passengers that requires that all passengers should undergo a PCR test within 72 hours before departure, provided there is no break in their travel - 72 hours before departure.

Now, upon disembarkation in Mauritius, vaccinated passengers have to undergo COVID tests on Day-0 and on Day-05 whereas unvaccinated passengers undergo a mandatory quarantine of 7 days' duration.

I have just informed the House that between 01 October and 07 November 2021, we have welcomed 70,746 tourists out of 91,589 incoming passengers, that is, the total number of incoming passengers stands at 91,589.

Now, I am informed that the number of that 91,589, the number of incoming passengers found to be COVID positive upon arrival at the airport is 78, representing 0.08% of total arrivals. Most COVID-19 positive cases were found to be asymptomatic and, based on the information obtained from the Ministry of Health and Wellness, none of the 78 COVID positive incoming passengers has required hospitalisation to date.

Thank you, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Thank you, hon. Ag. Prime Minister!

Hon. Minister Balgobin!

## **MAURITIUS - UNITED KINGDOM'S LIST OF HIGH-RISK THIRD COUNTRIES - DELISTING**

**The Minister of Information Technology, Communication and Innovation (Mr D. Balgobin):** Mr Deputy Speaker, Sir, with your permission, I wish to make a Statement as Ag. Minister of Financial Services and Good Governance, to inform the House on the delisting of Mauritius from the United Kingdom's list of 'High-Risk Third Countries'.

Mr Deputy Speaker, Sir, as the House is aware, on 26 March 2021, the UK included Mauritius in its list of “High-Risk Third Countries” by amending its Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017. In fact, the United Kingdom simply mirrored the FATF list of “Jurisdictions under Increased Monitoring”.

As the House is aware, at the time Mauritius was included in the UK List of High-Risk Third Countries, we had already embarked on an exercise to overhaul the AML/CFT framework so as to effectively address the deficiencies identified by the FATF in our AML/CFT regime. Two progress Reports had already been assessed by the FATF and we are being commented for the excellent work being done.

The overhauling of our AML/CFT framework included a number of measures, such as numerous amendments to our legislations, the reinforcement of resources, both financial and human, intensive training and outreach activities to develop the technical capacities across all agencies in the fight against financial crime, money laundering and terrorism financing and application of a range of sanctions by the supervisors and the Law Enforcement Agencies for non-compliance.

Mr Deputy Speaker, Sir, on 26 October 2021, my colleague, the hon. Minister of Financial Services and Good Governance, made a statement to the effect that the FATF, at its Plenary Meeting of 21 October 2021, decided that Mauritius would no longer be subject to its increased monitoring and the jurisdiction was removed from the FATF Grey List.

Following the delisting from the FATF Grey List, Government immediately reached out to the UK Authorities and the European Union for the delisting of Mauritius from their respective list of “High-Risk Third Countries”.

Today, I am pleased to inform the House that the UK had removed Mauritius from its list of “High-Risk Third Countries” on 02 November 2021.

Mr Deputy Speaker, Sir, I also wish to inform the House that there is no top up requirement from the EU for the removal of Mauritius from its list of “High-Risk Third Countries” and I wish to reassure the House, that Government will continue with its diplomatic efforts to ensure that Mauritius is removed from the EU list at the earliest and Mauritius gets back its place as a jurisdiction of international repute as an International Financial Centre.

Thank you, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Thank you, hon. Minister! We shall break 30 minutes for the tea time.

*At 4.34 p.m., the Sitting was suspended.*

*On resuming at 5.14 p.m. with the Deputy Speaker in the Chair.*

**The Deputy Speaker:** Thank you very much. Please be seated! Hon. Minister Balgobin!

*Second Reading*

## **THE CYBERSECURITY AND CYBERCRIME BILL**

**(No. XV of 2021)**

*Order for Second Reading read.*

**The Minister of Information Technology, Communication and Innovation (Mr D. Balgobin):** Mr Deputy Speaker, Sir, I beg to move that the Cybersecurity and Cybercrime Bill (No. XV of 2021) be read a second time.

M. le président, le débat que nous entamons aujourd'hui dépasse les limites de la politique partisane. Notre objectif est de défendre et de protéger chaque enfant, chaque personne âgée, chaque individu, chaque entreprise, de notre République.

Nous sommes conscients que les cybercriminels, de manière très claire, ciblent le maillon le plus vulnérable et qui prennent avantage sur la méconnaissance des gens.

La révolution numérique n'a pas seulement bouleversé les économies et le bon fonctionnement du monde entier, elle a, malheureusement, aussi accru la cyber délinquance. Cette délinquance est menée par des gens mal intentionnés. A part des délits qui ont toujours existé, de nouveaux délits ont surgi qui menacent autant les particuliers que les entreprises, surtout depuis le début de la pandémie de la COVID-19.

Au cours des dernières années, le développement très rapide de l'Internet a entraîné dans son sillage des abus et aussi des infractions de toutes sortes par des personnes ayant des motifs sinistres.

La toile, monde sans frontières, est devenue aujourd'hui un lieu de prédilection pour le crime organisé pour certains, pour faire des déclarations incendiaires ou pour déstabiliser le bon fonctionnement de la société.

Ces personnes, malveillantes se cachent souvent derrière de faux profils ou prennent avantage de l'absence de contrôle ou de réglementation juste. Je suis sûr que, dans cette auguste Assemblée, chacun de nous a une histoire d'un ou d'une proche qui a été, d'une façon ou une autre, victime d'un délit en ligne. Pire, chaque citoyen lambda, responsable et respectueux, vit dans une crainte perpétuelle d'être une victime de la cybercriminalité.

Il est donc essentiel, et c'est le rôle d'un gouvernement responsable, de protéger ses concitoyens ainsi que les entreprises, le secteur privé et les services publics contre des cyberattaques dont les conséquences sont souvent désastreuses sur tous les plans - personnel, social ou financier.

Il est donc impératif de mettre en place un écosystème robuste qui répond aux enjeux du jour, surtout que le monde virtuel est si dynamique.

M. le président, nous avons, comme à notre habitude, assumé notre responsabilité en proposant une nouvelle loi, plus moderne que celle existante, soit le *Computer Misuse and Cybercrime Act de 2003*, qui je dois dire, a fait son temps. Ce nouveau projet de loi est mieux adapté à la situation actuelle qui prévaut sur le cyber-espace et le rendra plus résilient et sécurisé pour être utilisé par les internautes.

M. le président, contrairement aux démagogues, faussetés et les campagnes mensongères que veulent faire croire les détracteurs de ce projet de loi, je le dis haut et fort, ce document met en exergue trois priorités fondamentales -

- mieux combattre la cybercriminalité ;
- renforcer notre cyber-résilience, et
- renforcer la coopération internationale.

Les articles de presse pleuvent depuis la présentation de ce projet de loi en première lecture, et je dois dire, M. le président, que les membres au sein de l'opposition ainsi que d'autres politiciens extra-parlementaires sont totalement à côté de la plaque.

Et, c'est dommage! Ils ne voient pas plus loin que le bout de leur nez!

Alors que ce gouvernement, avec à sa tête un Premier ministre visionnaire et avant-gardiste, choisit d'adopter une approche avec une vue d'ensemble. Et je m'explique.

Mr Deputy Speaker, Sir, today, at a time when we are facing unprecedented threats from rogue hackers and all sorts of cybercriminals, this Government is unveiling and proposing a new piece of legislation to take urgent actions, to give the Government and the

private sector the tools we need to combat cyber threats and to protect each and every citizen of our country.

It is with a great sense of responsibility, for me, to present this piece of legislation, the Cybersecurity and Cybercrime Bill, of utmost importance for the future of our people, of our economy and of our Republic. It goes in line with late Sir Anerood Jugnauth's vision 2030 for the country; a vision which will transform Mauritius into a high income, inclusive and green economy, including a safe and secure cyberspace in our jurisdiction.

The noble motive behind devising this Bill is to protect everyone, including our children and youngsters from cyber threats. The finalisation of the Bill has been based on a comprehensive desk review and the analysis of different legislations.

Mr Deputy Speaker, Sir, in this new era of advanced technology, world economies are harnessing the benefits of digitalisation and state-of-the-art solutions, particularly, in critical sectors such as health, finance, industry and commerce. As a result, ever greater resilience and security of these infrastructures have become a priority for any Government.

Cybercriminals are becoming more and more sophisticated and are perfecting their methodologies in the quest to attack critical information infrastructure. They can operate from anywhere in the world, targeting individuals, large numbers of people or businesses across boundaries, making it more challenging for cyber defenders.

We are now on the eve of 2022 and the Computer Misuse and Cybercrime Act dates back to 2003. In these 18 years, the cyber threat landscape has changed drastically. Therefore, we need to keep pace to address these threats so as we can better protect ourselves and our people.

I wish to draw the attention of the House on how our citizens, irrespective of their social status, are becoming victims to cybercrimes on a daily basis. Even our children, youngsters and senior citizens are not spared by unscrupulous persons.

The statistics gathered for the past four years, through the Mauritian Cybercrime Online Reporting System (MAUCORS) are very alarming. Cases reported in 2021 are 5 times more than those in 2018. In 2021, January to date, more than 2320 cases have been reported as compared to 426 in 2018!

We are witnessing the trauma and anxiety with our people are experiencing through as a result of fake profiles, cyber scams, phishing, revenge pornography, electronic frauds, amongst others. The trend shows no sign of slowing down.

Not later than this year, one of the heart-breaking incidents was the mobile application Telegram, we know the issue, where intimate pictures of young Mauritian girls were circulating on different groups. Another most recent case was the circulation of a humiliating video targeting disabled persons on Tiktok or disgusting hate speech videos on Facebook. We should not forget the incident where our children in Rodrigues fell victim to the heinous acts of paedophiles through WhatsApp.

Mr Deputy Speaker, Sir, allow me to elaborate on the threats which institutions are facing such as malware infections, social engineering, denial-of-service attacks, bot-nets, ransomware, website defacement, compromised accounts, amongst others.

These words may seem unfamiliar to many of us, but these are real threats happening in our beautiful country.

On the regional front, due to the growth of digital transformation across Africa, the continent has become an attractive target for cyber criminals. According to a report released by a global cybersecurity and digital privacy company, Kaspersky, in August 2021, four countries accounted for 85 million cyber-attacks in all its forms in the span of six months, with South Africa being the most targeted with 32 million attacks; followed by Kenya, 28.3 million; Nigeria, 16.7 million; while Ethiopia had 8 million cyber-attacks.

In Europe, the Middle East and Africa, organisations experienced a 36% increase in cyber-attacks since the beginning of the year. The United States has observed a 17% increase in cyber-attacks, while the Asia Pacific region recorded a 13% increase.

In the United States, the Colonial Pipeline, a major fuel company fell victim to a ransomware attack this year, which led to its entire fuel distribution pipeline being shut down, causing shortages across the US East Coast and influencing oil prices globally.

Last year, hackers stole the personal data of around 1.4 million people who took COVID-19 tests in the region of Paris.

Mr Deputy Speaker, Sir, these are not just mere figures for computation purposes only, but reflect the dangers hiding around in the digital and cyber world. Cyber-attacks are indeed causing severe financial losses to organisations in Mauritius and worldwide.

According to the World Economic Forum Global Risks Report 2020, cyber-attacks rank first among global human caused risks. A report from the popular cybersecurity firm, McAfee, estimated that global losses from cybercrime topped 1 trillion US Dollars in 2020.

Cybersecurity Ventures, one of the world's leading researchers for the global cyber economy, predicts that this year, cybercrime will cost the world 11.4 million US Dollars every single minute. It also predicts that global cybercrime costs will grow by 15 per cent per year over the next five years, reaching 10.5 trillion US Dollars annually by 2025, compared to 3 trillion US Dollars in 2015.

Mr Deputy Speaker, Sir, law enforcement capabilities are critical to safeguard and secure cyberspace as they perform an essential role in investigating cybercrimes and prosecuting those responsible. Cybercrime is borderless by nature and this makes criminal investigations more complicated for law enforcement authorities.

Adequate cross-border provisions are required and international cooperation as well as mutual assistance between law enforcement agencies need to be enhanced to effectively address cybercrime.

The importance of the fight against cybercrime in the whole world is also growing. In order to allow the ICT sector and the digital economy to significantly grow, appropriate measures need to be implemented to tackle cybercrime. This includes mechanisms for harmonising legislation on cybercrime and electronic evidence.

The Computer Misuse and Cybercrime Act 2003 is the existing legislation in force on cybercrime and contains several provisions of substantive criminal law, which allow for the identification of the main cybercrime actions as illegal activities.

Although the Act provides the possibility to investigate and prosecute criminal activities in cyberspace, it has its limitations in the face of the growing cyber-attacks, especially those which are new and more harmful in nature.

The Computer Misuse and Cybercrime Act 2003 does not cater for emerging cyber threats occurring due to the fast development in Information Technology. Moreover, it does not have any governance framework for the coordination of cybersecurity and cybercrime at national level.

One of the important aspects of international cooperation, which is essential for resolution of cybercrime occurring at cross border level, is missing and needs to be

addressed. And most importantly, the existing law is not harmonised with the international and regional conventions that Mauritius is a signatory to, such as the Budapest Convention on Cybercrime and the African Union - Malabo Convention on Cybersecurity and Personal Data Protection.

Mr Deputy Speaker, Sir, Mauritius has proudly maintained its 1<sup>st</sup> position in Africa for the last 7 years in the International Telecommunication Union's (ITU) Global Cybersecurity Index and is currently placed 17<sup>th</sup> globally. This has been possible because of lots of initiatives that we have been taken and these initiatives include –

- Implementation of National Cybersecurity Strategy (2014) and Cybercrime Strategy (2017);
- Finalisation of the National Cyber Incident Response Plan (2020);
- Development of the Critical Information Infrastructure Policy (2021);
- Establishment and operationalisation of the Mauritian Cybercrime Online Reporting System (MAUCORS) (2018);
- Establishment and operationalisation of the ITU Centre of Excellence in the field of Cybersecurity (2020);
- Setting up of the Security Operations Centre for the Government (2020), amongst so many others.

Mr Deputy Speaker, Sir, cybersecurity is attracting more attention than ever, given its increasing importance in the digitalised world. Not just in the headlines, but among industry leaders, academics, and the public. Successful cyber-attacks are becoming more frequent and threatening as adversaries become more determined, organised and sophisticated.

This is why this Government is aiming to position Mauritius among the top secure nations by introducing a forward-looking and pro-active legislation, capable of addressing issues arising from evolving threats.

It is against this backdrop that I am privileged today to pilot as Minister of Information Technology, Communication and Innovation, the Cybersecurity and Cybercrime Bill in this august Assembly.

Mr Deputy Speaker, Sir, Mahatma Gandhi said, and I quote –

“The future depends on what you do today”.

And today, Mr Deputy Speaker, Sir, we have come up with this Bill to provide a new and comprehensive legal instrument for the country's cyber future. One that is secure, resilient, collaborative and adaptable. All these will help to make the Information Technologies a good servant and not a bad master.

As I mentioned before, the new Bill has been drafted taking into consideration the commitments taken by our country as a party to international conventions: the Budapest Convention on Cybercrime signed in November 2013 and ratified in March 2014 and the African Union - Malabo Convention on Cybersecurity and Personal Data Protection ratified in March 2018. It includes measures to criminalise offences related to computer crime and to harmonise penalties with international practices while ensuring that core values and human rights enshrined in our constitution are respected.

This Bill also aims at developing a more robust framework for the protection of the Mauritian cyberspace –

- by providing new criminal offences related to cybersecurity and cybercrime;
- reinforced provisions for protection of critical information infrastructure and implementation of a policy in that regard;
- improved investigation techniques and international cooperation, and
- as well as mutual legal assistance in cybercrime matters and setting up of a National Cybersecurity Committee.

Mr Deputy Speaker, Sir, this piece of legislation is not the product of a haphazard approach. A dedicated and specialised team was constituted to work out this upgraded and modern piece of legislation, together with relevant stakeholders. Moreover, a comprehensive analysis of various legislations in different jurisdictions such as Singapore, Australia, UK, USA, Estonia, India and Kenya was carried out. To ensure that this law is benchmarked with the highest of international standards in the sector and that every clause in this Bill is in line with the principles of preservation of fundamental liberties, the Council of Europe was consulted at various stages of the drafting and finalisation of the Bill.

Mr Deputy Speaker, Sir, I wish to stress on the fact that the Council of Europe, which is Europe's leading Human Rights Organisation, Democracy and Rule of Law, has provided its valuable inputs and has vetted the law, through the Attorney General's Office. Here, I would like to thank my colleague the hon. Attorney General and his team for their valuable

assistance. We can safely say that the clauses of this Bill are in line with principles of human rights, democracy and rule of law.

We have heard lots of irrational comments from a few, I would say, irresponsible persons, who are claiming that this Bill is violating human rights, freedom of expression and according to them is unconstitutional. I say it again, Mr Deputy Speaker, Sir, the very fact that the vetting of the Bill has been done by the Council of Europe is enough testimony of respect of democratic rights. Those irrational persons have deliberately tried to mislead the population and instil fear in the minds of people, but, by doing so, they have done nothing except ridiculing themselves. *Heureusement, M. le président, le ridicule ne tue pas!*

*M. le président*, allow me now to elaborate on the different sections of the new law. The Bill makes provision for the setting up of a National Cybersecurity Committee which comprises a Chairperson, to be appointed by the Prime Minister and representatives from competent bodies. One of the main roles of this apex committee will be to drive the implementation of Government policy relating to cybersecurity and cybercrime as well as coordinate and facilitate the implementation of a Critical Information Infrastructure framework.

Mr Deputy Speaker, Sir, let me say it loud and clear, at no point in time, will this Committee indulge in the investigation and prosecution of cybercrime as it is being said outside. The Police and the Judiciary will, as always, act independently. I firmly reiterate that the Committee will not be concerned at all with the day-to-day operations of the cybersecurity machinery. It will only ensure policy oversight and strategy implementation at the highest level.

Mr Deputy Speaker, Sir, let me now elaborate on the offences that have been catered for under this Bill. There are nineteen (19) offences in total. Among these, there are 7 existing offences from the Computer Misuse and Cybercrime Act 2003 which have been aligned with the Budapest Convention on Cybercrime. 12 new offences have been introduced in order to deal with the new and emerging cyber threats. These have been conceptualised in the Mauritian context.

Members from both sides of the House will appreciate that the law has been toughened to increase the penalties and the terms of imprisonment. The offenders shall be punished by a fine ranging from Rs100,000 to Rs2 m. and penal servitude ranging from 2 years to 25 years, depending, of course, on the gravity of the offence. We have to think of

damages suffered by victims of cybercrimes and we cannot tolerate perpetrators. The severe penalties will act as a deterrent for the latter who will think twice before acting.

As mentioned, 7 existing sections of the Computer Misuse and Cybercrime Act have been maintained and enhanced in order to clearly reflect the malicious intention of perpetrators in committing a crime. I would like to highlight that the Council of Europe has played a crucial role here in adapting these clauses with the Convention. The Budapest Convention stipulates that offences which involve unauthorised access such as hacking, intrusion, data tampering and degradation of service constitute a crime only if they are committed “intentionally” and “without right”. In the existing law, there is insufficient language to express the element of intent. Therefore, the new law aligns the existing provisions with Articles 2 to 10 of Budapest Convention to include those elements of intent and without right.

Today, with the latest technologies, it is very easy for a cybercriminal to hack someone’s password, to create viruses for the purpose of stealing personal information and to launch phishing attacks to defraud people. That is why we deemed it crucial to keep clauses such as unauthorised disclosure of passwords, unlawful possession of devices and computer data and electronic fraud.

Mr Deputy Speaker, Sir, allow me now to elaborate on the new offences that have been introduced in the new legislation. Cyber-attacks such as Denial of Service or Distributed Denial of Service are very common nowadays.

These types of attacks can shut down a machine or network, making it inaccessible to its intended users. Clause 9 on unauthorised interference caters for such cyber-attacks that hinder the functioning of computer systems and cause data loss.

Forgery using computer systems is very rampant and involves illegal alteration of computer data for wrongful gain and loss to innocent people. Therefore, Clause 15 on computer-related forgery will act as a deterrent.

We are witnessing an increasing abuse of social media fake accounts on platforms such as Facebook, WhatsApp, Telegram, Instagram, TikTok, amongst others in Mauritius. This type of abuse has the sole purpose of causing harm to individuals, especially vulnerable children. That is why we have introduced Clause 16 on misuse of fake profile.

This provision, however, Mr Deputy Speaker, Sir, has elicited quite some comments from the Opposition and this reflects the vibrancy of our democracy. I have no issues with

that. However, we should not try to manipulate public opinion or instil fear in the mind of the people just for the sake of criticising. There is clearly a deliberate attempt to mislead people on the Government's intention and this is not new.

Mr Deputy Speaker, Sir, I totally fail to understand why Members of the Opposition and also some frustrated politicians outside Parliament are against enhancing the cyber security ecosystem in the country, especially with regard to the misuse of fake profile, when they know the harm fake profiles are causing, particularly to the vulnerable. This defies my logic!

Mr Deputy Speaker, Sir, to better appreciate the need for an updated legislation, we need to ask ourselves some basic questions –

- Do we want in this country, anti-patriots to use fake profiles on social media to create racial hatred?
- Do we want paedophiles to keep targeting and harm our children online?
- Do we want cybercriminals to use fake profiles to extort money from old and vulnerable people?
- Do we want our Motherland to be in chaos because of civil unrest created by those cowards hiding behind fake profiles?
- Is this what the Opposition wants?

Then let the population judge them, Mr Deputy Speaker, Sir. If this is what they want, not to vote for this Bill because we do not want to have fake profiles legislation, then do not vote for this Bill! We have no problem with that. But then, let history bear witness to their stand against fighting fake profiles as one of the provisions of this Bill. But, we as a caring and responsible Government, we want to protect our citizens against these cowards who hide behind fake profiles with the only intention to cause harm to other people.

We on this side of the House, we will not accept that fake profiles are being used to cause harm to the vulnerable, because we care for our people. We will not stay idle, do nothing and look away, we will not allow our children to fall prey to predators, we will not allow our elderly to become victims of financial scams, we will not allow our people to be ill-treated or disgraced on social media platforms because we care for our citizens. The misuse of fake profiles can in fact lead to any form of harm, ranging from emotional stress, physical

injury or financial disaster to even suicide. I would like to remind Members of the Opposition that the element of “harm” is causing lots of controversies.

Let me clarify: here, we are talking about a Cybersecurity and Cybercrime Bill and it is clear that we are referring to cyber harm which is understood as the damaging consequences resulting from cyber events, which can originate from malicious, accidental or natural phenomena, manifesting itself within or outside the internet. We cannot allow these harmful behaviours and content to undermine the significant benefits that the digital revolution can offer.

Mr Deputy Speaker, Sir, another form of crime which is on the rise amongst school-aged children is cyber bullying. It can take place on social media, messaging platforms, gaming platforms and mobile phones. It is a repeated behaviour, aimed at scaring, angering or shaming those who are targeted. If this continues, we will also be facing similar situations as other countries such as UK, US, Australia and India, where unfortunately cases of cyber bullying have led young children, youngsters, to suicide. We want to protect our children and youngsters unlike what the Members of the Opposition are doing, who are against this Bill.

The Clause 17 on cyber bullying has been added to address this specific issue. Another common problem being noted in the country these days is “drop-by shipping”. Abusers are using this technique to extract money from people. This is the reason why we have included Clause 18 on cyber extortion to minimise this fraudulent act of extorting money from individuals or groups of people, including organisations using digital technology.

Revenge Pornography is one of the most recurring incidents on social media platforms and causes distress and anxiety amongst people. It involves the sharing of private images or videos of partners, peers or others for revenge purposes. Clause 19 has been introduced to tackle this particular problem.

The internet can be used for the purpose of spreading extremist propaganda and execution of terrorist attacks. This type of attack is becoming very prevalent in big countries such as US, Russia, UK, India and China. With the Government’s vision of preventing acts of terrorist, Clause 20 on Cyber Terrorism will aid in circumventing such types of attacks in our country.

The illegal downloading of movies, music or pirated software for commercial purposes is of concern in the country at the moment. Currently, there are challenges to

address this issue. Therefore, Clause 21 on infringement of copyright and related rights has been included in the Bill, to deal with the scourge.

Critical sectors such as Government, health, telecommunications and financial sectors are imperative for providing essential services to the population. A massive cyber-attack on such critical infrastructures can have a devastating effect on people's lives and the damage to the economy will be inestimable.

This is why, as a responsible Government, we need to ensure protection of critical information infrastructures, on which most essential services rely upon; that is why clause 22 on increased penalty for offences involving critical information and infrastructure is necessary.

Mr Deputy Speaker, Sir, let me now come to clause 23 of the Bill, that is, Failure to moderate undesirable content. I have taken cognizance of some unfounded comments that this clause of the Bill will be an impediment to freedom of expression, especially to members of the Press. This is yet again, Mr Deputy Speaker, Sir, a misinformation campaign conducted by some twisted minds, just, and only just to create confusion and instigate the Press against us.

Clause 23(3) clearly defines "undesirable content" as an online content that is being used with the intent to threaten, defame, and mislead the public. But, more importantly, when it comes to promoting hate speech and racism and when it threatens National Security or Public Health and Safety of the country. So, I ask the question, here, again: 'In what way is the liberty of the Press threatened?' That has been said outside.

Mr Deputy Speaker, Sir, let me give an example of what exactly this clause is all about. Let's say for instance, I am the administrator of a public page on social media, where there is a large number of members and followers and there is an ill-intentioned person who posts a content on my wall, saying that we should have a racial war in the country or that one section of the population should fight against another one or still, we should burn all places of worship of a particular community. This heinous post is accessible not only to members and followers of the page, but to the public in general. One can only imagine the disastrous effect of such an inflammatory post when it goes viral. So, in this particular scenario, where lies the responsibility of the administrator of that page? Is it ok for the administrator of the page to accept such post that is published on the wall so that everybody has access to it? Are the Members of the Opposition agreeable to condoning such a scenario?

Now, this provision of the Bill will be applied only when somebody reports the matter to the Police and after the Police have conducted their investigation and found that the online post constitutes an undesirable content, then what happens, the Police inform the Administrator to remove that content. It is, if and only, when the Administrator fails to remove that particular undesirable content, then this clause will apply. I hope now it is clear and easy to understand, and not the false propaganda saying that now the liberty of people, the liberty of the Press is at stake. No, Mr Deputy Speaker, Sir!

During the course of an investigation by the Police, confidentiality has to be maintained at all times. Should there be any breach, clause 24 on Disclosure of details of an investigation would apply.

Moreover, clause 25 pertaining to Obstruction of investigation has also been included to take legal action against those who obstruct or delay an investigation intentionally and illegally.

We are very much open, Mr Deputy Speaker, Sir, to constructive criticisms with regard to fines which, according to some people, are deemed to be very severe. However, we need to think of the damages suffered by the victims of cybercrimes and we cannot tolerate criminals. Severe penalties will act as a deterrent for the latter who will think twice before acting.

Mr Deputy Speaker, Sir, as published in some local newspapers, we see that legal experts are also in support of high penalties and penal servitude because they feel that this will act as a preventive measure.

Now, let me come to Part IV of the Bill which deals with the Investigation Procedures. The legislation enhances the systematic way in which the Police conduct investigations in relation to cybercrimes. The systematic manner in which the Police will have to mandatorily conduct their investigation as per this legislation reflects not only respect for human rights but also ensures fairness. It will authorise the Police to execute set procedural measures for the purpose of collection or production of evidence with respect to specific cybercriminal investigations or proceedings.

This process will involve expedited preservation of evidence, disclosure of information with regard to traffic and content data, powers of access, search and seizure of devices and data for investigation purposes. It also caters for the deletion of unlawful

contents from devices. This ensures that there won't be any arbitrary manner in which the Police could conduct their investigation. It will also ensure transparency, certainty and trust.

Mr Deputy Speaker, Sir, I would like to draw the attention of the House on provision 29 which is the Real-time collection of traffic data and provision 30, that is, the Interception of content data. These two clauses have been provided in order to ensure a thorough investigation and prosecution of a cybercrime case. When a case is reported to the Police, the latter will have to start an investigation. If the investigation requires a specific information requiring a Judge's Order, they will have to follow the legal procedures as laid down in this legislation.

Here again, Mr Deputy Speaker, Sir, much has been said by the Members of the Opposition and also taken up by the Press that this particular clause is being purposely introduced to be able to do content filtering and data monitoring on various social media platforms. It has also unjustly been stated that this provision in the Bill is a camouflage of the ICTA Consultation paper on social media content filtering.

Mr Deputy Speaker, Sir, I state it, in no uncertain terms, that at no point in time, will content filtering and data monitoring be carried out under this clause. At no point in time! This clause is an existing section in the Computer Misuse and Cybercrime Act which dates back to 2003. During the past 18 years, this law is present in our legislation. No one challenged this provision. Now that the same provision has been subsumed in this new legislation, some people are shouting on all rooftops that this provision is violating human rights.

Mr Deputy Speaker, Sir, I had a look at the debates when the Computer Misuse and Cybercrime Act 2003 was being debated in this House, back on 15 July 2003. And that law was being proposed here by an ex-MMM Minister, and when the then Minister presented his Second Reading, section 15 of the Computer Misuse and Cybercrime Act was present! What happened then? Hon. Mrs Navarre-Marie rose and seconded that Bill. At that time, there was no problem with that particular section of the law. The only Opposition orator at that time was late James Burty David; the only one who eventually talked and debated on that law, with the same section. And what did he say? I quote Hansard –

*“M. le président, nous allons certainement soutenir ce projet de loi.”*

There was no problem then! There was no problem then! And he said again –

*“Nous ne ferons aucune opposition à ce projet de loi. Au contraire, il sera voté dans l’unanimité de la Chambre.”*

That was said when the same section 29, which is in this legislation, was section 15 in the Computer Misuse and Cybercrime Act. There was no uproar. Suddenly, today, there are all kinds of *démagogies* that this law is violating human rights!

But, let me remind some hon. Members on the other side of the House, that they were the ones who signed the Budapest Convention on Cybercrime in November 2013, and I should say, rightly so! They signed the convention. Now that our legislation is being aligned with the provisions of the same Convention to enhance our cyber security ecosystem as well as simultaneously respect human rights, there is suddenly an uproar! Mr Deputy Speaker, Sir, this is pure demagoguery and hypocrisy! I leave it to the population to draw their own conclusion.

Mr Deputy Speaker, Sir, there are so many capable lawyers on both sides of the House, especially our friends from the Opposition. Based on what has been stated in the press regarding this Bill, I wonder how they did not know that these clauses are already present in the Computer Misuse and Cybercrime Act of 2003. Anyway, Mr Deputy Speaker, Sir, this is democracy. We are open to positive criticisms.

Let me give an example to clarify how this clause can help authorities in their investigation process. And at no point in time, I repeat it here, this section of the law will do filtering and data monitoring. No! For instance, in a case where there has been an online financial fraud. So, supposedly, a person receives an email from a supposed bank, which looks genuine. The email contains a link on which he is prompted to click and provide his banking details. The person provides his details thinking that the request is genuine from the bank. It happens so many times nowadays. Then, what happens, Mr Deputy Speaker, Sir? After a few days, the person discovers that he has been victim to phishing and that all his money has disappeared in thin air.

The person reports the matter to the Police and to the bank. As part of the investigation, the Police will have to determine the source of the message. Following the initial investigation, the Police analyse the incident and determine that additional information is required from the Internet Service Provider (ISP). This is done in order to identify the email source; where it comes from.

For the purpose of obtaining some additional information, the Police cannot go and check what has happened. The Police have to apply for a Judge's order because it cannot, as I said, on its own, get information from the ISP as the ISP is bound by Data Protection legislation. Once this is obtained, the Police send a request for information to the ISP along with the Judge's order. The request for information pertains to collection and recording of traffic and content data in real time for that particular email. Now, let me clarify the proper meaning of "real-time" that is being used in the Bill, as I have noticed that there are lots of politicians outside Parliament who have suddenly become cyber security experts nowadays and giving all sorts of interpretations. And I repeat again, for the sole purpose of instilling fear and telling the population that we are now monitoring social media, we are filtering content. This is not true, Mr Deputy Speaker, Sir!

"Real-time collection of data" is a technical jargon and should not at all be confused with live content filtering or monitoring as they are presuming. Not at all! "Real-time" refers to a specific time frame for which the Judge, depending, of course, on the merits of the case, will give the necessary permission to have access to the required traffic or content data at that material time; when that email was sent, when that person filled the form and gave the password and login and everything else. At that material time!

The information required from the ISP includes the time, the date, the source and the IP address and content of the email, amongst others, which, of course, will constitute evidence in this case.

Mr Deputy Speaker, Sir, as I have explained, this is a routine investigation technique that is being used in all countries around the world for cybercrime cases. It is not new only for Mauritius. It is every country around the world that fights against cybercrime and uses such investigation techniques. I want to stress again that, by no means, content filtering and data monitoring is present in this law.

I hope I have been very clear on that scope and the population can rest assured on the seriousness of this Government to combat cybercrimes in all its forms. The whole intent and purpose of this legislation is to shield our people against cybercriminals, contrary to what I call some gossip mongers are trying to make people believe outside. It is totally wrong.

"Critical information infrastructure" is critical information systems meant to operate essential services such as Health, Finance and Government.

The rapid digitalisation and connectivity of Critical Information Infrastructure have led to new vulnerabilities and broadened the categories of risks threatening the resilience of critical sectors. It is therefore crucial to keep pace with technological advancement and anticipate actions against cyber threats. Part V of the Bill caters for measures for the protection of critical information infrastructures.

The Computer Emergency Response Team of Mauritius (CERT-MU) is the focal point for addressing cybersecurity issues at the national level. It is also the leading Computer Emergency Response Team in the region and has gained a strong international reputation over the years.

It also assists and provides capacity building to different CERTs and incident response teams in the region and worldwide. Part VI of the Bill provides legal mandate to allow the CERT-MU to operate under the aegis of my Ministry and perform its functions as laid down in the Bill.

With Information Technology, the world is now a global village. A coordinated approach to track cybercrime across borders would not be possible with as many jurisdictions as the number of States that exist. In fact, a silo approach would be a boon for cybercriminals. To effectively deal with such cybercriminals, Part VII on International Cooperation has been introduced.

The elements of this provision are the mutual legal assistance and the expedited preservation of data as well as the proper functioning of 24/7 point of contact. As it has been aligned with the Budapest Convention on Cybercrime, this provision will also address the lack of harmonised legal framework with respect to transborder cybercriminal activities.

Mr Deputy Speaker, Sir, gone are those days when cybersecurity was just a mere IT issue. In today's interconnected world, the whole functioning of a modern society depends on a robust and resilient cybersecurity ecosystem.

The Cybersecurity and Cybercrime Bill is part of this Government's duty and responsibility to strengthen the nation's cybersecurity posture.

With cyber threats growing globally, this Bill is timely to empower the authorities to safeguard essential services from disruptions by cyber-attacks, prevent and respond to cybersecurity threats and incidents to improve the credibility of cybersecurity services in Mauritius. This ensures that our people continue to live, learn, play and work in a trusted and secured cyberspace.

All Members of this august Assembly will therefore fully agree with me on the pertinence and importance of securing the Mauritian cyber territory in order to nurture the different growth sectors of our economy.

With this Bill, we are all set towards our smart nation journey. And I said it at the very start; it is above politics. It is about public safety and national security. As we know, the virtual world is going viral. And we have only just begun to explore the next generation of technologies that will transform our lives in ways we can't even begin to imagine.

To quote the famous American Computer Scientist, Newton Lee –

“As the world is increasingly interconnected, everyone shares the responsibility of securing cyberspace.”

This is our moment! I firmly believe that with the support of our Prime Minister, Mauritius will shine as a leading digital country for decades to come and will establish itself as a model not only for the region, but for the whole world.

Mr Deputy Speaker, Sir, I am convinced that this Bill will be a breakthrough for a secure, resilient and progressive Mauritius.

I therefore commend the Cybersecurity and Cybercrime Bill to the House.

Thank you.

**Mr Gobin seconded.**

**The Deputy Speaker:** Thank you. Hon. Uteem!

(6.20 p.m.)

**Mr R. Uteem (Second Member for Port Louis South & Port Louis Central):** Mr Deputy Speaker, Sir, we all agree there is a need to protect people from harm resulting from criminal activity carried out through the internet. We all agree that there is a need to protect our citizens from malicious hacking of their personal data, from phishing attack, online scams and internet fraud. We all agree that we need to protect our citizens against the psychological harm which can result from capturing or sharing intimate images, especially women and children. We all agree that we should punish anyone who makes unauthorised transfer using our credit card or our online banking.

And this is why, Mr Deputy Speaker, Sir, in 2003 it was a Minister from the rank of the MMM party who presented the Computer Misuse and Cybercrime Act, an Act which

already criminalises most of the criminal offences that are present in the Bill today. So, I beg to differ from my colleague on the other side when he is trying to think that we, on the side of the House, we are irrational persons, antipatriotic, twisted-minded. We were the one who brought this Bill two decades ago and there was unanimity. Even the Labour party of the Opposition supported that Bill.

But two decades later, we have seen how the law has been applied. We have seen the abuse made by the Police. We have seen how this legislation has been interpreted by the Courts in Mauritius. So, we cannot go back to two decades ago. We have to evolve with time. And today, it is very unfortunate, Mr Deputy Speaker, Sir, that this Government by presenting this Bill in its present form is not paying heed to what the Supreme Court has stated in the case of Seegum.

Now, of course, we have no objection with certain new forms of offences. We do not have any problem with criminalising computer-related forgery, cyber bullying, cyber extortion, revenge pornography and cyber terrorism. We do not have any problem with this. Although the purist will probably argue that these offences are already covered under Section 46 of the Information and Communication Technologies Act 2001, because already people are being prosecuted for sextortion. They are not waiting for this Bill. There are already cases pending before the Cybercrime Unit. We all know some of these cases.

Now, the one difference between this Bill and the Computer Misuse and Cybercrime Act is the increase in the penalty. Under the Computer Misuse Cybercrime Act and under the ICT Act, the maximum penalty is Rs1 m. fine and a term of imprisonment not exceeding ten years. However, under this Bill most of the offences will carry a penalty of a maximum fine of Rs1 m. and imprisonment for term not exceeding 20 years; so, double the penalty that is in existence.

Now, in some cases, the same offence, if it is being carried out using a computer device, will carry out a more severe penalty than if it was not – than if it was carried out without a computer equipment. For example, section 18 of the Bill talks about cyber extortion. Cyber extortion under the Bill will be punishable by a term of imprisonment not exceeding 20 years. But if we look at section 307 of the Penal Code, the penalty for extortion is penal servitude and when committed on a minor, it is imprisonment for a term not less than 2 years. So, you can see the disproportionate penalty; if you use a computer device: 20 years imprisonment; if you do not, then under the Penal Code it is substantially lower.

And it is the same thing with forgery. Maximum penalty for computer-related forgery under section 15 of this Bill would be, again, Rs1 m. fine and 20 years imprisonment. But if you look at section 111 of the Penal Code, forgery in private writing carries a maximum penalty of 10 years; so, why this lack of alignment? And I am drawing the attention of the House on this point simply because there is a principle which, non-lawyers probably were not aware, which is called proportionality. Punishment has to be proportionate to the nature and circumstances of the offence. And the principle of proportionality is reaffirmed in Article 15 of the Budapest Convention which has been ratified by Mauritius. Budapest Convention Article 15 requires party States when enacting cybercrime offences to also provide adequate protection of human rights and liberties, and I quote –

“(...) incorporate the principle of proportionality”.

So, I am afraid, Mr Deputy Speaker, Sir, with these new punishments, 20 years imprisonment for an offence if it was used without a computer device will carry out a much lesser penalty. I am afraid that some of these offences may not pass the test of proportionality as required by the Constitution and guaranteed by the Budapest Convention.

Mr Deputy Speaker, Sir, as the hon. Minister has rightly pointed out when this Bill has been circulated and debated in the public I think I have not seen one article in the Press congratulating Government. I have not seen one article congratulating Government for coming with this legislation. All I have seen is people alerting Government to the dangers with some of the provisions of this Bill. Dangers because you may have the most best intention in the world, but if the legislation is so worded as it can give rise to abuse, then it is our duty as patriots to give Government warning about these. And it is the responsibility of Government as a patriot to listen and pay heed to these warnings.

The most objectionable provision of the Bill, at least the one which has attracted most criticism, is section 16: misuse of fake profile. And here I have to pause and say that already under the ICT Act a person cannot use a fake profile to cause harm. A person, by whatever means, if he uses a telecommunication device and causes harm, publishes false pictures, these are already an offence under the ICT Act. So, it is not like this misuse of fake profile that is going to create a new offence that is unknown. No! It is already in the ICT Act. But what this section 16 does: it creates an offence for any person using fake profile to cause harm. And any person who uses a profile to cause harm is subject to 20 years imprisonment.

Now, what is meant by harm? Harm is defined, and I quote –

“‘harm’ includes physical, sexual, psychological, emotional or moral abuse, injury, neglect, ill-treatment, degradation, discrimination, exploitation or impairment of health or development’.

Everything! Anything you can think of is within that definition of ‘harm’. A definition that is so vague that anything can come in the definition of ‘harm’. Now there would be cases which objectively are clearly unacceptable, which are really creating harm to the victim. But there may also be cases, Mr Deputy Speaker, Sir, which are evidently innocuous but may still be caught when you have such a wide, vague definition of ‘harm’. I will give an example and I know that many people in this House, hon. Members, will know what I am talking about when I am going to say it. Let us take an example of someone using a fake profile to send a message to a Manchester United fan after their home defeat to Liverpool with the aim to hurt his feeling, to hurt his emotion, to taunt him, to nag him. Such a message would seem totally innocuous and in fact I am sure many of us in this House have received such messages if we were MANU fans and many people who are Liverpool fans may have sent these types of messages. But not for one minute they would have thought that by creating anxiety, by giving a headache to the MANU supporter they are making an offence, but this is what this Bill is doing. If you send a message using a fake profile, and that message causes harm to the person receiving it; 20 years imprisonment. So, this is why, on this side, we are not anti-patriots but we need to tell Members of the House what are the risks in voting law with such a wide definition to the word ‘harm’.

In the case of *Seegum v. The State of Mauritius*, the appellant who was a trade unionist was charged with using information and communication service for the purpose of causing annoyance to another person. The Supreme Court in an excellent judgement delivered on 27 May 2021 started by reinstating the fundamental principle laid down in the case of *Ahnee v. Director of Public Prosecutions* [1999], that section 10(4) of the Constitution imposes, and I quote –

“the requirement that in criminal matters any law must be formulated with sufficient precision to enable the citizen to regulate his conduct”.

The Learned Judges emphasised that for a criminal law to pass the test of constitutionality under section 10(4), it must be so worded that it allows the ordinary citizen to determine what constitutes an offence and what acts and omissions will render him liable to prosecution. Their Lordship and Ladyship held that the term ‘causing annoyance’ under

section 46(h) (ii) of the ICTA lacks precision and clarity and was hopelessly vague. It was not possible for a citizen to know which conduct will be criminally reprehensible and would constitute an offence and which conduct would not. The Court concluded that due to its lack of precision and clarity, Section 46 (2)(h) of the ICT Act breached the principal of legality and deprived a citizen of the protection of law as secured under Section 10 of the Constitution.

Interestingly, Mr Deputy Speaker, Sir, the Supreme Court considered at length the Indian case of Shreya Singhal and the Union of India, a 2012 case, where the Court in India found that Section 66 (a) of the Information Technology Act of 2000 of India was anti-constitutional because it was vague and shut it down because it violated Article 19 of the Indian Constitution which provides for the right of freedom of speech and expression.

I said, interestingly, Mr Deputy Speaker, Sir, because I myself in this very august Assembly referred to the case of Shreya Singhal back in October 2018 when we were debating on the Judicial and Legal Provisions (Amendment No. 2) Act 2018, almost three years before the Seegum Case was heard and determined. Hon. Members who were here in 2018 will recall that, back in 2018, the ICT Act was amended to make it an offense to use telecommunication devices to cause humiliation and inconvenience. Intervening on the Bill, I told the House then that what was being proposed was unconstitutional, and today I am telling this House again, now, what is being proposed in Section 16 of the Bill, making use of a fake profile to cause harm is equally unconstitutional.

After the Seegum case, what happened? The ICT Act was amended in the Finance Bill only a few weeks ago, just before we went on holiday. It went almost unnoticed, buried among 300 pages in a Bill which purported to amend 93 Acts of Parliament. Only hon. Joanna Bérenger, if my memory serves me right, commented on that amendment in her intervention. Yet, it was an extremely important amendment because it reflected what the Supreme Court had stated in the Seegum case. That amendment introduced a set of objective criteria which the Court must take into consideration in determining whether an offense had been committed. There were eight criteria, including the extremity of the language used, the extent of circulation, whether the message was repetitive, the content of the message, the age and characteristics of the alleged victim. So, the Law was amended, ICT Act was amended in the light of the decision of Seegum case to provide a series of criteria, which the Court should take into consideration when determining whether an offense has been committed.

The terms “causing annoyance and humiliation and inconvenience” were deleted and replaced by the term “harm”. And there was a definition of harm, not like the one that we have here. The definition of “harm” was in the ICT Act, “harm” includes “serious emotional distress”. The question I will ask them, Mr Deputy Speaker, Sir, is, why barely three months after the Finance Bill has been voted, why is it that barely three months after we have amended the ICT Act to give effect to the judgement of Seegum, why is this Government coming up with a new piece of legislation with the same vagueness in the definition of “harm”, which lacks precision and clarity and is hopelessly vague? Why? Why is there no set of objective criteria which the Court has to take in consideration in determining whether there is an offense?

Mr Deputy Speaker, Sir, do you know where the definition of “harm” comes from? This extensive definition “harm” includes “physical, sexual, psychological, emotional, moral abuse, injury, neglect, ill-treatment, degradation, discrimination, exploitation, impairment of health development”, it comes from the Children’s Bill, the Children’s Act I should say, although this Act has, for reason best known to the Minister, never been proclaimed so far. This definition of “harm” was there because we wanted the widest possible definition to protect our children. This is why we had such a wide definition of harm, but here you cannot use the same definition to curtail freedom of expression, to curtail the ability of people to exercise their constitutional right guaranteed by the Constitution.

I do not want to impute improper motives, Mr Deputy Speaker, Sir, but hon. Members, especially on the other side of the House should realise that this definition of “harm” will give rise, not may, will give rise to abuse. Unfortunately, we all know the infamous track record of the Police. How people had been arrested, handcuffed, humiliated, remanded to police cells. Police lodged provisional charges, objected to bail and then a few months later, charges were struck out. Not in one case, several cases and all too familiar scenarios! And we saw it just a few weeks ago in the middle of confinement: lawyers threatened, even arrested because they dared represent their clients who posted on social media a picture of the Prime Minister with a caption which was not to his liking.

What would happen today, Mr Deputy Speaker, Sir, if one of the Ministers, one of the Government *chamchas* goes to the Police, makes a statement that someone has used a fake profile to criticise him and, as a result, he got a headache and now he needs to take *Panadol*? What do you think the Police will do? In the middle of the night, with five jeeps, take the person forcefully, handcuffed! I know what I am talking about, Mr Deputy Speaker, Sir,

because I have been on the receiving hand as well, not since 2019, but I have been victim of malicious denunciations by several Ministers, MSM Ministers but also one Labour Party Minister.

I have had to go to the Cybercrime Unit myself, give statement, so, I know what I am talking about and, you know, after I gave my defence, do you know what happened? A high ranking Police Officer came to see me and apologised, and said: “*Mr Uteem, lord in vinn lao. Sorry.*” “*Lord in vinn depi lao, sorry.*” I am a barrister, I know my rights, Mr Deputy Speaker, Sir, but not every citizen of this country is a lawyer, not all political opponents are lawyers, and today, you expect us to vote a Bill which will give even more power to the Police to effect arbitrary arrest to humiliate citizens and remand them in police cells during the weekend or a public holiday. Mr Deputy Speaker, Sir, this is why we are against this section of the Bill.

Mr Deputy Speaker, Sir, Section 16 of the Bill is not the only provision which potentially gives rise to abuse. Section 23 is equally dangerous. Section 23 imposes an obligation on the administrator of an online account to moderate and control undesirable contents and if he does not do so, he can be sent to jail for 20 years. We are not talking about a situation where a person posts an undesirable content. No, no, no! We are talking about a situation where someone comments on a post and that someone puts an undesirable content. Some posts, Mr Deputy Speaker, Sir, have hundreds if not thousands of comments. How can you monitor all these comments? When there is a live broadcast there is an interview, there is a debate, there are thousands of comments, all happening simultaneously on the net, how can you monitor all these comments and what is undesirable content? Undesirable content according to section 23 (3) of the Bill includes content that is inaccurate or mislead the public.

So, if someone listening to the hon. Minister of Health posts a comment after listening to his interview and states that he does not agree with the figures that he is advancing, he is lying about the number of COVID related deaths, what would happen? Anyone, any investigating authority can go and say to the person, the media: ‘you did not remove that content, so go to jail for 20 years!’

**The Deputy Speaker:** Hon. Member, with all due respect, I am informed that you have about 20 minutes; we have reached 24 minutes...

**Mr Uteem:** The hon. Minister took one hour and 15 minutes.

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr Uteem:** One hour and 10 minutes ...

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr Uteem:** I am the first orator.

*(Interruptions)*

**The Deputy Speaker:** Order!

*(Interruptions)*

Allow me to regulate conduct of the business of the House! I am not stopping you! But let me ascertain from the information I have. I have a job to do, it is not a pleasure to interrupt you; I have a job to do, so allow me! Who is the Whip of the Opposition?

**An hon. Member:** *Li pas la.*

**The Deputy Speaker:** Okay, good! Whip of the Government, tell me the time!

*(Interruptions)*

Hon. Paul Raymond Bérenger, please!

**Ms Ramyad:** It has been agreed with the Whip of the Opposition that every MP will be given not more than 20 minutes.

**The Deputy Speaker:** Good!

**Ms Ramyad:** Excluding the mover of the Bill, the Leader of the Opposition and the Prime Minister.

**The Deputy Speaker:** Would anyone from the Opposition be able to confirm same or deny same?

**Mr X. L. Duval:** Mr Deputy Speaker, Sir, if it helps, I am happy to give at least a lot of my time to the hon. Member; I have no problem.

*(Interruptions)*

**The Deputy Speaker:** Even I do not have any problem but I have to go by certain rules. So, I think this can be sorted out between the Whip of the Government and the Leader of the Opposition. Unfortunately, he is willing to give his time.

**Ms Ramyad:** But his time is unlimited; so it is not determined.

*(Interruptions)*

**The Deputy Speaker:** Order! In the circumstances ...

*(Interruptions)*

In the circumstances ...

*(Interruptions)*

Allow me; allow me; allow me!

In the circumstances, I fully believe that Whips either from the Government and the Opposition must properly ascertain. They give me the correct time allocation and it is properly disseminated between Members. I will allow you more time hon. Uteem. I will allow you about five more minutes, please, try to get it within five minutes.

**Mr Uteem:** Yes, Mr Deputy Speaker, Sir, thank you.

**The Deputy Speaker:** I do not think you require intervention.

**Mr X. L. Duval:** Mr Deputy Speaker, Sir, as you know with COVID, I have two Members of PMSD who are home-isolating – the disastrous situation of COVID – so it is not the fault of the Whip that he is not here.

**The Deputy Speaker:** No, I am not blaming the fault on anyone! I am taking it upon myself to allocate five more minutes for him to wrap up.

**Mr Uteem:** So, Mr Deputy Speaker, Sir, I was just giving an example where it is extremely difficult for someone to monitor what are the posts. And also, what is most dangerous is that the investigatory authority, we are not talking about just the Police; the investigatory authority is the one who will decide what is inaccurate and what is misled by the public. So, if someone genuinely does not agree with the figures advanced by the hon. Minister of Health and put that on a post, he can be sent to jail because according to this investigatory authority this is misleading the public. So, this is what we call the worst form of censorship possible, Mr Deputy Speaker, Sir, and that is why we are not condoning this section 23 as presently worded.

Another dangerous provision is section 21 of the Bill. If you download movies, music files or pirated applications for gain or against remuneration then you face up to eight years imprisonment. How many young people will be caught by this provision? How many kids download music on the internet? How many football fans streams through the net to watch their favourite team play? If you are at a restaurant, people are eating and drinking and therefore pay you for your services and you are playing music that you are downloading from the internet, you go to jail. If you are in a gym, you are the owner of a gym, and people, members come and do weightlifting, and while doing weightlifting they listen to the music which you are downloading from the internet you go to jail. Now, this is what this law is saying. We are talking about breach of copyright, this is a civil remedy. If the owner of the copyright wants to sue you, sue, but do not send our kids to jail.

Mr Deputy Speaker, Sir, cybercrime laws should never be used to crack down on critical voices. Today words fight deadlier than a sword. I would end, Mr Deputy Speaker, Sir, by leaving hon. Members to ponder on the words of wisdom of Sir Winston Churchill in an interview he gave in 1939 to the New Statesman. He said, and I quote –

“Criticism may not be agreeable, but it is necessary. It fulfils the same function as pain in the human body; it calls attention to the development of an unhealthy state of things. If it is heeded in time, danger may be averted; if it is suppressed, a fatal distemper may develop.”

Unfortunately, Mr Deputy Speaker, Sir, we are dealing with a Government which is allergic to criticism. Today, if we criticise them we are anti-patriots, we are irrational. With this Bill, if we criticise them we will become criminals.

Thank you.

**The Deputy Speaker:** I appreciate you have wrapped up in about 3 minutes. Thank you!

Hon. Minister!

(6.51 p.m.)

**The Minister of Social Integration, Social Security and National Solidarity (Mrs F. Jeewa-Daureeawoo):** Thank you, Mr Deputy Speaker, Sir. Let me start by congratulating my colleague, the Minister Balgobin, for bringing this important piece of legislation in the

National Assembly this afternoon. This Bill was long overdue and I am glad that the Bill is in the National Assembly.

This is indeed a leap forward, especially in a world which is going more and more digital. The dangers of cybercrime are more than ever real, we all agree that no one is spared, we need tools, and we need new legislations. Therefore, it is our duty as a responsible Government to take appropriate actions to protect our children, our elders, women and the population at large as we care for our people. This Bill, as has been rightly pointed out by the Minister, it is about the safety of our people and the security of our country.

Now, to reply to hon. Uteem, the reason for having a wide definition of harm is not at all to curtail the rights of expression or to breach any fundamental rights enshrined in the Constitution. This is not at all the intent of the Minister. This is not at all the intent of the Government. This Bill has been worked out very carefully and I must say as a responsible Government, it is our duty to capture as many situations as possible under our law. Harm, in any possible manner, should be punishable under law. So therefore, it is not correct to try to taint the good faith of Government.

As, I have always said, the law is not static. It keeps evolving with time and new circumstances. This Bill may also be amended in the future should the need arise. But I would like to reassure hon. Uteem and other Members on the other side of the House that we are addressing the issue of cybercrime in the best possible way. *Ce projet de loi n'a pas été rédigé à la va-vite.*

The object of this present Bill is to repeal the Computer Misuse and Cybercrime Act of 2003 and, at the same time, provide for a new legal framework through which Mauritius will give effect to the Budapest Convention on Cybercrime. Mauritius acceded to the said Convention, as we know, on 01 March 2014 and our law is now being aligned. The three main objectives of the Budapest Convention on Cybercrime are –

- (1) harmonising national laws related to cyber-related crime;
- (2) supporting the investigation of cybercrime, and
- (3) increasing international cooperation in the fight against cybercrime.

Now, the Budapest Convention on Cybercrime requires States to ensure that the offences committed by means of computers provided in the Convention are criminalised in their domestic law. It also requires criminal justice authorities to have powers prescribed in their procedural law not only to investigate cybercrime but also...

*(Interruptions)*

**The Deputy Speaker:** We bless you. Continue, please!

**Mrs Jeewa Daureeawoo:** ...any offence where evidence is in the electronic form. Member States also have an obligation to facilitate international cooperation for cybercrime. So, the information and communication technology sector, you will agree, Mr Deputy Speaker, Sir, is a key sector in Mauritius. The Vision 2030 of our Prime Minister and the Government is geared towards transforming Mauritius from a cyber-island into a smart island, where the use of the internet and digital technologies will be omnipresent in the daily life of every Mauritian.

Nowadays, Government services and businesses increasingly involve the use of these new technologies. Moreover, the Mauritian society is also evolving. For example, a majority of Mauritians have a smartphone through which they have easy access to social media platforms, like Facebook, Instagram, WhatsApp and Snapchat. So, the increased use and reliance on internet and digital technologies in our society brings new opportunities and facilities.

However, at the same time, it also carries with it new threats and dangers. Nowadays, cybercriminals can operate from anywhere in the world targeting people and businesses across international boundaries. In a reply to parliamentary question dated 15 June 2021, the hon. Prime Minister stated that 1,888 cybercrime cases have been reported to the Cybercrime Unit of the Mauritius Police force for investigation for the period January 2015 to June 2021. Just for the period January 2021 to June 2021, as we have seen, the number of cybercrimes reported to the Cybercrime Unit for investigation amounted to 153 cases.

So, these statistics and figures on cybercrime give us an idea of the urgency to bring this present Bill to the House so that we may provide for an effective legal framework to tackle this urgent issue.

As such, the objects of the present Bill are to provide for -

- (1) compliance with the Budapest Convention on Cybercrime through the provision of additional criminal offences related to cybercrime and cyber security, improved investigation techniques and also, at the same time, increased international cooperation;
- (2) the implementation of a Critical Information Infrastructure Protection policy;

- (3) the establishment of the National Cybersecurity Committee, and
- (4) international mutual legal assistance in cybercrime matters.

Mr Deputy Speaker, Sir, cybercrime can be categorized in three broad categories –

- (1) Cybercrime against an individual, for example, cyber bullying, cyber extortion, and revenge pornography;
- (2) Cybercrime against property. For example, electronic fraud, computer-related forgery, and infringement of copyright and related rights, and
- (3) Cybercrime against the Government, for example, as we all know cyber terrorism.

So, all these categories are now included in the Bill and is dealt with properly.

Allow me now to comment on some of the different clauses of the Bill. There are some very interesting clauses to better protect our people and our country. Clause 3 is providing for the setting up of a National Cyber Security Committee. This Committee, as we know, will be a decision-making body responsible for cyber security management of the Mauritian cyberspace. It will consist of various stakeholders, including Ministries, law enforcement agencies, regulatory bodies and the private sector.

Part 3 of the Bill, that is, clauses 7-23 provides for 16 cyber related offences. These offences are amongst the most prevalent ones in our society affecting both the younger and older generations. It is good to mention that under the existing Computer Misuse and Cybercrime Act which dates back to 2003, that is, 18 years ago, provision was made for only 7 cyber-related offences. So, we all agree that it was high time to broaden our law as the existing one is now out-dated and obsolete.

Clause 16 of the Bill provides for the offence of misuse of fake profile. This is a very important section. The creation of fake profiles on various social media platforms like Facebook, Instagram and Twitter is a new social issue. Cyber criminals use fake profiles to cause harm to victims by spreading false information online, damage the reputation of victims and children and teenagers for improper motives. So, our Government is determined to tackle this new social phenomenon by making provision for heavy sanctions.

Clauses 17, 18 and 19 of the Bill are creating 3 new cybercrimes under our law, namely cyber bullying, cyber extortion and revenge pornography respectively. So, the victims of these offences are, as we all know, mainly youngsters who are considered to be easy preys

by cybercriminals. Clause 20 of the Bill caters for the offence of cyber terrorism. This is important to protect national security and public interest. Cyber terrorism involves the use of computers and related technology with the intention of causing harm or damage to any targeted Government and affects its policies.

So, as you can see, Mr Deputy Speaker, Sir, all the above offences are viewed with extreme concern by the present Government as they can harm anyone in our society, be it the children, youngsters, elders, anyone in our community or the interest of our State. So, we are making provision for heavy sanctions against perpetrators such as fines not exceeding Rs1 m. and imprisonment to penal servitude for a term not exceeding 20 years.

Part IV of the Bill, that is, clauses 26-32 are reproducing the provisions on investigation procedures under the Budapest Convention. The main challenge relating to investigations and prosecution of cybercrimes is the inherent volatility of digital evidence and also its preservation. So, it is indeed a very good thing that the present Bill is providing powers to our law enforcement authorities for the preservation of computer data.

Moreover, in a spirit of fairness and transparency, safeguards have been put in place to prevent any sort of abuse of powers. Law enforcement authorities can only exercise their powers after obtaining an order from the Judge in Chambers. To obtain the order, the reasonable grounds test must be satisfied.

Lastly, cybercrime is an international threat which requires a coordinated international response. The Government can act within its own territorial jurisdiction for offences committed locally but cannot act if these are committed on Mauritian soil from abroad.

So, through part VII of the Bill, it will now be easier for countries to cooperate on criminal investigations relating to cybercrimes. Cooperation on investigations, as we all know, will take place through the long-established system of mutual legal assistance, as provided under our Mutual Assistance in Criminal and Related Matters Act 2003.

So, Mr Deputy Speaker, Sir, on a concluding note, on this side of the House, we are confident that the present Bill will do two things –

1. help our country to secure its cyberspace and improve our defence against cyber-attacks, and
2. provide a more effective legal framework for our law enforcement agencies to investigate and at the same time prosecute cybercrime.

Thank you.

**The Deputy Speaker:** Thank you, hon. Minister. Hon. Minister Mrs Koonjoo-Shah!

**Mrs Koonjoo-Shah:** Mr Deputy Speaker, Sir, I move for the adjournment of today's debates.

**The Ag. Prime Minister seconded.**

*Question put and agreed to.*

*Debate adjourned accordingly.*

### ADJOURNMENT

**The Ag. Prime Minister:** Mr Deputy Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 16 November 2021 at 11.30 a.m.

**Mr Gobin seconded.**

*Question put and agreed to.*

**The Deputy Speaker:** The House stands adjourned. Adjournment matters!

Hon. Ms Anquetil!

(7.06 p.m.)

### MATTERS RAISED

#### CAMP LA SAVANNE, HENRIETTA – EMBELLISHMENT WORKS

**Ms S. Anquetil (Fourth Member for Vacoas & Floréal):** Je vous remercie, M. le président. Ma requête s'adresse au ministre des Infrastructures nationales et du Développement communautaire. M. le ministre, suite à mon interpellation en date du 30 juin dernier concernant l'installation des lampadaires, d'un panneau de limitation de tonnage ainsi que des travaux d'embellissement au pont de Camp La Savanne à Henrietta, dans votre réponse, vous avez indiqué que l'honorable Ashley Ittoo et le PPS l'honorable Gilbert Bablee contrôlaient la situation et que très bientôt les choses vont se mettre en place. Sachez, M. le ministre, qu'après bientôt quatre mois, les choses n'ont pas bougé d'un iota. Je sollicite votre intervention pour la réalisation des travaux.

Je vous remercie, M. le président.

**The Deputy Speaker:** Thank you. Hon. Minister!

**The Minister of National Infrastructure and Community Development (Mr M. Hurreeram):** Merci, M. le président. Tout à fait, mon ami l'honorable Ittoo et l'honorable PPS Bablee sont en train d'examiner ce problème. Comme la députée doit le savoir, en juin c'est la fin de l'année financière ; on a eu une nouvelle année financière et les panneaux ont été commandés suivant des nouvelles spécifications qu'on a eues. Et c'est entre de très bonnes mains. Un peu de patience, s'il vous plait.

**The Deputy Speaker:** Hon. Doolub! Then I will come to hon. Juman.

(7.07 p.m.)

#### **BUS FITNESS RENEWAL - EXTENSION**

**Mr K. Doolub (Third Member for Mahebourg & Plaine Magnien):** Thank you, Mr Deputy Speaker, Sir. My request is addressed to the Ag. Minister of Land Transport and Light Rail and it is on behalf of few private bus owners whom I have met on request. As at now, owners of buses aged 18 are not entitled to a renewal of their fitness. Normally, it is renewed on a three-month basis as from the 16<sup>th</sup> year. Considering that they have not worked with previous lockdowns and restricted activities, they are making a request that they can be allowed an extension of one year, obviously after examination to work and repay their loans. Thank you.

**The Deputy Speaker:** Hon. Minister!

**The Minister of National Infrastructure and Community Development (Mr M. Hurreeram):** Thank you, Mr Deputy Speaker, Sir. I thank the hon. Member for having given me advance notice. He will appreciate that this is a policy matter that I will convey to the substantive Minister. Thank you.

**The Deputy Speaker:** Thank you very much. Hon. Eshan Juman, please!

(7.08 p.m.)

#### **COVID-19 – SCHOOLS – HIGH ABSENTEEISM RATE**

**Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East):** Mr Deputy Speaker, Sir, my request is addressed to the Ag. Prime Minister. In view of the chaotic situation prevailing in schools due to COVID-19, whereby a high number of positive cases are being registered among teachers, parents and students, causing high absenteeism rate, I urge you to take immediate actions by shifting to an alternate mode of teaching until the worst is over.

**The Deputy Speaker:** Hon. Ag. Prime Minister!

**The Ag. Prime Minister:** Mr Deputy Speaker, Sir, this is a matter that was raised during Question Time. My hon. colleague, the Minister of Health responded.

Firstly, we do not agree that there is a chaotic situation prevailing in schools.

Secondly, the schools are affected by the Delta variant certainly as all other sectors of social life. And, as the hon. Minister explained, we are closely monitoring the situation and shall take appropriate action as and when necessary.

**The Deputy Speaker:** Thank you. Hon. Uteem!

(7.09 p.m.)

### **FLU CLINICS – SOCIAL DISTANCING & PRECAUTIONS**

**Mr R. Uteem (Second Member for Port Louis South & Port Louis Central):**

Thank you, Mr Deputy Speaker, Sir. I would like to raise a matter which concerns the hon. Minister of Health and it concerns the flu clinics, in particular the one at Dr. Jeetoo Hospital. Everybody has seen since yesterday the number of videos circulating on the net, showing a number of people queuing up till late at night in those flu clinics without social distancing, without the necessary precautions and where both COVID positives and COVID negatives seem to be intermingling. I know that it is a very difficult time to control everybody, but I would urge the hon. Minister of Health if strict instructions can be given in those places where people are most at risk, going to hospital, flu clinics, that there is a discipline and proper social barriers are kept so that we can avoid the spreading of the virus.

**The Deputy Speaker:** Thank you. Hon. Minister of Health!

**The Minister of Health and Wellness (Dr. K. Jagutpal):** Thank you, hon. Member. I think we all have noted the number of people going to the flu clinics and that makes obviously the queues, and the sanitary measures are very difficult to implement. Nevertheless, all hospital Directors have been instructed that we have to facilitate the crowd. We have to provide more staffing, more doctors; more tests should be done so that there is no waiting time. Today the situation is better. Hopefully, in the next few days, we will not have those long queues as it has happened in the last three days.

**The Deputy Speaker:** Thank you hon. Minister. Hon. Dhunoo!

(7.11 p.m.)

### CONVENT STREET, CUREPIPE – ROAD WORK

**Mr. S. Dhunoo (Third Member for Curepipe & Midlands):** Thank you, Mr Deputy Speaker, Sir. My request tonight is addressed to hon. Mahendranuth Sharma Hurreeram, the Minister of National Infrastructure and Community Development, who is doing a marvellous job in Constituency No. 17. I would like to thank him and his team of the Road Development Authority for the work that is being done. I have a special request with regard to *la rue Couvent*. In front of the mosque and the kovil there, they have started a work before the financial year and now that the budget is done, I would request him if he can talk to the Engineers of the RDA to continue the work that has to be done in front of the mosque for metal grating and in front of the kovil also. Thank you.

**The Deputy Speaker:** Thank you. Hon. Minister!

**The Minister of National Infrastructure and Community Development (Mr M. Hurreeram):** Mr Deputy Speaker, Sir, I thank the hon. Member for drawing our attention to that issue, and I would like also to thank him to following very closely all the work that is being done and for the precious help that he is extending to us in the Constituency. I will invite him that we go together on site and we see with the Engineers what can be done. Thank you.

**The Deputy Speaker:** Thank you very much. Hon. Dr. Farhad Aumeer, and then hon. Osman Mahomed.

(7.13 p.m.)

### VALLEE PITOT & PLAINE VERTE – NOISE POLLUTION

**Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central):** Thank you, Mr Deputy Speaker, Sir. My request is addressed to the hon. Minister of Environment, whether he can request the officers of the *Police de l'Environnement* to instil further patrols and surveillance that can be arranged along the main roads of Vallée Pitot and Plaine Verte with regard to noise pollution being caused by motorcycles which have modified their exhaust pipes; if visible deterrence can be put in place, which will alleviate the problems of the community living in these areas. Thank you.

**The Deputy Speaker:** Thank you. Hon. Minister!

**The Minister of Youth Empowerment, Sports and Recreation (Mr S. Toussaint):**

M. le président, je suis le Ag. *Minister of Environment for some hours*, aussitôt que mon collègue retourne, je vais lui passer le message.

**The Deputy Speaker:** Thank you, hon. Minister! Hon. Osman Mahomed!

(7.13 p.m.)

**DR. A. G. JEETOO HOSPITAL – PLAN B FOR COVID-POSITIVE PATIENTS**

**Mr Osman Mahomed (First Member for Port Louis South & Port Louis Central):** Thank you. I would like to address the hon. Minister of Health regarding a proposition for Jeetoo Hospital to become Plan B in case ENT Hospital cannot cope with the increasing demand for COVID-positive patients. I understand this proposition follows a meeting of 02 November 2021 – not in the meeting but after the meeting - but this decision will have serious implications on the inhabitants of Port Louis because a series of services will no longer be dispensed at Jeetoo Hospital but in fact elsewhere. So, my proposition to the hon. Minister tonight is to kindly consider Souillac Hospital which was the subject of heavy investment at the beginning of COVID crisis for Souillac Hospital to actually become the Plan B. Thank you.

**The Deputy Speaker:** Hon. Minister, please.

**The Minister of Health and Wellness (Dr. K. Jagutpal):** Thank you, hon. Member. In fact, no, not at all; all the services at Jeetoo Hospital will continue. What are we doing, that's it. You got a paper I am sure it has never been approved; that was a proposition of – whoever did the proposition – and that will never be implemented. Now, at Jeetoo Hospital, we'll continue to have the services. What in fact we are doing over there is patients who have to move to ENT for ICU care, in the basement of Jeetoo Hospital we do have a room where we can cater for these patients to give them the ICU treatment at Jeetoo Hospital. Patients admitted at Jeetoo Hospital, in case they develop serious conditions where they need ICU, they will be shifted at Jeetoo Hospital; this is all that we are doing. In the future, if ever we have the bed occupancy at Jeetoo Hospital we have to transfer patients to the other hospital, for the time being Jeetoo Hospital is able to cope with the number of patients and in case there is a need for more beds, the Ministry is still working on it.

**The Deputy Speaker:** Thank you. Hon. Ameer Meea!

(7.16 p.m.)

**CONSTITUENCY NO. 3 – PAUL ET VIRGINIE STREET – RESURFACING**

**Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East):**

Thank you, Mr Deputy Speaker, Sir. The issue I am raising tonight, I am not sure whether it is addressed to the Minister of Local Government or the Minister of Public Infrastructure. It is in relation to the very bad state of Paul et Virginie Street which is found in my constituency, Constituency No. 3. The street of Paul et Virginie is a very busy one and it is in a very bad state and all the users are complaining about the very bad state of the street. So, I will make a request so that either the Local Government or the MPI through the NDU can do a total resurfacing of the road. Why am I emphasizing on total resurfacing, because it is very uneven and in some cases there have been road accidents due to the state of the street. So, again I appeal to the hon. Minister if he can do needful as soon as possible. Thank you, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Thank you for your request.

**The Minister of National Infrastructure and Community Development (Mr M. Hurreeram):** Thank you, hon. Member. Mr Deputy Speaker, Sir, in fact just like the PPS of the region is showing me, my good friend hon. Rawoo, hon. Abbas Mamode and hon. Husnoo did raise that issue.

*(Interruptions)*

No, the proof is here, the proof is here. The proof is here! In fact this indeed falls under the purview of the Municipality of Port Louis but having received very strong requests from hon. Abbas Mamode and the DPM, the PPS Rawoo included it in the list of the NDU; so, it is going to be done in this financial year. But the fact that there is some outstanding works that need to be done by CWA, so we are waiting that the CWA completes what needs to be completed there then we will come and resurface, then we will have a brand new road and we will allow you to go and take some pictures and post on Facebook just like hon. Osman Mahomed did.

**The Deputy Speaker:** Thank you very much, hon. Members. I think it is good to part on a laughing note. Good evening.

*At 7.20 p.m., the Assembly, was, on its rising, adjourned to Tuesday 16 November 2021 at 11.30 a.m.*

**WRITTEN ANSWERS TO QUESTIONS**  
**SAFE CITY PROJECT – FUNDS ALLOCATED**

(No. B/996) 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 the Safe City Project, he will, for the benefit of the House, obtain from the Acting Commissioner of Police, information as to the –

- (a) total amount of funds allocated therefor, indicating the amount thereof disbursed as at date, giving details thereof;
- (b) number of cameras that are operational, and
- (c) time frame for the completion thereof.

**Reply:** Government embarked on the Safe City Project towards the end of 2017, and it has tremendously helped the Police Department to combat crimes and elucidate cases. As such, it has facilitated the task of Police Officers in enforcing security and ensuring the safety of all our citizens.

The Project comprises the following deliverables –

- (i) supply, installation, testing and commissioning of 4000 surveillance cameras over 2000 Intelligent Video Surveillance Sites;
- (ii) supply, installation, testing and commissioning of 300 traffic cameras over 75 Intelligent Traffic Surveillance Sites;
- (iii) supply, installation, testing and commissioning of 45 Enterprise/Enhanced Long Term Evolution (ELTe) Sites (4G wireless broadband technology) including 4,500 Multimedia Radio Trunking and 350 Vehicular mounted radios and 150 Static radios, and
- (iv) Centralized Command and Control Centre, including a modern Integrated Emergency Response Management System (999).

In regard to part (a) of the question, the Acting Commissioner of Police has informed that the total amount of funds allocated and disbursed for the Safe City Project since its inception, is as follows –

- (i) for the Financial Year 2017-2018, an amount of Rs440 m. was earmarked but there was no disbursement;
- (ii) for the Financial Year 2018-2019, out of an amount of Rs420.4 m. which was earmarked, Rs47,455,946.70 was disbursed;

- (iii) for the Financial Year 2019-2020, out of an amount of Rs642 m. which was allocated, Rs 295,089,123.26 was disbursed;
- (iv) for the Financial Year 2020-2021, out of allocated amount of Rs642 m., Rs619,923,271.74 was disbursed, and
- (v) for the Financial Year 2021-2022, an amount of Rs700 m. has been allocated and as at date, Rs398,177,298.65 has been disbursed.

It must be emphasised that payments are effected as and when the components of the Safe City Project become fully operational.

As regards part (b) of the question, the Acting Commissioner of Police has also informed that, as at date, the following have been completed –

- (a) out of 4000 Intelligent Video Surveillance cameras, 3789 are operational;
- (b) out of 300 Intelligent Traffic Surveillance cameras, 158 are operational. The Mauritius Police Force is currently considering the installation of the remaining 142 Intelligent Traffic Surveillance cameras over 55 new sites. These sites have been identified based on the public demand for Safe City cameras and accident-prone areas in different regions around the island;
- (c) 4500 multimedia radios have been delivered to officers at Police Stations/Posts, units and different branches of the Mauritius Police Force;
- (d) 350 vehicular mounted radios have been installed in Police vehicles;
- (e) 150 static radios have been installed in Police Stations, and
- (f) the Main Command and Control Centre is operational as well as six Sub Command Centres, the Traffic, Management and Control Centre and the Monitoring Bays located at Police Stations. The Sub-Command Centre at Abercrombie will be operational by the end of December 2021.

It is thus affirmed that around 90% of the project has been completed. The remaining 10% is due to delays which arose with the relocation of certain sites owing to the following factors –

- (i) some sites have had to be relocated due to the Metro Express Project which will now be extended from Rose Hill to Ebene as well;
- (ii) the Central Electricity Board (CEB) has experienced some problems to provide electrical supply to the sites;

- (iii) some sites have also been relocated due to their proximity to high voltage CEB sites and due to new projects being undertaken by the Road Development Authority;
- (iv) other sites have been relocated as they were situated at roundabouts and the CEB was not able to provide electrical supply to these sites, and
- (v) additional requests were received from the public and the Mauritius Police Force had to assess whether they were justified and feasible.

Regarding part (c) of the question and in view of the foregoing reasons, the Acting Commissioner of Police has also informed that the Safe City Project is expected to be completed by mid-2022.

The Acting Commissioner of Police has further informed that the Safe City cameras have played a key role in resolving such cases as larceny, road accidents, road traffic offences and breach of curfew order as follows –

- (i) 57 cases in 2019;
- (ii) 77 cases in 2020, and
- (iii) 120 cases, so far, in 2021.

These figures bear testimony to how the Safe City Project is being implemented, first and foremost, in the public interest and it is assuredly assisting the Police in combating crimes in a more efficient and effective manner.

### **MRS B.K.T. - ALLEGED SEXUAL HARASSMENT CASE**

**(No. B/997) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether he will, for the benefit of the House, obtain from the Acting Commissioner of Police, information as to if, on 29 July 2021, one Mrs B.K.T. reported a case of alleged sexual harassment against one Mr J.M.L.S. and cases of alleged involvement of Mr J.M.L.S. in illegal betting and, if so, indicate where matters stand as to the inquiries initiated thereinto, including if Mr J.M.L.S. has been interrogated under caution and, if so, when and, if not, why not.

**Reply:** The Acting Commissioner of Police has informed that, on Thursday 29 July 2021, one Mrs B.K.T., while she was detained at Sodnac Police Station for breach of provisions under the Computer Misuse and Cybercrime Act, made a declaration thereat on an

alleged attempt upon chastity on her person on Saturday 30 January 2021 by one Mr J.M.L.S. and the alleged involvement of the latter and SMS Pariaz Ltd in illegal betting. On Monday 02 August 2021, both cases were referred to the CCID for investigation.

The Acting Commissioner of Police has also informed that, on Tuesday 07 September 2021, Mrs B.K.T. was requested to call at the CCID for further statements, but she did not turn up. After being requested again to call, Mrs B.K.T. finally called at the CCID on Wednesday 13 October 2021. During the course of enquiry, Mrs B.K.T. requested the Enquiring Officer to stop recording her statement as she had a personal commitment to attend, and that she would come back on Thursday 21 October 2021.

The Acting Commissioner of Police has further informed that, on Thursday 21 October 2021, at 09:22 hours, the legal representative of Mrs B.K.T. telephoned the CCID to inform that Mrs B.K.T. would not call at the CCID, as she had previously agreed, and an appointment had then been fixed on Monday 25 October 2021.

The Acting Commissioner of Police has also informed that Mrs B.K.T. did call at the CCID on Monday 25 October 2021, accompanied by her legal representative and completed her statement on the alleged attempt upon chastity on her person. On Friday 29 October 2021, she was medically examined and the Police is awaiting the Medical Report.

In regard to the allegation of illegal betting, the Acting Commissioner of Police has reported that, on Saturday 23 October 2021, the *Police des Jeux* of the CCID jointly with the Mauritius Revenue Authority checked the gaming outlet of SMS Pariaz Ltd. located at Victoria Avenue, Quatre Bornes. The relevant licences including the licence issued by the Gambling Regulatory Authority were verified and they were found to be in order. The three terminals thereat and the mobile phones of the tellers were also checked and nothing incriminating was observed.

Enquiry into both cases is ongoing.

**MR N.B, DIRECTOR GENERAL OF ICAC - CONTRACT OF  
EMPLOYMENT - RENEWAL**

**(No. B/998) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to Mr N.B., he will state the date of the last renewal of his contract of employment as Director General of the Independent Commission against Corruption, indicating the terms and conditions of appointment thereof, including the total monthly pay packet and other allowances and benefits drawn.

**Reply:** The contract of employment of Mr N. B. as Director General of the Independent Commission against Corruption was renewed on Tuesday 29 June 2021 for a further period of five years with effect from Thursday 01 July 2021.

Since the second part of the question relates to operations of ICAC, it is reminded that the Prevention of Corruption Act (PoCA) already provides for a Parliamentary Committee to monitor the operations of ICAC. The PoCA also provides for Members of the Opposition to form part of the Parliamentary Committee. According to section 61(2)(c) of the Act, the Parliamentary Committee may require the Director General or any officer to furnish any accounting or other records relating directly or indirectly to all financial transactions of the Commission and to answer any question in relation to such financial transactions. Thus, hon. Members on the Opposition side of the House have the possibility of obtaining information on the operations of the ICAC, to the extent that is permissible by law, through the Parliamentary Committee.

**PEOPLE WITH DISABILITIES – HEINOUS ATTACKS & DEROGATORY  
REMARKS - COMPLAINTS**

**(No. B/999) Dr. M. Gungapersad (Second Member for Grand’Baie & Poudre d’Or)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to heinous attacks and derogatory remarks made against people with disabilities through posts and videos on Meta (formerly Facebook) or other virtual platforms, he will, for the benefit of the House, obtain from the Information Communication Technologies Authority, information as to the number of complaints therefor registered since 2015 to date, indicating the outcome thereof.

**Reply:** The Information and Communication Technologies Authority (ICTA) has informed that it has received, in all, four complaints regarding heinous attacks and derogatory remarks against people with disabilities through posts on Meta (formerly Facebook) on Friday 02 and Saturday 03 July 2021, and has referred these complaints to the Police for further action. No similar complaints had previously been received at the level of the ICTA.

The Acting Commissioner of Police has informed that it has registered 11 similar complaints, 8 of which were reported in July 2021 and 3 in October 2021. This excludes the complaints referred to the Police by the ICTA. No such complaints were received at the level of the Police prior to July 2021.

All the complaints received so far, whether at the level of the Police or at the ICTA, relate to posts from the same profile. One person was arrested for the cases reported in July

2021 and subsequently bailed out pending the completion of the Police Enquiry, and the same person was anew arrested for the 3 cases reported in October 2021. She is presently admitted in a public hospital. Police Enquiry in the matter is ongoing.

From its side the ICTA has reported the matter to Meta (formerly Facebook) for the removal of these posts. However, no action has yet been taken by the said social media despite the several requests made by the ICTA, both during meetings and in writing in July 2021.

Government is very much concerned with such situations, wherein irresponsible individuals often make misuse of the social media to make heinous attacks and hurt and tarnish the reputation of other persons. Offensive and derogatory remarks against people with disabilities are even more despicable and should, in no way, be tolerated in any civilized society.

To address the issue, over and above the investigations that are conducted by the Police, necessary action has also been initiated by the Minister of Information Technology, Communication and Innovation to reinforce our cybercrime legislation, through the recent introduction of the Cybersecurity and Cybercrime Bill in the National Assembly, and on which we shall be deliberating.

### **ELECTORAL BOUNDARIES COMMISSION & ELECTORAL SUPERVISORY COMMISSION - MEMBERS**

**(No. B/1000) Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Electoral Boundaries Commission and the Electoral Supervisory Commission, he will state the names of the members thereof who were recently appointed, indicating the allowances, salaries and fringe benefits drawn in each case.

**Reply:** The Chairperson and Members of the Electoral Boundaries Commission and the Electoral Supervisory Commission are appointed by the President after consultation with the Prime Minister, the Leader of the Opposition, and such other leaders of parties in the Assembly, pursuant to section 38 of the Constitution.

In a Press release, issued on Thursday 21 October 2021, the Office of the President has informed that the President had, after consultation, as provided under section 38 (1) and (2) of the Constitution, appointed Mrs Shadmeenee Mootien and Mr Yashvirsingh Roopun as Members of the Electoral Boundaries Commission and the Electoral Supervisory

Commission and re-appointed Ms Vedita Devi Peerun as Member of both Commissions for a period of five years.

The Members of the Commissions are not paid any salary or fringe benefits. In fact, they are paid an all-inclusive monthly fee of Rs10,715 for the Electoral Supervisory Commission and Rs4,760 for the Electoral Boundaries Commission.

### **FEROCIOUS DOGS - ATTACKS - REPORTED CASES**

**(No. B/1001) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to attacks by ferocious dogs, he will, for the benefit of the House, obtain from the Acting Commissioner of Police, information as to the number of reported cases thereof over the past five years.

**Reply:** It must be clarified that the term “ferocious dog” is not defined in our legislation. According to the Oxford English Dictionary, “ferocious” means “savagely fierce, cruel, or violent”. The Animal Welfare Act 2013 refers to and defines the term “dangerous dog” as a dog of a breed, kind or description listed in the First Schedule of this Act. In the context of this clarification, the Acting Commissioner of Police has informed that 241 cases of attack by “dangerous dogs” have been reported to the Police over the past five years, that is, from Sunday 01 January 2017 to Friday 05 November 2021.

### **CHILD SEXUAL ABUSE – CHILD SEXUAL ABUSE FILTERING SYSTEM - BLOCKED ATTEMPTS**

**(No. B/1002) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to child sexual abuse, he will, for the benefit of the House, obtain from the Information and Communication Technologies Authority, information as to the number of attempts thereof blocked through the Child Sexual Abuse Filtering System since January 2021 to date, indicating the number of IP addresses identified and the actions taken, if any.

**Reply:** The Information and Communication Technologies Authority (ICTA) has informed that the Child Sexual Abuse (CSA) Filtering System has since January 2021 to October 2021 blocked two hundred and sixty-two thousand and six hundred and twenty-two (262,622) attempts by internet users in Mauritius to access CSA websites.

ICTA has also informed that seven thousand three hundred and fourteen (7,314) Mauritian IP addresses trying to have access to CSA websites were identified and blocked.

It is emphasised that the CSA Filtering System has been set up only as a preventive measure so that any person attempting to access a CSA website is denied access thereto.

#### **COMMISSIONER OF POLICE - POST**

**(No. B/1007) Mr P. Assirvaden (Second 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 the post of Commissioner of Police, he will state if the incumbent is still on probation.

**Reply:** The present holder of the post of Commissioner of Police has not been appointed on probation in this capacity. In fact, the Disciplined Forces Service Commission, pursuant to section 91(1) of the Constitution, has, on the recommendation of the Secretary to Cabinet and Head of the Civil Service, made after consultation with the Prime Minister, appointed the present incumbent to act as Commissioner of Police with effect from Tuesday 03 August 2021.

#### **DRIVING LICENCE EXAMINATIONS CENTRES & ROAD EYE CAMERAS**

**(No. B/1008) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity whether, in regard to the Driving Licence Examination Centres, he will, for the benefit of the House, obtain from the Acting Commissioner of Police, information as to the –

- (a) number thereof which are presently –
  - (i) operational;
  - (ii) non-operational, respectively, indicating since when in each case and remedial actions taken, if any;
- (b) place of operation thereof, and
- (c) number of Road Eye Camera available in each centre.

**Reply:** With regard to parts a(i), a(ii), and (b) of the question, the Acting Commissioner of Police has informed that, presently, there are three Driving Licence Examination Centres at which tests are being conducted for the obtention of driving licences in Mauritius, and these are –

1. Line barracks, Port Louis.

2. Les Casernes, Curepipe, and
3. Argy, Flacq.

All the three Driving Licence Examination Centres are presently fully operational.

As regards part (c) of the question, the Acting Commissioner of Police has also informed that there are 6 Road Eye Cameras available at Line Barracks, Port Louis, 2 at Les Casernes, Curepipe and 2 at Argy, Flacq Driving Licence Examination Centres.

### **DUBAI EXPO 2020 - MAURITIUS PAVILION & MAURITIAN DELEGATES**

**(No. B/1013) Mr E. Juman (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the Dubai Expo 2020, he will, for the benefit of the House, obtain from the Economic Development Board –

- (a) information as to the total cost of the Mauritius Pavilion thereat, and
- (b) the list of the Mauritian delegates attending same and table copy thereof giving details as to the quantum of *per diem* and other benefits drawn in each case.

**Reply:** With regard to part (a) of the question, the total cost towards Expo 2020 is estimated at Rs110 m.; out of which the UAE Government contribution in kind is estimated at Rs60 m. The remaining Rs50 m. is being borne by EDB and MTPA and includes the upgrading of the Pavilion, promotional materials, and staff costs.

With regard to part (b), the information requested by the hon. Member is being placed in the Library of the National Assembly.

### **MUNICIPAL COUNCIL OF VACOAS-PHOENIX – DRAIN PROJECTS**

**(No. B/1033) 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 drains falling under the aegis of the Municipal Council of Vacoas and Phoenix, he will, for the benefit of the House, obtain from the Council, the list of places where cleaning, maintenance, rehabilitation and construction are ongoing, indicating –

- (a) if new drains are being constructed, giving details thereof, and

(b) the budget earmarked therefor.

**Reply:** I am informed by the Municipal Council of Vacoas-Phoenix that cleaning, maintenance and rehabilitation of all drains under its jurisdiction is an ongoing exercise and there is an established programme of works for same.

As at date, cleaning, maintenance and rehabilitation of drains have been completed at Terre Rouge Road and St Antoine Road, Camp Fouquereaux. Presently, cleaning, maintenance and rehabilitation works are in progress in other regions of Camp Fouquereaux, as well as in Phoenix, Hollyrood, Solferino, Valentina and Highlands.

It is to be highlighted that in this context, the Land Drainage Authority has also already provided a detailed maintenance plan for cleaning of all the drainage infrastructure.

I am placing in the Library of the National Assembly a list of all the cleaning, maintenance and rehabilitation works on all the other sites which are expected to be completed by 11 December 2021.

With regard to part (a) of the question, I am informed by the Land Drainage Authority that 72 new drain projects, for a total project value of Rs727 m., have been earmarked for implementation within the jurisdiction of the Municipal Council of Vacoas-Phoenix under the National Flood Management Programme as from this Financial Year up to Financial Year 2023/2024.

These 72 projects would be implemented by the following agencies -

- (a) the Municipal Council of Vacoas-Phoenix - 29 projects amounting to Rs189.96 m.;
- (b) the National Development Unit - 37 projects for an amount of Rs452.76 m., and
- (c) the Road Development Authority - 6 projects amounting to Rs84.2 m.

As regards part (b) of the question, I am placing in the Library of the National Assembly the whole list of the 72 new drain projects along with the name of the sites, status as at 05 November 2021 and their respective estimated costs agency-wise.

#### **FINANCIAL CRIME COMMISSION – ESTABLISHMENT**

**(No. B/1034) Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Minister of Financial Services and Good Governance whether, in regard to the proposed creation of the Financial Crime Commission, he will state where matters stand.

**Reply (The Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues, Outer Islands and Territorial Integrity):** The

Minister of Finance, Economic Planning and Development has, in his last Budget Speech, announced the establishment of the Financial Crime Commission to strengthen our fight against financial crime. Accordingly, a sum of Rs10 m. has been provided in the budget for this purpose.

A draft Financial Crime Commission Bill is under consideration at the level of the Prime Minister's Office.

#### **COVID-19 POSITIVE CHILDREN BELOW THE AGE 15**

**(No. B/1035) Mr K. Lobine (First Member for La Caverne & Phoenix)** asked the Minister of Health and Wellness whether, in regard to children below the age 15 having been COVID-19 positive tested, he will state the number thereof as at date, indicating if information on how they have contracted same is available.

**Reply:** I am informed that as at date, about 2,219 children, below the age of 15, have been tested COVID-19 positive. 18 of these children have contracted the disease within school premises whereas 2,201 have been infected through transmission by family members and relatives, amongst other sources.

#### **DATA TECHNOLOGY PARK, CÔTE D'OR – INVESTMENT & PROJECTS**

**(No. B/1043) Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of Finance, Economic Planning and Development whether, in regard to the Data Technology Park at Côte d'Or project, he will, for the benefit of the House, obtain from Landscape (Mtius) Ltd., details of the Expression of Interest launched in July 2020 and the projects earmarked therefor, indicating –

- (a) the contract value or estimated value thereof, and
- (b) where matters stand as to the implementation thereof.

**Reply:** Landscape (Mauritius) Ltd is developing the Côte d'Or Data Technology Park on some 150 *arpents* of land owned by the company at Minissy, Moka. The developable area in the park is around 105 *arpents* of land.

Landscape had prepared a master plan for this project including the detailed design of the infrastructure works required to service the site with utilities, that is, road, electricity, water and wastewater.

Concurrently, Landscape (Mauritius) Ltd launched an Expression of Interest exercise in June 2020 to seek potential promoters to develop projects within the different clusters of the park. Twenty-three applications were received by the closing date.

These applications were assessed by a Committee comprising representatives of the Ministry of Finance, Economic Planning and Development, Ministry of Technology, Communication and Innovation, Economic Development Board and Landscape (Mauritius) Ltd.

I am informed that the Committee has shortlisted eleven applicants and a Letter of Comfort has been issued to the shortlisted applicants.

I am also informed that, as at date, out of the eleven shortlisted applicants, five promoters have accepted the terms and conditions of the Letter of Comfort and accordingly, Letters of Intent have been issued to the five promoters for projects over some 50 *arpents* of land. Four promoters have informed that they are not going ahead with their projects and the response of the remaining two promoters is awaited.

With regard to part (a) of the question, I am informed that the estimated investment of the five promoters who have accepted the terms and conditions of the Letters of Comfort is around Rs3.5 billion.

With regard to part (b) of the question, I am informed that following an open bidding exercise, the contract for the construction of the infrastructure works was awarded on 04 August 2021. The works started on site on 13 September 2021 and are expected to be completed by end of March 2023.

Construction of the buildings by the promoters will start after the lease agreements have been signed and relevant permits and licences obtained. The promoters are in the process of finalising their architectural concepts and designs.

As regards the remaining plots of land in the park, Landscape has on 06 September 2021 launched a fresh request for proposals exercise to seek potential promoters to develop projects within the different clusters of the park. The deadline for submission of proposals is Wednesday 17 November 2021.

#### **NEW BUS ROUTE - POINTE AUX SABLES AND ROSE HILL**

**(No. B/1044) Mr P. Armance (Third Member for GRNW & Port Louis West)** asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the proposal for the operation of a new bus route between Pointe aux Sables and Rose Hill, he will state where matters stand.

**Reply:** According to the National Land Transport Authority, there is presently no direct bus service from Pointe aux Sables to Rose Hill and passengers proceeding to Rose Hill have to travel in two legs as follows –

- (a) from Pointe aux Sables to Grand River North West, and
- (b) from Grand River North West to Rose Hill along different routes.

As mentioned in the reply to PQ B/656, a survey was undertaken by the National Land Transport Authority in order to assess the need for additional bus services, including the creation of a bus route to link the region of Pointe aux Sables to Rose Hill.

In this context, it was proposed to create new routes with a view to better serving the needs of commuters and to improve transport services in several regions of the island.

I am further advised that on 25 May 2021, Rose Hill Transport Bus Services Ltd had submitted an application to the National Land Transport Authority to provide a new bus service from Pointe aux Sables to Rose Hill via Petite Rivière, Gros Cailloux, Chebel and Beau Bassin.

In accordance with the relevant sections of the Road Traffic Act, the application for the above route was published on 22 September 2021.

However, I am informed that objections have been received from other bus companies, namely the UBS Bus Services Ltd on 29 September 2021. Objections have also been made by the National Transport Corporation and from Triolet Bus Services Ltd on 28 September 2021.

In accordance with the provisions of the Road Traffic Act and of the National Land Transport Authority Act, the matter would be referred to the Licensing Committee of the National Land Transport Authority for its recommendations thereon.

## **POINTE AUX PIMENTS - NHDC HOUSING ESTATE - H-LICENCE VEHICLES**

**(No. B/1045) Mr R. Wochit (Third Member for Pamplemousses & Triolet)** asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the NHDC Housing Estate of Pointe

aux Piments, he will state the actions taken by his Ministry to introduce H Licence thereat with a view to providing the inhabitants thereat with the possibility of a bus connection to the closest point where they may avail of bus services.

**Reply:** I am informed by the National Land Transport Authority (NLTA) that the NHDC Housing Estate of Pointe aux Piments is an agglomeration of about 61 houses with a population of about 250 inhabitants.

This NHDC Housing Estate is situated at a distance of more than one (1) kilometer from the main road of Pointe aux Piments where public bus services are available.

In line with the reply to Parliamentary Question B/342 made in this House on 11 May 2021, the inhabitants of the NHDC Housing Estate of Pointe aux Piments can avail bus services of the Triolet Bus Service Ltd which operate along the routes 20A, 171 and 228 to serve, amongst others, the locality of Pointe aux Piments.

According to the NLTA, there is presently no bus service at the NHDC Housing Estate of Pointe aux Piments and the residents thereat have to walk a distance of one kilometer to avail public bus transport.

Referring once again to the aforementioned reply to Parliamentary Question B/342, the extension of the bus service along routes 20A, 171 and 228 was proposed with a view to cater for the inhabitants of the NHDC Housing Estate of Pointe aux Piments. In fact, site visits have already been carried out at the locality together with the representatives of the Authorities concerned, including the Traffic Management and Road Safety Unit (TMRSU), the NLTA, the National Development Unit, the Triolet Bus Service Ltd and *Force Vives* of the NHDC Housing Estate of Pointe aux Piments. The siting of a bus stop in the vicinity was also contemplated. It was subsequently observed that due to the narrowness of the said road, it would not be feasible to site a bus stop there. Moreover, as the road was only 4m wide, it was found to be inadequate for safe two-way traffic and the absence of footpath thereat to segregate vehicular and pedestrian traffic was also flagged.

Hence, the introduction of H Licence to serve the inhabitants of the NHDC Housing Estate of Pointe aux Piments was proposed.

In this context, a survey has already been carried out to identify the remote areas necessitating H Licence vehicles. Issues including the distance between the remote area to the nearest existing bus stop, applicable fares, number of inhabitants, types of buses suitable for the road at the specific area, wideness of the road, amongst others are being considered to finalise the draft Regulations to allow for H-licenced vehicles in specific regions in order to provide inhabitants of remote areas with a connection to the closest point where they may avail bus services, have already been prepared. These draft Regulations would be relayed to the State Law Office for vetting purposes and once same are promulgated, the NLTA would float the Expression of Interest.

In the meantime, I am informed by the Ministry of National Infrastructure and Community Development that the enlargement of part of the road leading to the NHDC Housing Estate of Pointe aux Piments is being considered in the context of the project for the construction of an attenuation basin at Camp La Cloche, Pointe aux Piments.

I am advised that bids for the construction of the attenuation basin, the enlargement of the road to a width of 7m and associated road infrastructure will be launched by end of this month and works are expected to start by early January 2022.

### **BONAIR ROAD, TRIOLET - UPGRADING & WIDENING**

**(No. B/1046) Mr R. Woochit (Third Member for Pamplemousses & Triolet)** asked the Minister of National Infrastructure and Community Development whether, in regard to the proposed upgrading and widening of Bonair Road, in Triolet, he will, for the benefit of the House, obtain from the Road Development Authority, information as to where matters stand.

**Reply:** In my reply to Parliamentary Question B/619 on 18 August 2021, I informed the House that the RDA was proposing to upgrade and widen the Bonair Road and for which, land had been partly acquired, particularly for the widening of the Road from Junction A4 to the New market.

I am informed by the RDA that the works will now be implemented in two phases. The first phase includes the upgrading of part of Bonair Road B37, from New Market Road to Triolet Bypass. These works are expected to start early next year and to be completed by July 2022. The second phase comprises the stretch between A4 Road at Triolet and the New Market Road. Given that it is a highly built up area, any widening of the road thereat will involve the demolition of several boundary roads and even houses.

In view of the potential high social impact, the RDA together with the Traffic Management and Road Safety Unit is reassessing the situation. Several alternative measures are being explored, such as one-way schemes, provisions of pedestrian facilities and other road furniture.

Once a sustainable solution is finalised in consultation with the inhabitants in that region and the Members of the National Assembly concerned including the hon. Member, appropriate funding will be sought for its implementation.

### **CANCER PATIENTS – MEASURES TAKEN FOR CANCER PREVENTION AND CURE**

**(No. B/1047) Mr R. Wochit (Third Member for Pamplemousses & Triolet)** asked the Minister of Health and Wellness whether he will state if an increase in the number of cancer patients in Mauritius has been noted over the past year and, if so, indicate the steps taken by his Ministry for cancer prevention and cure.

**Reply:** I am informed that there has been a steady increase in the number of cancer patients diagnosed in Mauritius over the past years. In female patients, new cancer cases increased from 872 in 2008 to 1,559 in 2019 mostly because of an increase in breast cancer. On the other hand, in male patients, new cancer cases have increased from 640 in 2008 to 1,108 in 2019 with a predominant increase in prostate, colorectal and lung cancers.

The total new cancer cases (males and females) in 2019 was 2,667 compared to 2,380 in 2018 which shows an increase of 12 % in new cancer cases with an increase of 9.7% in females and an increase of 15.5% in males. The statistics of cancer patients for the year 2020 is being compiled by the National Cancer Registry.

With regard to the steps taken by my Ministry for cancer prevention and cure, I wish to inform the House that several screening programmes have been initiated for early detection and prevention of cancers, namely Cervical Screening Programme for early detection of cervical cancer, Colorectal Screening Programme and Breast Cancer Screening Programme.

My Ministry is in the process of finalising the second National Cancer Control Programme 2021-2025 which aims to lower the incidence of cancers, reduce morbidity and mortality indices for cancers through enhanced health promotion and preventive activities,

improved diagnostic and treatment (both curative and palliative) facilities by using the latest technologies.

I wish to inform the House that the newly built National Cancer Hospital at Solferino, Vacoas will be operational by March 2022. Phase 1 of the project, namely the renovated building is already functional since October 2020 providing outpatient and inpatient facilities including Chemotherapy and palliative care services. Radiological facilities will soon be provided by the end of this month and the National Cancer Hospital will provide the following facilities –

- Radiation therapy;
- Chemotherapy;
- Hormonal therapy;
- Targeted therapy;
- Immunotherapy;
- Radiological investigations;
- Nuclear Medicine; and
- Bone Marrow Transplant Unit.

I wish to inform the House that Human Papilloma Virus (HPV) is the causative agent of cervical cancer. An HPV vaccination programme for all school going girls is ongoing to prevent cervical cancer and will show its effectiveness in eradication of cervical cancer in the years to come. Besides above measures, the Central Health Laboratory is also doing Immunohistochemistry Test for patients to get targeted molecular therapy for breast, gastric and neuroendocrine tumours to improve the outcome of cancer treatment and increase survival. Flow cytometry for accurate diagnosis of haematological malignancies will also be introduced shortly which again will help in providing targeted therapy for some of these disorders.

Moreover, my Ministry has been doing sensitisation of cancer at worksite, secondary schools and community. Public awareness on the risk factors involved in cancer, such as balanced diet, physical activity, tobacco and alcohol misuse, is built through counselling and leaflets distributed to the participants.

In addition, cervical cancer screening is carried out for women of 25 to 60 years who are married or sexually active. Furthermore, breast self-examination is taught to women and examination of breast for cancer is performed by a Medical Health Officer. Women with any abnormalities are then referred to specialised department for treatment or follow up.

### **STATE TRADING CORPORATION - CEMENT - QUALITIES/TYPES**

**(No. B/1048) Mr R. Woochit (Third Member for Pamplémousses & Triolet)** asked the Minister of Labour, Human Resource Development and Training, Minister of Commerce and Consumer Protection whether, in regard to cement, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the different qualities/types thereof imported since 2015 to date, indicating in each case, the –

- (a) quantities;
- (b) buying prices, and
- (c) selling prices thereof.

**Reply:** The State Trading Corporation has not imported Cement since June 2011.

### **RELIGIOUS INSTITUTIONS - WASTEWATER CHARGES**

**(No. B/1049) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East)** asked the Minister of Energy and Public Utilities whether, in regard to religious institutions, he will, for the benefit of the House, obtain from the Wastewater Management Authority, information as to if they are being requested to pay wastewater charges.

**Reply:** I am informed by the Wastewater Management Authority (WMA) that Section 25(1) of the Wastewater Management Authority Act 2000 provides that every owner or occupier of property connected to the wastewater system shall be liable to pay such wastewater fees, charges or rates as may be prescribed.

Furthermore, in accordance with the Wastewater (Fees) (Amendment) Regulations 2016, wastewater charges are claimed from domestic and non-domestic customers and calculated on the volume of water consumed.

It is worth highlighting that those consuming 6 m<sup>3</sup> of water or less per month are exempted from payment of both water and wastewater charges.

Moreover, religious institutions with a water supply connection solely at the place of worship are exempted from payment of water charges.

With regard to sewerage, I wish to point out that religious institutions are provided sewerage connections free of charge. They are billed for wastewater charges, following a decision taken in 2002.

### **RING ROAD PROJECT - PHASES II & III – FUNDING**

**(No. B/1050) Mr A. Ameer Meea (Third Member for Port Louis Maritime & Port Louis East)** asked the Minister of National Infrastructure and Community Development whether, in regard to the implementation of Phases II and III of the Ring Road Project, in Port Louis, he will, for the benefit of the House, obtain from the Road Development Authority, information as to if funding therefor has been secured and if so, indicate where matters stand.

**Reply:** In my reply to Parliamentary Question B/791 on 10 November 2020, I explained to this House in clear terms that Government has embarked on the provision of a strategic road network to connect all parts of the island with a view to supporting the sustainable development of the country. I also stated that Phases II and III of the Ring Road Project form part of this strategic road development and that the implementation thereof is planned in the long-term. Our position on this matter has not changed today also.

As highlighted in my reply to Parliamentary Question B/791, we have, in the first instance, to assess the impact of the Road Decongestion Programme, namely the construction of the grade-separated junctions at Phoenix and the A1-M1 Link Road Project, the Metro Express Project and the decentralisation of administrative and commercial activities from Port Louis to other regions, before deciding on the timing of the implementation of the Ring Road Phases II and III Project. So, I shall ask the hon. Member to be patient.

Nevertheless, I wish to reassure him that in view of the estimated high cost of the Ring Road Phases II and III Projects, that is around Rs10 billion, consultations for potential funding from several partners, such as the People’s Republic of China, the Korea Exim Bank and the Arab Republic of Egypt are ongoing.

### **COVID-19 VACCINE – EXEMPTION & ADVERSE EFFECTS**

**(No. B/1053) Mrs K. Foo Kune-Bacha (Second Member for Beau Bassin & Petite Rivière)** asked the Minister of Health and Wellness whether, in regard to COVID-19 vaccine exemption, he will state the –

- (a) number of persons who applied therefor, indicating the number of applications approved and rejected;
- (b) doctors responsible to determine same, indicating their respective speciality field, if any, and

- (c) number of persons whose applications were rejected and consequently suffered serious adverse effects after being administered COVID-19 vaccines.

**Reply:** In reply to PQ B/932, I informed the House that for people who cannot be vaccinated owing to medical history and/or health issues, a Regional Non-Eligibility Committee and a National Non-Eligibility Committee to COVID-19 vaccine have been instituted since June 2021.

In reply to part (a) of the question, I am informed that since June 2021 to-date, a total of 4,580 applications for COVID-19 Vaccine exemption was received. Following an assessment exercise by the Regional Non-Eligibility Committee and the National Non-Eligibility Committee to COVID-19 vaccines, 3,847 applications were approved while 733 applications for COVID-19 Vaccine exemption were rejected.

In reply to part (b) of the question, the National Non-Eligibility Committee comprises two Specialists in Internal Medicine, one Specialist in Paediatrics while the Regional Non-Eligibility Committee comprises one Specialist in Internal Medicine (Paediatrics) and two Medical Health Officers/Senior Medical Health Officers.

In reply to part (c) of the question, the National Pharmacovigilance Committee is responsible for the early detection, investigation and analysis of Adverse Events Following Immunization (AEFI) and Adverse Events of Special Interest (AESI) to ensure an appropriate and rapid response.

I am informed that the National Pharmacovigilance Committee has not registered any Adverse Events Following Immunization (AEFI) and Adverse Events of Special Interest (AESI) from persons whose applications for COVID-19 exemption were rejected by the Regional Non-Eligibility Committee and the National Non-Eligibility Committee to COVID-19 Vaccine and were subsequently administered the COVID-19 Vaccine.

### **HERD IMMUNITY AGAINST THE COVID-19**

**(No. B/1056) Dr. F. Aumeer (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Health and Wellness whether, in regard to the achievement of herd immunity against the COVID-19 pandemic in Mauritius, he will state –

- (a) where matters presently stand, and

- (b) any scientific data confirming when herd immunity is achieved in one given community or country.

**Reply:** Herd immunity refers to the percentage of a given population that has developed immunity/protection against an infection. There is diminished rate of transmission of the infection from one person to another which will subsequently drive away the epidemic to extinction. This herd immunity, or collective immunity, can be obtained by natural infection or by vaccination.

At the beginning of the epidemic, based upon the recommendations from the World Health Organisation, all countries thrived to achieve herd immunity with 60% of the population immunised. In Mauritius, my Ministry in collaboration with other stakeholders prepared the National Vaccination and Deployment Plan, which was approved by the Government. In accordance with this plan, our target was to vaccinate at least 60% of the population by end of September 2021.

The Government's stated strategy has always been to protect the Mauritian population from COVID-19 and my Ministry, has, since the beginning, made tremendous efforts to procure adequate quantities of different vaccines in order to vaccinate the maximum number of our people.

In reply to part (a) of the question, the rate of 60% vaccination amongst the Mauritian population was reached well before the target of September 2021. In fact, we have, now, already attained more than 60% vaccination. Currently, 68.6% of the population is fully vaccinated while 72.1% has received at least one dose of the vaccine.

Several countries such as, the United Arab Emirates, Portugal, Cuba, Chile, Cambodia, Spain, Singapore and South Korea are all below the threshold of 60%.

More than 50 countries have not met the World Health Organisation's (WHO) target of having at least 10% of their population fully vaccinated against the COVID-19 virus by the end of September 2021. Most of these are in Africa, where the percentage for fully vaccinated people currently stands at nearly 4.4%.

In the UK and Germany, nearly 67% of the population has been fully vaccinated and 68.4% for France. In the EU the figure is 62%, and in the US, 58%. India is at 24.6%. Only 50.9% of the world's population has received at least one dose of vaccine.

Compared to those countries, Mauritius is remarkably well placed at the global level.

In reply to part (b) of the question, the level required to remain below the threshold of herd immunity depends on the basic reproduction number of the disease ( $R_0$ ), i.e. the average number of immunologically naïve individuals that a subject will infect after contact. The higher this basic reproduction rate is, the higher the percentage of immunised subjects should be.

For example,  $R_0$  for seasonal influenza = 2; COVID-19 = 2 to 2.5 with historical virus, and 4 with the delta or Indian variant (B.1.617.2); measles = 12-20.

The percentage of immunised subjects needed to achieve herd immunity is calculated as follows –

$$\text{- Herd immunity} = 1 - 1/R_0$$

Therefore, the calculation to obtain this percentage gives the following results: 50% for influenza, 60-65% with the historical viruses of COVID and 80% for COVID-19. This is the reason why my Ministry is relentlessly pursuing its efforts to vaccinate the whole population. It is expected to achieve this target in the coming weeks with the vaccination of our adolescents.

### **SUPER CASH BACK GOLD POLICY HOLDERS - REFUND**

**(No. B/1062) Mr P. Assirvaden (Second Member for La Caverne & Phoenix)** asked the Minister of Financial Services and Good Governance whether, in regard to the Super Cash Back Gold policyholders of the former BAI Co. (Mauritius) Ltd., he will state if Government proposes to refund them and, if so, when.

**Reply:** Following the collapse of the BAI Group in April 2015, a series of actions were taken by the Government to protect the investors and policyholders of the Ex-BAI Group. I wish to inform the House that Government had taken bold measures in order to protect society and the Mauritian financial system from a systemic crash and from a looming disaster.

In order for the policyholders to be given a special attention, the National Property Fund Ltd (NPFL) was incorporated as a company under the Companies Act 2001 on 05 May 2015, with the mandate to repay the 16,225 (Sixteen thousand two hundred and twenty five) Super Cash Back Gold (SCBG) policyholders representing a total investment amount of Rs19,396,764,871 (Nineteen billion three hundred and ninety-six million seven hundred and sixty-four thousand eight hundred and seventy-one rupees).

Out of the 16,225 (Sixteen thousand two hundred and twenty-five) SCBG policyholders, 16,143 (Sixteen thousand one hundred and forty-three) SCBG policyholders have registered with the NPFL for repayment purposes, representing a total investment amount of Rs19,338,081,185 (Nineteen billion three hundred and thirty-eight million eighty-one thousand and one hundred and eighty-five rupees). Therefore, 82 (Eighty-two) SCBG policyholders have not availed themselves of the opportunity to register with the NPFL for repayment.

I am informed by the NPFL that, as per the final settlement agreement drawn in July 2017, 16,140 (Sixteen thousand one hundred and forty) policyholders have been repaid the amount determined in the agreement representing a total of Rs14,422,443,664 (Fourteen billion four hundred and twenty-two million four hundred and forty-three thousand and six hundred and sixty-four rupees). The remaining amount is in respect of policyholders who have lodged Court cases and not registered for repayment as per established agreement.

As there are several cases which are pending before the Court and therefore, *sub judice*, any information thereon is likely to prejudice the cases on which a judicial decision is pending.

### **CEB (FIBERNET) CO. LTD - YEARLY PROFIT & LOSS ACCOUNTS**

**(No. B/1063) Mr P. Assirvaden (Second Member for La Caverne & Phoenix)** asked the Minister of Energy and Public Utilities whether, in regard to the CEB Fibernet Co. Ltd., he will, for the benefit of the House, obtain information as to the yearly profit and loss accounts thereof over the past five financial years ended 30 June 2021.

**Reply:** As the House has been informed in previous replies, the CEB (Fibernet) Co. Ltd is a digital infrastructure company that was created to leverage on the national assets of the Central Electricity Board to provide the country with a secondary fibre backbone and third International submarine cable.

In accordance with its Business Plan, the Company's operations are expected to expand with the international connectivity provided via the METISS Cable, which is now in service since March of this year.

I am informed by the CEB that the Company has started to realise commercial gains from its capital investment and generate income during Financial Year ending June 2021.

Since its incorporation in 2016 and prior to commercialisation of operations and while the company was building its network infrastructure, losses to the tune of Rs729,524, Rs16.7 m., Rs32.9 m., Rs49.2 m. and Rs71.4 m. respectively have been incurred.

I am further informed that the Company has signed new orders with local and international customers for connection of a greater number of sites and revenue commitments have been secured in the coming months. It is, as such, expected that the profitability of the Company will improve.

#### **MV WAKASHIO SHIPWRECK & OIL SPILL – COMPENSATION**

**(No. B/1070) Mr R. Duval (Fourth Member for Mahebourg & Plaine Magnien)** asked the Minister of Blue Economy, Marine Resources, Fisheries and Shipping whether in regard to MV Wakashio shipwreck and oil spill, he will state if a preliminary compensation has been granted to the affected fishers and, if so, when, indicating –

- (a) the quantum thereof allocated in each case;
- (b) the conditions and criteria attached thereto, and
- (c) where matters stand regarding full compensation.

**Reply:** This Government is very much conscious that one of the categories of persons severely impacted by the grounding of MV Wakashio and the ensuing oil pollution is the fishing community in the affected area. In view of providing immediate financial relief to the fishermen and fishmongers, the Government came forward and took the initiative to pay a solidarity grant to every registered fisherman, fishmonger and even to applicant fishermen in the affected region. Thus, an amount of Rs10,200, which is equivalent to the minimum wage, was paid to the latter from August 2020 to March 2021 amounting to a total of Rs82,983,909.60, disbursed as solidarity grant.

Rs10,200 is the bare minimum and that fishermen and fishmongers earn more when engaging in fishing and related activities and must be adequately and fairly compensated for their loss of income by the tortfeasor, that is, the owners/ insurers of MV Wakashio.

The insurers have demanded that the fishers and fishmongers adduce evidence of their economic loss, deliberately putting aside the fact that these persons operate on an artisanal basis, with very little records or proof kept of their incomes and expenditure. Had the fishers been left to fend for themselves individually, many of them would have been unable to draw up their individual claim, due to lack of records.

Hence, with a view to support the fishing community in putting their claim for compensation to the insurers for their loss of livelihood, my Ministry has, based on official information available, worked out and submitted a claim to the insurers of MV Wakashio on behalf of the fishers and fishmongers for the payment of an additional compensation of Rs134,616 per fisherman and Rs140,160 per fishmonger respectively.

A total of 999 individuals from the fishing community in the affected regions are concerned by the additional compensation being sought, consisting of 628 registered fishers, 197 applicant fishers and 174 fishmongers.

I wish to inform the House that since the submission of the above mentioned claims for compensation to the insurer of MV Wakashio, which is being challenged by the latter as being excessive and not enough substantiated, my Ministry has constantly been working with them, by providing additional information in respect of the queries, facilitating site visits of the surveyors of the insurer at the different fisheries posts of the affected area and organising working sessions as and when required.

While it is to be recalled that the process of examining claims is a lengthy one, it is to be nevertheless noted that Japan P and I is being very fussy, asking to be provided with confidential information, questioning the way artisanal fishing is conducted in Mauritius and comparing to that of Japan.

As at today's date, the claims for compensation to the affected fishing community are still lying with the Japan P and I, despite the numerous attempts of the officers of my Ministry and of myself personally to attend to the queries of the insurers and provide justifications for the payment of compensation. The reluctance of the insurers to pay compensation to this segment of the community whose economic loss cannot be questioned is beyond understanding.

While keeping the claim for compensation of the fishers and fishmongers in abeyance, the insurers of MV Wakashio are paying compensation to individuals who had submitted their claims through the e-platform. Since January 2021, a total of 348 individuals have been paid a total compensation of Rs6,455,350. by the insurer of MV Wakashio. These 348 beneficiaries are the ones who have not been paid any solidarity grants such as fishmongers'

helpers, apprentice fishermen, boat owners, seashell collectors, helpers on fishing boats, fish trap makers and boat repairers.

**PUBLIC SERVICE VEHICLE (BUS) LICENCE - VEHICLES - AGE LIMIT**

**(No. B/1071) Mr M. Yeung Sik Yuen (Second Member for Curepipe & Midlands)** asked the Minister of Land Transport and Light Rail, Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the vehicles authorised to operate under the Public Service Vehicle (Bus) Licence, he will, for the benefit of the House, obtain from the National Land Transport Authority, information as to the maximum age limit thereof.

**Reply:** In the context of the prevailing COVID-19 pandemic which affected the financial situation of the bus operators, the maximum age limit of buses has been reviewed from 20 to 21 years with effect from 01 March 2020, subject to the vehicles being roadworthy.