

Debate No. 25 of 18.07.06
ORAL ANSWERS TO QUESTIONS

MINORS - ALLEGED CASES OF RAPE

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

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

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

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

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

**EMPOWERMENT FUND COMMITTEE –
CHAIRPERSON –APPOINTMENT**

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

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

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

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

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

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

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

METALLIC STRUCTURES – REPORTED THEFT

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

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

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

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

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

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

CUSTOMS AND EXCISE DEPARTMENT - CONTAINER – AMMUNITION

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

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

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

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

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

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

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

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

HOLD-UPS – PERSONS ARRESTED

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

(Vide reply to PNQ)

MRA – BANK ACCOUNTS

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

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

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

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

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

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

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

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

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

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

source of funds, but only to ensure compliance in paying taxes that are lawfully due.

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

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

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

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

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

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

Mr Sithanen: No, Mr Speaker, Sir, the law is very clear on that. In fact, this is the reason why I quoted what the Minister of Finance in 2004/2005 Budget said. We have sought the advice on the State Law Office on the interpretation that should be given.

The interpretation is very clear, otherwise it does not make sense for the Tax Authority to enforce the law of the country. Let me reassure the hon. Member, Mr Speaker, Sir, if the banks and the taxpayers play the game, there would be no requirement for the MRA to make use of that provision. But the provision exists both in the Banking Act and in the Income Tax Law, but it was subject of an ambiguity and this ambiguity is being removed in the forthcoming Finance Bill.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr Speaker: A last question!

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

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

FLYWELL TRAVEL AGENCY – HAJJ 2006

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

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

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

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

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

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

With regard to part (c), Flywell Travel Agency had 24 pilgrims. I am informed that the number of pilgrims required for one bus is 50 for each trip.

An agreement was made with the Al Murtuza Islamic Welfare Association, a Mauritian Hajj group for the conveyance of the pilgrims in the bus provided to the Association.

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

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

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

(Interruptions)

Mr Speaker: Order!

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

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

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

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

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

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

(Interruptions)

The ICC has the moral obligation...

Mr Speaker: Order!

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

The ICC took an agreement between Flywell and Al Murtuza Islamic Welfare Association into consideration. It would have been unfair on the part of the ICC not to allow the is to go. It is a journey of a lifetime to which people have prepared themselves and it has to be completed. ICC gave them the opportunity to accomplish their religious duties.
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Mr Soodhun: Mr Speaker, Sir, I would just like to inform the House that Flywell agency has failed to comply with the procedures established by ICC and he was not eligible to organise as Hajj organisor.

(Interruptions)

Mr Speaker: Order! Order, please!

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

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

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

(Interruptions)

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

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

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

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

(Interruptions)

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

(Interruptions)

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

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

(Interruptions)

Mr Speaker: Order! Put your question, please!

(Interruptions)

Mr Lauthan: This is very cheap! Be careful!

Mr Speaker: Order! Order!

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

(Interruptions)

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

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

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

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

(Interruptions)

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

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

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

(Interruptions)

Mr Speaker: Order, please!

(Interruptions)

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

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

Mr Jhugroo: It is an agency.

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

(Interruptions)

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

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

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

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

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

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

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

CEB – HAND READERS – DAMAGE

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

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

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

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

I am also informed that –

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

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

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

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

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

**MAURITIUS DUTY FREE PARADISE LTD. –
WAREHOUSE – CONSTRUCTION**

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

–

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

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

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

**THE LOCAL GOVERNMENT SERVICE COMMISSION –
RECRUITMENTS**

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

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

Dr. David: Mr Speaker, Sir, I am informed, that following the request of the Grand Port/Savanne District Council, the Local Government Service

Commission has carried out recruitments in different grades since June 2006 to date.

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

RODRIGUES – CO-OPERATIVE SECTOR

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

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

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

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

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

RIVIERE DES GALETS - EDC HOUSES

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

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

(Interruptions)

Mr Speaker: Order!

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

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

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

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

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

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

Mr Dulull: I will look into it, Sir.

FLIC-EN-FLAC BEACH – ROAD SAFETY MEASURES

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

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

However, with a view to enhancing the safety of pedestrians, the Traffic Management and Road Safety Unit will carry out a proper survey to

evaluate the situation and come up with proposals for implementation of other different traffic calming and road safety measures.

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

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

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

AIR MAURITIUS – CHAIRPERSON - OFFICE

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

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

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

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

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

(Interruptions)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Interruptions)

But that is for secondary schools.

(Interruptions)

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

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

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

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

Mr Gokhool: I take note of this suggestion.

Mr Speaker: This does not arise from this question.

**SUNNI SURTEE MUSLIM SOCIETY CEMETERY, RICHE
TERRE –**

STREET LIGHTING SYSTEM

(No. B/1042) Mr P. Jhugroo (Third Member for Port Louis North and Montagne Longue) asked the Deputy Prime Minister, Minister of

Public Infrastructure, Land Transport and Shipping whether he is aware that the lighting system found on the road, adjacent to the Sunni Surtee Muslim Society cemetery at Riche Terre is defective and that it has functioned only once since its installation and, if so, will he state if he proposes to take remedial measures and when.

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

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

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

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

EMPOWERMENT PROGRAMME – STEERING COMMITTEE

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

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

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

Mr Lesjongard: Mr Speaker, Sir, may I ask the hon. Deputy Prime Minister and Minister of Finance whether there is a formal request from the

Association of Small and Medium Enterprises so that they have a representative to sit on that committee?

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

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

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

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

FISHERS (LOCAL) – SEAFOOD SECTOR

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

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