

**NATIONAL ASSEMBLY OF
SEYCHELLES**

Wednesday 13th October, 2021

The Assembly met at 09am

National Anthem

Moment of Reflection

Mr Speaker is the Chair

MR SPEAKER

Bonzour tou Manm Onorab e bonzour Manm piblik ki pe swiv nou travay. Byenveni pou en nouvo lazournen Merkrede.

Nou annan en *Bill* pou *First Reading* Madanm Clerk.

MADAM CLERK

Mersi Mr Speaker. Bonzour Mr Speaker. Bonzour tou bann Manm e tou dimoun ki a lekout.

Nou *Bill* ki pe ganny prezante i *the Seychelles National Institute for Culture, Heritage and the Arts Bill, 2021*.

This Act may be cited as the Seychelles National Institute for Culture, Heritage and the Arts Act, 2021 and shall come into operation on such date as the Director General may, by a notice published in the Gazette, appoint. Mersi Mr Speaker.

MR SPEAKER

Mersi Madanm Clerk. Nou avans lo *Second Reading* e mon krwar nou annan *Civil Status (Amendment) Bill*, premye.

Nou ava demann madanm raporter pou apel Minis ek son delegasyon silvouple.

MR SPEAKER

Bonzour Minis Errol Fonseka. Minis pou Zafer Entern. E nou annan plezir pou dir bonzour e byenveni Dr Susan Fock-Tave - *Chief Medical Officer* dan *Ministry Of Health*. Mr Michel Elizabeth *Chief Immigration Officer*, Mrs Noella Flore *Principal Status Officer, Civil Status Officer* e Mr Stefan Knights *Assistant Principal Legal Counsel*.

Mersi pou zwenn nou pou sa lazournen. Nou a komanse, avek sa *Bill* e mon ava envit *LGB* pou prezant Mosyon pou *Second Reading*.

HON BERNARD GEORGES

Mersi Mr Speaker. Bonzour Minis e ou delegasyon. Bonzour Mr Speaker. Bonzour tou bann Manm e tou bann dimoun ki pe swiv nou.

Mr Speaker anba *Order 69(2)* nou *Standing Orders* mon move ki the *Civil Status (Amendment) Bill, 2021* i ganny lir en Dezyenm Fwa. Mersi.

MR SPEAKER

Mon a ganny en segonnman pou Mosyon silvouple. Onorab Arissol.

HON SANDY ARISSOL

Mersi Mr Speaker. Bonzour Mr Speaker. Bonzour Minis ek ou delegasyon. Bonzour tou bann Manm, tou bann dimoun ki pe swiv nou.

Mon ti a kontan segonn Mosyon anmennen par Onorab Georges. Mersi Mr Speaker.

MR SPEAKER

Mersi. Mersi mon ava envit Minis pou prezant *Bill*.

MINISTER ERROL FONSEKA

Mr Speaker, Mr Deputy Speaker, *Leader* Zafer Gouvernman Onorab Georges, *Leader* Lopozisyon Onorab Pillay, tou Manm Lasanble e tou dimoun a lekout. Espesyalman bann Seselwa *diaspora* ki pe ekout sa prezantasyon, Bonzour a *tous*.

Mr Speaker i fer mwan en gran plezir, loner pou ozordi prezant sa *Civil Status (Amendment) Bill, 2021*. Si sa *Bill* i ganny aprouve par Lasanble ozordi, i ava vin en morso Lalwa enportan, ki pou annan en lenpak pozitiv lo lavi tou Seselwa.

Menm si ou reste Sesel, ou aletranze. Lobzektif prensipal sa *Bill*, se pou anmenn reform dan Lalwa Deklarasyon Nesans e Lanmor. Dan en fason pou zener bann statistik pli esansyel e korek. Statistik ki esansyel e korek, i ed Gouvernman formil bann bon plan devlopman, sosyal e ekonomik.

Dan sekter piblik, ou prive e dan divers lezot landrwa ki swa lasante, ledikasyon lanplwa, lendistri e komers. E osi ogmantasyon dan nou popilasyon.

Me osi nou bezwen pran kont ki statistik vyab lo nesans e lanmor i annan en lyen direk avek rezis elektoral e benefis sekirite sosyal.

Minister Lasante, i osi annan en gran bezwen pou ganny bon statistik, sirtou koman en fason pou swiv progre ki ganny fer lo bann stratezi nasyonal.

E lenpak ki bann entervansyon parey, par egzanp fason pou redwir to mortalite anfantil e osi lafason adres. E swiv nivo progresyon bann maladi transmisib e non-transmisib, parey dyabet e kanser.

Mr Speaker, an vi lenportans sa Prozedlwa, silvouple permet mwan pou

donn plis leklersisman, pou benefis bann Manm Lasanble nasyonal e piblik an zeneral, par elabor en pe plis an relasyon avek formasyon sa Prozedlwa. E kwa ki nou pe swete rezourd par sa bann Lalwa, ki nou pe propoze.

Mon swete adres 5 topik swivan;-

- 1) Litolizasyon teknolozi dan koleksyon bann statistik korek e esansyel.
- 2) Deklarasyon nesans mor nesans, e zanfan abandonnen.
- 3) Deklarasyon lanmor.
- 4) Lotorizasyon pou bril ouswa anter en lekor. E,
- 5) Revi bann lanmann, penalti anba Lalwa aktyel.

Litolizasyon teknolozi dan koleksyon bann statistik korek e esansyel;

Mr Speaker sa *Bill* i fer provizyon pou enpoz en lobligasyon lo Gouvernman, pour ki tou bann rezis enkli rezis nesans, lanmor, maryaz, ladopsyon e sanzman non, i ganny anrezistre elektronikman pou en peryod endefini.

An se moman Biro Leta Sivil, i ankor serten sa bann rikord, ki ankor lo bann rezis dan zot arsiv. Ki a nenport moman i kapab ganny detri, dan lenstans dife, en perd dokiman.

An plis ki sa, mon ganny enformen ki bann rikord ki ganny trouve an se moman dan arsiv nasyonal, pe osi ganny afekte ek mwazi.

Ki nou pe propoze, se pou ki bann lenformasyon ki ganny anrezistre dan tou lede format, dan rezis e par en mwayen elektronik.

Dan sa lemonn teknolozi, Biro Leta Sivil pou bezwen vwar fason pli inovativ, pou ofer son servis dan en fason pli efikas e konvenab pou benefis la popilasyon.

Sa Prozedlwa i alor fer provizyon pour ki Biro Leta Sivil i a kapab fer deklarasyon, aksepte bann form ou dokiman lo platform elektronik, san ki en dimoun i bezwen fizikman prezant son lekor an person, kot zot biro pou fer son prosedir.

Provizyon i ganny fer ki Sekreter Prensipal pou Leta Sivil, i a kapab devlop e met an plas bann prosedir elektronik pour benefis nou sitwayen ki Sesel e osi aletranze.

2) Deklarasyon nesans mor nesans, e zanfan abandonnen.

Prosedir pour anrezistremen nesans:

Konsernan anrezistremen nesans, sa *Bill* i fer provizyon pour ki tou bann zanfan ki ne, i

bezwen ganny egzaminen par en dokter, en ners, ou en fanmsaz.

Aprè ki sa egzaminasyon, in fini ganny fer, sa dokter, ners ou fanmsaz, i bezwen fer notifikasyon sa nesans kot Biro Leta Sivil.

Bann lenformasyon, ki pou bezwen aparet lo sa deklarasyon nesans, i pou enkli lenformasyon parey, dat nesans sa zanfan, son non, si in fini ganny deside a sa moman, detay manman, son nimerò kontak, enkli son ladres *email*.

Sa notifikasyon nesans i byen enportan, akòz se sa ki pou permet Biro Leta Sivil, pou ganny kontak avek sa paran, ki pa ankor finaliz lanrezisteman nesans son zanfan.

Sa Lalwa i osi fer provizyon, pou ki tou anrezisteman nesans dan Sesel, i bezwen ganny fer dan dele 30 zour, aprè ki sa zanfan in ne.

Biro Leta Sivil pou bezwen etabli en sistenm, ki pou avèti bann paran e lezot dimoun responsab, ki zot pou bezwen fer prosedir pou anrezistre zot zanfan dan sa dele letan.

Aprè 30 zour, nenport dimoun ki sipoze anrezistre en nesans e parkont, pa'n respekte sa dele letan, sa endividi, pou bezwen pey en lanmann R1000

e en penalti R25 pour sak zour ki sa endividi i kontinyen reste an kontravansyon sa Lalwa.

Lanmann maksimòm, pou tonm a pey R3250. Akòz si sa paran i kontinyen refize pou anrezistre sa zanfan Gouvernman pou bezwen anrezistre sa zanfan lo son par.

Me sa paran pou kapab, re-anrezistre sa zanfan pli tar, solman i pou bezwen pey tou lede sa lanmann. Mon le fer resorti ki sa lanmann pa pou ganny rikorde koman en lofans kriminel.

Mr Speaker mon osi aprann ki i annan posibilite pou nou konsider lanrezisteman nesans ler sa manman i ankor maternite. Me avek konplikasyon ki sa i kapab anmennen, sirtou si sa manman in eksperyans bann konplikasyon medikal, ler i pe donn nesans. Menm ouswa ler non sa zanfan pa ankor ganny determinen.

Sa Prozedlwa i osi fer provizyon, lekel ki pou annan drwa deklar en zanfan. E sa pou ed pou adres serten manman dan Lalwa aktyel. Par egzanp, en paran ouswa en endividi ki annan en drwa lo en zanfan miner, pou kapab anrezistre nesans lo lapar sa manman anba laz.

An plis ki sa, sa Lalwa pou kapab rezourd en fason pli vit, bann konsern lo paternite. En zofisyè Leta Sivil, pou annan drwa pou azout non nenport endividi koman papa en zanfan, si an resevwar rezilta konkret en *test DNA*, ki prouve ki sa endividi i papa sa zanfan.

Sa i pou ede pou koup lo letan ki i pran pou rezourd bann ka paternite. E sa i a osi ganny fer dan en fason pli amikal. San ki paran, pou neserman bezwen met ka Ankour.

Sa i byensir lo kondisyon, ki tou lede paran i agree pou fer sa tes *DNA*, dan en fasilite medikal ki'n ganny aprouve par Biro Leta Sivil.

Lanrezistremman nesans an deor Sesel. Mr Speaker, sa provizyon i annan pour bi otoriz en paran, ki ganny en zanfan an deor Sesel, pou anrezistre sa zanfan dan en rezis Sesel si zour nesans sa zanfan sa paran ti en sitwayen Seselwa annakor avek Lalwa Sitwayennte Sesel.

Sa rezis pou apel '*Register of Births occurring outside Seychelles.*' Mon oule fer kler ki sa rezis, pou aplik pou selman sitwayen Seselwa ki'n ganny zot sitwayennte par nesans.

Mr Speaker, Gouvernman in pran kont en Mosyon ki ti ganny table par Onorab Henrie,

e aprouve par Lasanble Nasyonal le 4 Out 2021. Kot Lasanble Nasyonal ti demann Gouvernman, pou rod en mwayen pou anrezistre bann *diaspora*.

Mr Speaker sa rezis pou asiste nou, pou ganny en apersi lakantite Seselwa ki pe reste aletranze. Biro Leta Sivil, pou travay etrwatman avek Departman Zafer Etranzer ki responsab pou *diaspora*, pou ankouraz bann Seselwa ki pe viv aletranze, pou servi sa rezis pou anrezistre zot zanfan. An plis ki sa, sa Lalwa i donn lotorite Sef Leta Sivil, pou donn en sertifika nesans avek en Seselwa ki'n ne an deor Sesel.

Dan bann landrwa, ou sirkonstans kot parfwa sa nesans pa'n kapab ganny anrezistre. Par egzanp, dan bann pei kot i annan Lalwa *Sharia*, kot en paran ki pa'n marye, pa kapab anrezistre nesans son zanfan e ganny en sertifika nesans.

En lot legzanp, se dan bann sirkonstans kot en pei i anger ouswa i annan en lager teritoryal.

Determinasyon sinyatir en zanfan lo sertifika nesans:

An plis ki sa Mr Speaker sa *Bill*, pou finaliz en fwa pou tou lafason ki en sinyatir en zanfan pou ganny determinen.

En zanfan i ganny anrezistre dan liv deklarasyon nesans *comme* swivan;-

1) Si sa zanfan i en piti lezitim, savedir manman ek papa in marye e zot annan menm sinyatir, sa zanfan i ava ganny menm sinyatir son paran.

2) Si sa de paran sa zanfan, pa port menm sinyatir, e papa sa zanfan pa'n ganny anrezistre dan liv nesans, dan sa ka sa zanfan i ava ganny sinyatir son manman.

3) Dan sironstans ki sa de paran i annan diferan sinyatir, me papa sa zanfan in ganny anrezistre dan liv nesans.

Alors sa zanfan i a kapab ganny nenport sinyatir. Swa pou son manman, ouswa son papa, oubyen tou lede sinyatir. Me avek konsantman tou lede paran.

Anrezistremman en zanfan abandonnen:

Finalman sa seksyon, ki lyen avek zanfan abandonnen dan Lalwa, in fer provizyon pou ranforsi sa prosedir.

Lanrezistremman lanmor dan Sesel:

An se ki konsern deklarasyon lanmor, sa Prozedlwa i fer provizyon pour ki, tou lekor en dimoun ki'n

mor. I bezwen ganny egzaminen par en dokter *pathologist*.

Aprè ki sa egzaminasyon i ganny konplet, sa dokter ou *pathologist*, i bezwen donn en notifikasyon lanmor zofisye Leta Sivil, Sekreter Prensipal dan Minister Lasante. E Egzekiter, ouswa fanmir pli pros sa dimoun ki'n mor.

Lemoman ki sa manm lafanmir ou, Egzekiter i ganny sa notifikasyon lanmor, prezan sa endividi pou kapab al anrezistre sa lanmor, e ganny en sertifika lanmor.

Si en lanmor i arive par en lakoz natirel, kot en lanket a bezwen ganny fer anliny avek *Death Bill, 2021*.

En zofisye Leta Sivil, pou kapab anrezistre lakoz sa lanmor, baze lo sertifika dokter ki'n spesifye lakoz lanmor sa dimoun.

Sesel i annan lentansyon, pou adopte menm sertifika medikal, pour lakoz lanmor ki'n ganny rekomande par *WHO*.

Me dan ka ki i annan en lanket ki bezwen ganny inisye, dan lakoz en lanmor, sa zofisye Leta Sivil, pou bezwen anrezistre lakoz sa lanmor, baze lo sertifika Lakour anliny avek provizyon *Inquest into Death Bill, 2021*.

Dan ka kot en endividi in ganny deklare perdi, ou manke,

oubyen ganny prezimen mor, anba *Presumption of Death Act Cap 177*, Zofisye Leta Sivil pou anrezistre sa lanmor e donn en sertifika koman en dimoun ki ganny prezimen mor avek son fanmir pli pros, ouswa en dimoun ki annan drwa pou ganny sa sertifika.

Lanrezistremman lanmor an deor Sesel:

Pou kontinyen Mr Speaker, sa *Bill* i osi fer provizyon pou permet en Seselwa ki'n mor aletranze, ouswa ki'n ganny prezimen mor an deor Sesel, pou ganny anrezistre dan en nouvo rezis lanmor avek tit '*Registration of Death Occurring Outside Seychelles.*'

Mr Speaker sa Lalwa i osi fer provizyon pou en Seselwa ki'n mor aletranze, pou son lanmor ganny anrezistre dan rezis koman en dimoun ki'n mor Sesel par egzanp.

Kot en dimoun, in al trete aletranze lo fre Gouvernman ouswa lo son prop fre.

Pareyman, sa osi i aplikab pou en etidyan, en Anbasader ou en reprezantan ki'n al en misyon aletranze.

Sa ki merit ganny apresye se ki sa Seselwa ki pe viv Sesel, zot ganny enkli dan resansman pou popilasyon, e lakoz lanmor sa bann Seselwa i pou tre

enportan dan nou statistik. Spesyalman ler sa bann dimoun zot in possible mor avek bann maladi ki non-transmisib, tel ki kanser ouswa dyabet.

E sa i osi en fason pou ed Minister Lasante, ler zot pe travay lo zot Polisi avek bi redwir sa bann ka lanmor. Ler nou analiz statistik dan rezis voter lo bann lanmor ki'n ariv an deor Sesel, Minister Lasante avek Biro Statistik, zot bezwen fer distenksyon, lo serten lanmor.

Tel ki lanmor an nesans, aksidantel, oubyen omisid ki'n ariv aletranze. Akoz sa lanmor pa'n neseserman atribye avek en levennman ki'n arive, oubyen ki'n komans Sesel.

Avek sa propozisyon, pou napa nesesite okenn lezot proze legal, ki pa neseser. Akoz sa *Bill* i fer tre kler ki lanrezistremman lanmor, dan okenn rezis, pa sipoze lenfliyans, oubyen afekte okenn nenport proze legal, an relasyon avek sikse son byen apre lanmor.

Mr Speaker rezis pou lanmor ki'n ariv an deor Sesel i pou itil dan plizyer sityasyon. Par egzanp i ede pou met azour rezis voter. Espesyalman dan lenstans ki si sa Seselwa ki'n mor pa'n anter Sesel.

Sa rezis i pou osi ed bann Lazans ki ranforsi Lalwa dan bann ka, tel ki frod lidantite. Akoz nou pou okouran si en dimoun i ankor vivan.

E byensir Mr Speaker sa rezis pou anmas byen, bann lenformasyon istorik ki enportan. Nou aksepte ki rezis lanmor ki'n ariv an deor Sesel petet pa pou neserman ganny tou lenformasyon lo tou Seselwa ki'n mor an deor Sesel.

Sa se akoz bann lanrezisteman pou ganny fer lo en baz volonter. Par en Manm lafanmir, oubyen en reprezantan sa dimoun ki'n mor.

Mr Speaker Zafer Etranzer i ava ed Departman Leta Sivil, pou ankouraz dimoun konsernan, pou anrezistre lanmor nenport Seselwa ki'n mor an deor Sesel.

An plis ki sa, rezis ki pou anrezistre lakoz, ouswa prezonpsyon lanmor pa pou ouver pou les Manm piblik enspekte, pou rezon konfidansyel.

An konsekans pou annan en lamannman dan form 5 Regilasyon Sekirite Sosyal, kot sertifika medikal i ganny anile.

Lotorizasyon pou bril ouswa anter en lanmor:

Sa *Bill* i osi koz lo lekel ki annan lotorizasyon pou bril,

ouswa anter en dimoun ki'n mor.

En Egzekiter ouswa Manm fanmir sa defen, ki pou ganny lotorizasyon pou bril, ouswa anter en lekor. Mr Speaker se sa fanmir pli pros ki pou annan priyorite, pou determin kote sa lanmor pou antere. Ki swa Mahé, Praslin ou lo en lot zil.

Revizyon lo lanmann penalti anba aktyel:

Sa *Bill* i osi fer provizyon pou reviz bann vye lofans anba Lalwa Leta Sivil. Par egzamp, ler ou get seksyon 114(1) anba Lalwa Leta Sivil, en dimoun i ganny trouve koupab pou vol, kasyet, ouswa esanz en nouvo ne pou en lot;- ouswa atribye en zanfan avek en manman ki pa'n zanmen konsevwar sa zanfan.

Sa dimoun ti pou kondann zis 2an prizon. Sa bann lofans i ganny konsidere, koman tre serye. Alor propozisyon se ki sa lanmann i ganny ogmante, pou vin plis ki 250mil avek 10an prizon, ouswa tou lede.

Mr Speaker, tou Manm Onorab sa i termin sa prezantasyon lo sa *Bill*. E mon ti a kontan remersi, remersi tou dimoun a lekout. Mersi Mr Speaker.

MR SPEAKER

Mersi Minis. Nou'n pare pou deba lo sa *Bill*. Ok mon'n vwar Onorab Uranie, e onorab Uranie i kapab komanse. Zis en pti mo, avan Onorab i komanse.

I nesaser, ki bann Manm i gard en serten respe pou lakantite letan ki zot pran pou zot lentervansyon. E pour mwan, si en Manm i adres *Bill* li menm, annefe sa i ase pou li limit son lekor.

En kantite entervansyon i al dan lezot size, e se sa ki mon pou sey limite, koupe pou nou *manage* letan pli byen. Onorab Uranie mon a donn ou laparol.

HON ROCKIE URANIE

Mersi Mr Speaker. Bonzour Minis ek ou delegasyon. Bonzour tou koleg Onorab. Bonzour tou Digwa a lekout.

Minis mwan sa ki enteres mwan en plis lo sa *Bill* se lanrezistremman zanfan ki'n ne sirtou Lopital Sesel. Akoz preski tou nou bann dimoun, ler zot bezwen, zot ganny demande pou vin ganny zot zanfan Mahé. *From* La Digue pou vin ganny zot zanfan Mahé. Prezan landrwa reste i en kontrent li menm pou zot.

E ler zot zanfan in ne dan Lopital, zot vwar zot pe *call* kot *Civil Status* pou met apwentman, pou kapab ganny

en *slot* pou zot vin anrezistre zot zanfan.

E i annan in dir mwan in menm in *call* trwa zour, i pa'n nobou ganny nanryen. E zot vwar zot finalman anba en kantite presyon, akoz ler zot pe ganny *release* Lopital, zot napa landrwa reste zot. Zot pe rod en fason pou tourn La Digue menm zour.

So, zot ganny difikilte. So ki annan zot bezwen fer, al La Digue apre i vwar li i bezwen re-pey en bato ki koute, pou li retourn Mahé pou li vin anrezistre zot zanfan.

Prezan la avek sa nouvo Lalwa eski zot pe demande prezan. Si prezan lanrezistremman zanfan pou ganny drwa fer La Digue? Vi ki La Digue i annan en Lofis *Civil Status*. Mersi Mr Speaker.

MR SPEAKER

Mersi Onorab Uranie. Onorab Adelaide.

HON FRANCOIS ADELAIDE

Mersi Mr Speaker. Bonzour Mr Speaker. Bonzour Minis avek ou delegasyon. Bonzour tou Manm Onorab e tou dimoun a lekout.

Mr Speaker dabor permet mwan pou mwan, remerisi Minis pou sa *Bill* ki in

anmennen. Mon krwar i en *Bill* ki al dan en bon direksyon.

E, e sa pou fer ki nou bann nou pou *at least* konn plis nou Seselwa ki ne e nou pou kapab annan en bon rezis pour konnen bann Seselwa ki'n ale.

Mon anvî osi, eksprim mon lapresyasyon pou tou bann travayer Leta Sivil, pou zot travay dir ki zot pe fer. Me Mr Speaker permet mwan akoz vi ki mon reprezant Baie Lazare, mon le eksprim mon dezapwentman Minis avek ou *PS* pour Leta Sivil avek Imigrasyon. Akoz kot, dan mon distrik mon osi mon annan en *staff* ki ti travay Leta Sivil.

E ziskan ozordi in ganny malgre ti annan en pe problem, in demande pou retournen. Me zanmen son demann in ganny aksepté, menm ki keksoz in sanze.

So mon ti a kontan ki ou *take up* sa, ki si en dimoun i anvî travay kot Leta Sivil ...

MR SPEAKER

Onorab Adelaide.

HON FRANCOIS ADELAIDE

... tou son drwa i devret kapab ganny obzerve pour li kapab travay kot Leta Sivil.

MR SPEAKER

Onorab Adelaide. Ou pa lo sa *Bill* la silvouple.

HON FRANCOIS ADELAIDE

Wi-wi-wi.

MR SPEAKER

Adres sa ka avek Minis priveman.

HON FRANCOIS ADELAIDE

Non! non! Nou'n seye Mr Speaker. Mon'n ganny mete dan Lasanble pou mwan defann dan Lasanble.

MR SPEAKER

Please. Get the Bill!

HON FRANCOIS ADELAIDE

So, mon bezwen fer sa pwen pase.

MR SPEAKER

Mersi.

HON FRANCOIS ADELAIDE

Mr Speaker, mon osi mon'n ganny sans al en kou kot Leta Sivil kot son biro avan.

E vre bann dokiman ti en pe, an dezord mon kapab dir. E prezan mon pe mazine si petet ki tou sa bann rikord i, vreman annord.

Parey ou'n dir, ti annan bann lepok ki nou ti pe per pangar *fungus* i ava detri sa bann file.

E ler mon'n trouve ou'n anmenn sa nide pou met elektronikman, mon krwar i vreman fer en bon fason fer e ki sa, i a fer sir ki nou bann rikord i ava reste annord.

Mr Speaker mon vreman kontan ki nou pe anmenn ankor plis Lalwa. Me solman, mon panse ki annan bokou Lalwa kot Leta Sivil, nou bezwen kontinyen fer sir ki, pa akoz zot met plis Lalwa ki keksoz pou ganny pli *tighten*.

Me nou bezwen osi servi tou bann Lalwa ki annan pour ki sa departman i fonksyonn byen. La zis par egzanp mon pe kalkile, nou annan detrwa ki'n vini la pou anmenn tes *DNA*. E sa osi mon krwar pou ede.

E petet Minis ou kapab dir nou, ki petet ou Minister pe fer pou fasilite sa bann tes. Akoz mwan mon pe konpran ki petet napa bokou landrwa ki pe ofer sa servis.

So petet pou fer li en pe pli akord avek ou *Bill*. So i devret annan plis landrwa pou nou kapab fer sa bann tes e ki kot bann paran i ava santi zot konfortab pour ale.

Mr Speaker sa i mon de - i mon de pwen ki mon ti le anmennen. Parey mon'n dir ler i annan Lalwa, i enportan nou aplike.

E Minis mon le met dan ou latansyon, ki Leta Sivil i annan en pe Lalwa ki zot pa pe aplike. Parey sa zafer, lafis maryaz dan distrik. Sa osi pa pe ganny fer dapre mon konpran. E mon ti a kontan ou get ladan tou. Mersi bokou.

MR SPEAKER

Mersi Onorab. Onorab Letourdie.

HON JANY LETOURDIE

Mersi Mr Speaker. Bonzour Mr Speaker. Bonzour tou dimoun. Mwan mon ti ava, eksprim mon lentere pou siport sa *Bill*.

Akoz mwan mon siport tou bann demars ki ede pou met keksoz a zour, pou fer lavi dimoun pli fasil, lavi Seselwa si oule.

Me Mr Speaker mon annan en, en *issue* la ki Minis a eksplik mwan lo la. Ou'n dir boner ki si de paran, manman ek papa ale pou deklare zanfane. E si papa, i decide pou li deklare paran, pou li deklare sa zanfane, I a kapab fer li, me si son non, sa papa li, i pa'n ganny anrezistans lo liv nesans, alors i pa pou kapab deklare.

Mon krwar mon'n konpran sa byen. Tandis ki sa manman li mon mazine i pe ganny favorize akoz, i toutafe normal li manman akoz sa

zanfan in sorti dan son zantray petet sa rezon.

Me Minis ki arive si sa manman i osi, i pa'n ganny deklare, i pa'n ganny anrezistre lo liv nesans?

A mon dezyenm pwen Minis, eski zot okouran, *anyway* mwan dan mon ka mon konn de dimoun, omwen dan de distrik, ki i annan in ariv laz 15an. I annan enn mon krwar i annan laz 5an, i pa'n zanmen ganny deklare savedir la deza, i deza en lofans.

Eski zot pe mazin, pou fer en keksoz pou sa bann dimoun la, si pou anrezistre zot? Akoz i pa zot lafot, si zot pa'n ganny deklare e sa laz ki zot in arive.

Sa mon de pti pwen. Mersi Mr Speaker.

MR SPEAKER

Mersi Onorab. Onorab Bistoquet.

HON ROSIE BISTOQUET

Bonzour Mr Speaker. Mersi Mr Speaker. Bonzour Minis avek ou delegasyon.

Mwan Mr Speaker mon pou siport sa *Bill*, pour i annan diferan rezon akoz. Ki mon krwar i tre enportan pou nou pei, sirtou nou en pei ki devlope.

E mon pou al en pti pe akoz petet ki sa, deklarasyon

notifikasyon avek lanrezistremman i enportan. *UNICEF* i dir lanrezistremman en nesans i nesaser, i enportan pou nenport ki sosyete. Akoz?

Akoz sa i sel laprev idantite legal, pou en zanfann. Si en zanfann pa ganny konte, zot osi vin - Sa zanfann osi i vin envizib dan nenport ki sosyete ki i ete.

Dapre *UNICEF* i annan de prosedir, pou donn sa idantite sa zanfann, ki mon krwar sa *Bill* osi in anmenn *maximum* preske parey.

Enn i annan lanrezistremman. Sa premye prosedir i ler en zanfann i antre dan Lotorite Gouvernman, swa landrwa kot i ne, ou rezyon kot i reste. Sa i plizoumwenn parey isi Sesel, i antre dan sa Sistenm Lasante.

Kot lanrezistremman i ganny fer dan rezis nesans, par en profesyonnel lasante, ou par ouswa par en dimoun ki'n donn li nesans, par egzanp dan isi nou napa *birth attendance*.

Be selman parey *L'Afrique* nou annan bann *birth attendance* ki kapab donn lanrezistremman sa zanfann.

Son dezyenm letap sa i apel sertifikasyon nesans, ouswa sa papye ki donn pou li, par Leta avek sa paran.

E sa omwen i plizoumwèn i ganny fer anba *Civil Status*. E sa i garanti en zanfan i ganny anrezistre. Mr Speaker, mon pou sipòrt sa *Bill* akòz i enportan pou en sitwayen ganny en, sa i osi enportan par egzàn si sa zanfan i ganny anrezistre, i osi vin en sitwayen kot i kapab ganny benefis sa pei, ki sa pei i ofè.

En bon sistèm anrezistremàn i ed Gouvènman annan en planifikasyon - en bon planifikasyon, sirtou planifikasyon bidzètè, ki kree en sistèm sirveyans.

En sistèm sirveyans nou dir, par egzàn nou dir i viz atravè sa popilasyon, kot nou konnen par egzàn si sa standà ki sa popilasyon pe viv ladan i bon, si i annan okenn maladi zot bezwen swiv.

Lanrezistremàn lanmòr osi enportan pou nenpòrt ki pei. Sa i ede pou annan en meyer planifikasyon, sirtou ler nou konn, nou konn lakòz, sirtou bann lakòz lanmòr.

Par egzàn taler Minis ou'n kòz lo dyabèt, tansyon. I ed sa pei, i ed sa sistèm lasante osi, pou fer pli bon planifikasyon pou kapab fer sir ki son pep i viv an bonn sante.

Lanrezistremàn lanmòr osi, i ede pou etabli akse avek

propriyete, benefis finansyèl, biznes. E sa osi i retir sa dimoun ki'n mòr dan okenn lobligasyon legal, ouwa lobligasyon sosyal.

Lapli par pei i annan en dele letan, ouwa sa lanrezistremàn lanmòr, ouwa nesans i fer li o pli vit posib. Be selman pli tar ki zot donnen pa mwens ki 3 mwan.

Mon pou dakòr avek sa dele letan ki'n propoze sa 15 zour pou sa dapre sa *Bill*. Pou fer sir ki sa zanfan i ganny en idantite bonèr, pou ki okenn problem i ganny rektifye, swa problem lasante swa problem sosyal.

Be selman Mr Speaker, mon krwar petèt sa *Bill* in vin a en enportan letan. Akòz mon konnen i annan pa mal sityasyon kot petèt Gouvènman i ti pe pas ladan, menm lezot lòrganizasyon;- kot bann zanfan ti pe ganny anrezistre tar.

Mon konn menm par egzàn i annan zanfan ki ler zot pe al Lekol Lakres, ki zot ganny idantifye zot paran pa ankòr idantifye zot. E osi mon krwar i a rezòrd en pe avek sa lanmàn ki'n mete, kot i annan en bon pe paran sirtou bann ki annan dan lenfliyans sosyal parey drog avek lalkòl. Zot tant pou vin pli mobil.

Zot bouze nenport ki landrwa ki zot anvi. Ozordi zot Takamaka, demen zot Anse Boileau, apredmen zot La Digue, ki pa fasil pou ganny kontak ek zot ouswa pou *trace* zot.

E mon krwar sa, sa *Bill* sa prosedir ki sa *Bill* in anmennen, i ava asire ki sa zanfan i ganny deklare. E an plis ki sa petet sa ki mon pou demande, en pti keston se ki mon pe - letan mon pe regard sa *Bill* sirtou kot i konsern notifikasyon petet Minis letan ou a fer ou larepons.

Ki mon'n koz avek enn de travayer lasante, sirtou bann safanm kot mon pe demande. Akoz i annan sa notifikasyon, sa profesyonnel lasante i bezwen donn sa papye, ouswa sa notifikasyon sa manman avek *Civil Status*.

E mwan ki mon pou demande mwan, mon konnen i annan en pe difikilte, lo kote lasante akoz sa safanm i fer son louvraz safanm. Be la si petet i annan adisyonnèl, responsabilite adisyonnèl pe met lo zot.

Mon krwar petet mon pe demande. Ki mekanizm ki pou met an plas, ouswa protokol ki sa profesyonnel lasante i kapab notifie *Civil Status* o pli vit

posib? E sirtou pa zis bann ki Mahé, Praslin e La Digue osi?

E nou konnen poudir nesans i pa ariv zis lizour, i ariv aswar, i ariv *weekend* so ki sa mekanizm ki pou met an plas?

E petet mwan mon pe sizere ki petet, *well* Gouvernman ouswa Minister Lasante i met en sistenm kot i annan en *Birth Registrar*. En rezistrar ki anrezistre sirtou lanmor, ouswa avek nesans. Kot i kapab annan sa lyezon, etabli li dan Minister Lasante, kot i kapab annan sa lyezon direk avek *Civil Status* pou Mahé, Praslin ek La Digue. Mersi Mr Speaker.

MR SPEAKER

Mersi Onorab. Onorab Sandy Arissol.

HON SANDY ARISSOL

Mersi Mr Speaker. Bonzour Minis ankor enn fwa. Bonzour tou dimoun ki a lekout e tou mon bann koleg Lasanble Nasyonal.

Mr Speaker, nou tou dan nou parkour lavi nou souvandfwa komans dan en lopital. Dan lepase nou ti komans dan lakour. Bann mon'n tann koz fanmsaz, bann fanmsaz ti vin dan lakour kot paran. E nesans ti ganny fer dan lakour.

Avek teknoloji, lemonn avanse, ozordi nou annan sa ki nou apel Lopital. E sa manman ansent i al Lopital, i al dan *ward*, e apre i ganny anmennen dan *labour room*. Bann fanmsaz i pran responsabilite, papa i la i asiste si i kapab tenir. Si i pa kapab tenir, i esper deor lo balkon. Oubyen swa i tonm en pti kou e bann ners i okip li e apre zot okip manman.

So i komans dan Lopital. E se la kot lavi i komanse. Souvandfwa granmoun i dir ek ou, ou komans laba lopital e ler pou fini souvandfwa ou, ou retourn ankor laba. E se laba ki ou ris ou dernyen souf. E la kot nou al dan lanmor, kot nou anrezistre lanmor e nou anrezistre nesans.

I en size enteresan, ki nou pe koz lo la, e souvandfwa i pa enteres nou ziska ler nou vwar nou dan sa soulye, kot nou bezwen al deklar nou zanfan ki'n ne. Oubyen nou bezwen vwar nou pe al kot *Civil Status* zisteman, pou nou al deklar en lanmor dan lakour.

E souvandfwa ozordi letan nou ekout lanons ek mesaz i pa neserman dimoun aze ki mor. Ozordi kantite zenn dimoun, pe mor. Me lontan letan ou granmanman ti dir ek ou, ouver radyo lanons ek mesaz nou ti

tann bann dimoun aze in ganny lir son non, parske in mor.

Mr Speaker mon komans koumsa parske, mon krwar i en size enteresan, e i en Lalwa ki ti'n demann en pe netwayaz, met annord, fer serten lamannman pou kit nou azour, parey in dir dan *Bill* avek teknoloji ozordi.

E mwan pou touzour keksoz modern, mon pou siporte e mon pou an menm tan fer mon kontribisyon.

Letan nou pe koz teknoloji, mon ti a kontan premyerman, remerisi bann *staff Civil Status*. I annan sa madanm ki asiz la dan Lasanble Nasyonal, i pa neserman toultan mon'n konn son non.

Me selman souvandfwa letan nou al fer en tranzaksyon kot *Civil Status*, i annan li avek lezot son bann koleg. Ozordi mon kontan mon vwar li pe akonpanyy Minis e lezot zofisyé dan sa travay, dan sa lamannman ki nou pe fer, zisteman pou ki *Civil Status* i mont lo en lot nivo.

E mon ti a kontan felisit zot, parske pandan en bon pe lannen, zot in vir bann gran paz dan sa bann gran liv, vir paz, rode ki dat, ki lannen, vini asire.

Epi sa ki ti enteresan se ki letan zot pou donn ou sa sertifika nesans, se zot ki fer sa zoli lekritir, anpaye ek sa *fountain pen* la, pou fer sir sa Sandy John Arissol i ganny ekrir lo la parfetman byen, lo sa laliny pou ou ganny sa sertifika nesans pou ou fer bann lezot demars.

Alor mon ti a kontan remersye zot pou sa travay. Bann dimoun kot *Civil Status* e ozordi *Civil Status* in vin en landrwa, byen akeyan. Parske lo *ground floor*, zot landrwa i byen gran. E souvandfwa ou ganny ou servis *efficacement*, byen vit.

E la mon kontan letan pe dir teknolozi, kekfwa letan ou ava ale *next time* la, zis zot a tape, e non Sandy John Arissol i monte *right on top*, olye vir sa rezis pou gete si vre mon paran ti vin anrezistre mwan.

Oubyen, parey mon'n tann Onorab Loze ek Onorab Jany pe dir, ler mon'n ganny en laz 50an apre get dan liv, mon pa'n ganny anrezistre. Be mon krwar si en size koumsa in ganny leve dan Lasanble, mon krwar i enportan pou nou enkyet.

I enkyet parske, si en zanfan in ne, in grandi, in ariv en serten laz i pa ankor

anrezistre savedir i pa egziste pou mwan! I pa egziste!

E si, i pa'n ganny anrezistre kot *Civil Status*, be ki mannyer in fer pou li al kot lekol? Parske lekol dan lanrezistremman lakres i dir ek ou vin avek ou kart idantite, anmenn sertifika nesans, anmenn tou sa bann dokiman pou ou kapab fer sa lanrezistremman pou ou ganny ankadre dan lakres, pou ou mont primer avek segonder. So nou annan en problem.

E mon premye pwen i vin la Mr Speaker, letan nou pe koz teknolozi pou *Civil Status*, mon ti a kontan demann Minis avek ki reprezant Gouvernman, si nou pa kapab fer en keksoz nob pou nou bann dimoun?

Ki mon pe demande? Ler mon vin kot *Civil Status*, pou mwan anrezistre swa en lanmor, swa mon nesans. Be mon ava al lo lanmor. Ou konnen lanmor, i en keksoz ki difisil pou plizyer nou, parske i pa en keksoz ki ou ekspekte.

Zanfan ou ekspekte, parske sa msye ek sa madanm zot in kontan, zot in fer zot zanfan dan lanmour e toultan pe swiv ou madanm prezan pandan sa peryod, ziska ler i ganny son zanfan.

Be lanmor nou tou nou pa ekspekte. I kapab i ariv en ka,

taler en aksidan, en malad e ou vwar ou dan en sityasyon kot ou bezwen desann kot *Civil Status*, zisteman pou al fer sa lanrezistrem lanmor.

Be mon santi nou annan en problenm. E dan sa, premye bout ki mon'n lir se teknoloji, mon ankor mon pe demande, si nou pa kapab met tou bann Servis Gouvernman anba en sel twa. Ki mon pe dir par sa?

Par egzanp mon vin deklar mon lanmor, mon'n vin kot *Civil Status*, mon'n ganny mon bann dokiman. Prezan ki arive ozordi ler mon sorti kot *Civil Status* mon bezwen al rode kot *SBC* i ete, radyo.

Zot dir ou konmsi dan *Kanna Mall*. *Kanna Mall* kot i ete li, zot dir mwan sa bilding la o bor larivyèr la kot *Ray's Music Room*. Lo ki *floor* i ete? Ou a krwar zot dir mwan, lo trwazyenm *floor* li. Konmsi laport 46 li, sey gete en kou. Konmsi sa i bann *hurdles* ki nou bann dimoun pe fer fas avek ozordi.

Sorti kot *Civil Status*. Al rod *Kanna Mall*, si ti napa *COVID*, al rode kote *SPTC* i ete. Kote son lofis i ete. Lekel dimoun ki ou koz avek. Ler ou sorti laba, mont Mont Fleuri, rode kot Biro Simityer i ete.

Lekel sa zonm ki pe responsab trou, pou li donn ou

en trou, pou li siny en papye. Li i par la aköz i pe fouy en trou anba laba pou en lot dimoun ki'n mor. Konmsi mwan mon santi poudir, nou dimoun i tay dan tou diferan direksyon!

Alor mon pe demande avek sa lamannman, si avek lespas pti git ki nou annan kot *Civil Status*, si nou pa kapab annan en biro letan mon fini fer mon deklarasyon lanmor. Sa madanm i dir ek mwan, Mr Arissol zisteman pas la anndan. I annan sa fiy la Mrs Lemiel la, li ki pou *deal* avek ou bann zafer trou.

An menm tan li menm ki pou tip ou pti mesaz, i pou anvoy sa atraver en pti *mail* pou al kot *SBC*, pou ou kapab anvoy tou ou mesaz lanmor. Ou pa bezwen al *Kanna Mall*.

Parske mon pe dir sa Mr Speaker, parske tousala i bann Lazans Gouvernman, *SBC* i pou Gouvernman, trou simityer pou Gouvernman, *Civil Status* i pou Gouvernman. Be ler mon pou al fer mon demars, serkey. Sa i prive sa. La mon ava al kot *Padayachy*.

Be si mon anvi brile, i ava annan en dimoun, lasante sepa sa sanniter ki stasyonnen la. Parey i annan en sanniter ki stasyonnen kot Erport pe asire kwa ki antre, kwa ki sorti, poudir be non, sa lekor pa

kapab brile, oubyen wi i kapab brile.

Mon pe dir sa parske, souvandfwa letan mon pe dir bann zenn dimoun ki pe mor. Ozordi mon vwar plizyer bann granmanman, oubyen bann manman ki'n alaz ki fer fas avek sa *hurdle* toulezour.

Mon mazin Zita Hertel par egzantp, en madanm ki'n defen, ki nou ti al son lanterman. Letan son garson ti ganny touye Lari Hangard sete li, avek sa lipye fermal ki ti letour lemonn, zis pou li kapab ganny sa bann demars, pou li kapab anter son garson.

So mon pe demann avek Gouvernman atraver Minis, annou gete dan sa *remaniement* ki nou pe fer, an mezir sityasyon i ava amelyore, pou nou kapab, sey met tou bann Departman Gouvernman anba en sel *roof*, pour ki sa dimoun i pa bezwen pran bis, pey en pirat, rod en transpor, pou li al fer tou son demars.

Be bann ki pou Gouvernman, i ava kapab o bor kanmarad. Sa i a fer ki, nou pa tann Onorab Jany avek Onorab Rosie pe dir, i annan dimoun dan nou distrik, ki pa'n ganny anrezistre.

Be ler ou sorti la tou zafer i sipoze fer la, ler ou'n fini anrezistre ou a ganny ou kart

idantite lanmenm, sertifika nesans i la. Ler ou sorti ou'n ganny ou *full package*. Sa i mon premye pwen, lo teknolozi.

Dezyenm pwen ki mon ti a kontan koz lo la Mr Speaker se *COVID*, in montre nou en keksoz kler. *COVID* ozordi in montre nou poudir lanterman, i pa en maryaz li. Lanterman pa en laserenad li, lanterman pa, pa en piknik li.

Parske Sesel, nou ti'n fini annan - antre dan en tandans poudir, akoz ou annan en lanmor dan lakour, mon kapab pase avek en *sponsor form sheet*, komans pase kot tou dimoun.

Rod en pti larzan pou mwan anter mon mor. Sa i ti leka Sesel. Si ou annan ou larzan pou ou fer ou *fancy fair*, napa problemm. Be si ou napa larzan pou fer *fancy fair*, ou pa kapab fer *fancy fair*.

E ozordi *COVID* in montre nou, poudir ler en dimoun i mor kot ou, ou pa bezwen rod bis ozordi kot *SPTC*, ou kapab anvoy ou lanons. I donn ou serten kantite dimoun ki pou vin ou lanterman, ou annan en kantite, kantite liv pou ou *print*.

Menm parfwa avek permisyon sanniter ou kapab bril sa lekor. Savedir ou pa bezwen fler. Tou sa depans Mr Speaker in redwir.

E *COVID* in montre nou sa ozordi, poudir tou sa depans in redwir. E an menm tan, mon krwar i enportan pou nou kontinyen lo sa laliny. Pou dimoun reflexir, poudir wi keksoz dan lavi, ou bezwen fer li dapre ou mwayen.

Si ou pa kapab fer ou bezwen fer, ou pa kapab *exceed* sa ki ou pa kapab fer. Ou bezwen fer li dousman, trankil, dapre ou mwayen. Pwen ki mon pe koz lo la Mr Speaker se responsabilite.

Taler pou lanrezistrem, mon'n koz bann dimoun aze, ki pe anter nou bann zenn. Be la mon anvi, koz lo responsabilite nou bann zenn. Mwan koman en zenn, mwan koman sa papa, lot koman sa manman. Ler mon vye manman, oubyen mon papa, oubyen en Manm mon fanmir i mor, i mon responsabilite pou nou asize ansanm koman en fanmir.

Sa en keksoz ki napa byen, byen Sesel ozordi. Pou nou asize, pou nou ki mannyer nou kapab anter nou manman, nou papa, nou frer oubyen nou ser, oubyen en manm nou fanmir.

Parske souvandfwa, se nou politisyen. Mwan politisyen, parske premye *phone call* ki ou gannyen, letan en dimoun i mor, i *call*

politisyen, i dir ek ou, "ou konnen mon pe gete mon manman in mor la mon pe gete ki ou kapab fer."

Sa i bann responsabilite, ki nou bann dimoun letan nou pe amann bann Lalwa, nou pe fer Lalwa vin azour avek teknolozi. Nou osi koman bann endividi, nou bezwen azour avek larealite lavi. Nou bezwen azour. Nou pa kapab kontinyen ek sa zafer, tap laport.

Me parkont i annan dimoun ki vwar li dan difikilte, in ariv en lanmor soudan en aksidan, i pa'n prevwar, i tap ou laport. *Then* ou dir *ok*, napa problem frer, moralman i *ok* pou nou ed ou.

Me selman parfwa i komans dan lakour kot nou, pou nou zisteman kapab ed nou fanmir. E ed sa dimoun, pour ki sa parkour ki'n komanse, kot in terminen pou li kapab fini.

Mr Speaker mon'n koz lo la, parske mon santi poudir i enportan, letan nou koman bann *Leaders* dan distrik, nou lyez avek plizyer dimoun. E zisteman la, letan mon pe koze, yer mon'n aprann poudir nou'n perdi Mr Ogilvy Gonthier, dan distrik Bel Ombre.

En *homme* ki ti reste e, Ogilvy Gonthier i trouv papa Clement Gonthier Praslin. E i trouv fanmir avek bann,

lafanmir Prea Bel Ombre. E mon ti a kontan letan nou pe koz lo *Bill*, pou *Civil Status* lanmor, prezant zot mon kondoleans lo lapar la fanmir.

E osi tou bann dimoun Bel Ombre ki'n ale. E *COVID* souvandfwa in fer ki ou pa ganny sans parfwa asiste lanterman bann dimoun, ki mor dan ou distrik.

Oubyen konnen souvandfwa parske mannyer lanons i ganny lir ek mesaz ozordi. I pa neserman koresponn parey ti ganny fer avan.

E tousala *COVID* in montre nou poudir i annan diferan fason fer, dan nou pei. E tousala ki nou'n ganny dir par Minister Lasante se bann nouvo normal.

Alor mwan koman politisyen, mon bezwen adapte ek sa nouvo normal. E mon pe ekspekte ki lezot dimoun, osi zot fer egzaktaman parey.

Mr Speaker, parey ou'n dir mon'n koz en pe lo *Bill*. Be mon ti a kontan dir ek Minis poudir bann lamannman...

MR SPEAKER

... ou'n koz en bon pe, lo diferan sityasyon ki enteresan Onorab. *Me let's get to the Bill.*

HON SANDY ARISSOL

Mr Speaker tou sa ki mon'n koz lo la i lo *Bill*. Nou pe koz lo *Bill* ki annan pou fer ek lanmor, avek nesans e mon'n donn bann legzanp, ki annan dan mon distrik.

E sa ki nou fer, nou pa kapab koz mo, pou mo lo *Bill*. Nou bezwen adres bann sityasyon ki relye avek *Bill* ...

MR SPEAKER

Ale Onorab.

HON SANDY ARISSOL

... set egzaktaman sa ki mon'n fer e mon pou kontinyen fer, parske mon santi poudir sa fason ki fer dimoun deor ekoute, kwa ki nou pe koz lo la. Nou pa kapab koz zis mo pou mo, an relasyon avek *Bill*.

E mwan mon'n krwar, sa ki mon'n fer i egzaktaman sa e mon espere ki bann dimoun deor ki pe ekout mwan, zot *happy* avek sa ki mon'n dir.

E Mr Speaker, parey mon pe dir, poudir letan nou pe koz lo *Bill* lanmor, nou pe koz lo anrezistremant.

E mon kontan osi, sa ki Minis in dir koman mon dernyen pwen, an relasyon avek bann Seselwa ki'n mor aletranze. Ki'n mor aletranze, me ki souvandfwa dan lepase pa ti ganny vin Sesel pou ki,

Civil Status i konnen poudir Sandy Arissol in mor.

E sa ti fer ki, souvandfwa letan nou pe, nou pe pas, nou pe fer eleksyon dan pei. Ou vwar bann non, lo rezis voter ki bann dimoun in mor.

E prezan nou ki nou fer, koman bann endividi nou kriye. Be la Sandy in mor selman son non i ankor lo rezis voter. Be i annan bann prosedir ki vin avek, parey ou'n dir. Si *Civil Status* pa ganny en dokiman ki dir, ofisyel ki dir poudir Sandy in mor.

Civil Status, pa kapab anvoy kot Biro Eleksyon poudir Sandy Arissol in mor. I bezwen ganny bann dokiman, e la mon kontan, atraver sa bann lamannman ki ou pe anmennen, tousala i annan pou fer avek sa ki mon'n koz lo la, lo sa *Bill* prezante par Minis.

Alors Minis, mon ava aret la pou lemoman vi ki mon'n koz en bon pe. Mon a donn sans en lot Manm i ava koze. Mersi bokou.

MR SPEAKER

Mersi Onorab. Onorab Lemiel.

HON SYLVANNE LEMIEL

Mersi Mr Speaker. Mr Speaker mon pa ti'n lev lanmen *as such*. Me selman mon pou profit sa lokazyon, pou mwan pas ...

MR SPEAKER

I vre-i vre ti Onorab Aglae ki mon ti'n nonmen. Be *ok*.

HON SYLVANNE LEMIEL

Non mon ti pou al lev mon lanmen mwan osi Mr Speaker. Me selman mersi pou ou donn mwan sa sans, pou mwan koze.

Thank you, Mr Speaker. So, mon a dir bonzour tou dimoun. Mr Speaker sa *Bill* li menm ki devan nou - prensip sa *Bill* li menm ki devan nou, mon vwar i bon! Akoz i pe adres en bon pe anormalite petet ki ti la avan. Nou pe koriz li.

Size ki mwan mon ti a kontan konsantre lo la, koman en madanm e en manman, mon ti pou kontan konsantre lo sa size zanfana. Deklarasyon zanfana.

Ou konnen en zanfana i pa demann nesans li, se sa zonn e sa madanm, zot in deside pou zot fer en zanfana. E alors ler sa zanfana i ne, i mon devwar koman sa manman, e i ou devwar koman sa msye. Marye ou pa marye pou nou tonm lo en konsansis, pou nou deklar sa zanfana.

E sa zanfana li menm, antan ki i pa'n demann nesans i bezwen en sinyatir. E i bezwen osi, en lankadreman e en fanmir kot i viv ladan, dan

lanmour kot i kapab grandi pou li osi demen vin sa sitwayen responsab dan son pei.

So sa *Bill* li menm letan nou regarde, i fer serten provizyon pou bann paran. Par egzanz ki pa deklar zot zanfan, pou zot kapab zot osi ganny sanksyonnen. Akoz i ou devwar, 30 zour apre nesans ou zanfan, pou ou al deklar li.

Me kot ki pli byen se ki mon kontan kot in donn sans bann dokter, ners, bann dimoun ansarz lo kote lasante ki pou pran sa responsabilite. Ki zot osi, zot pou kapab anvoy serten dokiman kot *Civil Status*, pou zot kapab enform sa bann dimoun ki, in annan en nesans ki'n arive la.

E i annan sa zanfan ki'n ne e petet *Civil Status* byento pou esper zot vin an personn, pou zot vin fer bann lezot formalite. E la sa zanfan i kapab ganny atrape, e nou pa kapab dir parey legzanp in ganny donnen in ariv 5 an, i pa ankor anrezistre, lo rezis anrezistremant kot *Civil Status*.

Ozordi Mr Speaker, nou pe viv nou dan en monn globalize. So se teknolozi, ki koze ozordi. Nou, nou pa kapab reste deryer.

Alors nou osi nou bezwen bouze avek teknolozi, kot nou pe vwar ki - nou konnen parey in dir, *fungus* i enn ki pe afekte

bokou nou bann papye ekrir, nou bann liv - nou pa oule perdi sa bann lenformasyon, e sa bann detay ki nou'n annan lo nesans e lanmor nou bann dimoun.

Alors i enportan ki sa bann lenformasyon i ganny *input* dan en sistenm. E an menm tan, le nouvo aplikasyon ki pe vini osi i ganny *computerized*.

E i pli fasil ozordi par egzanz mon pe *call*, mon pe demann kek lenformasyon, mon size i fasil pou nou kapab tap masin, nou kapab anvoy sa lenformasyon kot sa dimoun. San petet bezwen, pou bezwen vin dan sa lofis li menm pou ou vin fer sa keksoz.

Mr Speaker letan nou regard zanfan ki ne deor. Mon annan en pti pe konsern Minis. Petet ti a bon en pti pe leksplikasyon, ankor en pti pe *deeper*.

Mwan annan mon zanfan mon annan en nasyonalite deor, mon en Seselwa wi. Me selman mon pe reste deor mon'n ganny en nasyonalite deor. Mon piti in ne laba, meton Langleter, i ganny nasyonalite Angle. *Ok*, son papa i en Angle, i ganny nasyonalite Angle.

E isi, nou pe dir nou pe entrodwir en rezis, pou mwan zanfan li ki'n ne laba aletranze.

So mon pe mazineen isi, ou pe donn li en lot sertifika nesans Minis, oubyen zis sa non pe ganny anrezistre dan ou rezis, ki poudir ki konmkwa zanfan Sylvanne Lemiel in ne Langleter, i en Seselwa.

Me selman i pa ganny sa *birth certificate*, akoz i pou fer li de *birth certificate*. Eski sa i konstitisyonnel? Eski i normal? Mon ti a kontan en pti pe leksplikasyon lo sa enn size.

Kan a osi, ki konsern bann zanfan abandonnen. Li osi nou pe vwar, petet atraver sa *Bill*, Mr Speaker i enportan pou nou lans en lapel, sirtou avek nou bann madanm.

Mon konnen, i annan de fwa parey i annan serten zot i dir in bite, in tonm ansent, ou pa kapab ale ou kit sa zanfan la lopital prezan Leta ki pran, ki bezwen pran ka avek sa zanfan.

Ler ou'n deside pou ou al fer en aksyon, ou bezwen konnen poudir tou aksyon i annan son konsekans, ki vin avek. So petet dan sa kote osi, in ler pou nou vwar en pti pe byen ler sa paran petet i antre lopital.

I annan i vin ganny Lopital, me selman i annan mon pa konnen si petet zot kit dan lakaz, or si petet zot kit dan bwa. Petet dan bwa, i difisil pou nou konnen lekel. Me parkont

mon krwar Sesel, nou sitan ptipti ozordi, nou tou nou konn kanmarad. Nou pou konnen lekel, sa manman.

Akoz lotrozour zis get, legzanp sa enn dan bin. Mon krwar zot in konnen lekel. So i enportan ki bann aksyon neser, i bezwen ganny pran avek nou koman sa manman, sa dimoun ki abandonn en zanfan. Akoz mon redir ankor, zanfan pa demann son nesans li.

Ou ki'n deside pou al fer en aksyon. E ou bezwen pran responsabilite, e pran konsekans ou aksyon. Alors, mon ti a kontan sansibiliz bann manman, bann zenn fiy e osi bann madanm en pe pli aze osi ki deside pou annan en zanfan ozordi. E deside pou zot abandonnen pour rekonsidere.

E atraver sa *Bill*. I byen, ti a byen ki annan bann aksyon en pe pli sever, ki ganny pran avek bann dimoun ki deside pou zot abandonn en zanfan.

So avek sa de pti mo Mr Speaker, mon poudir ou mersi pou donn mwan sa sans, pou koze. Mersi.

MR SPEAKER

Mersi Onorab. Onorab Aglae mon met mon linet, pou mwan vwar byen ou non la prezan. Ou kapab pran, pran laparol.

HON EGBERT AGLAE

Mersi Mr Speaker. Mersi pou *acknowledge* mwan. E bonzour Minis ek ou *panel* e tou dimoun ki a lekout.

Mr Speaker lo sa *Bill*, mon krwar i enportan ki in vin avek son moman *opportun* pou annan sa bann lamannman. Sirtou, e pou met keksoz a zour e an menm tan anmenn sa laspe teknolozi.

Me avan mon antre li menm lo sa *Bill* Mr Speaker, mon krwar i enportan osi pou konn en pti pe bann listwar ki'n arive kot i konsern bann rezistrasyon pou bann zanfan.

Premyerman i annan bann rikord ki souvandfwa, nou tou nou, ki nou'n ganny anrezistre, nou annakor pe viv. Me i annan bann rikord lepase ki egziste ozordi. Sirtou parey ler en dimoun i anvi al rod, son *family tree*, son bann desandans.

E bokou bann pei, in komans fer bann lanrezistremman dan sa bann *genre*. Par egzanp Sesel li ki formelman i ti komans fer son bann rezistrasyon an 1794.

Me in formelman adopte en prensip *compulsory*, nek an 1893, pou lapopilasyon li menm li. E sa si nou le ganny dan

rikord, nou kapab al gete atraver *Civil Status*.

Mr Speaker, me selman malgre ozordi nou'n ariv lo en pwen kot Sesel koman en pti popilasyon, i kapab vwar li kapab pe *manage*, son rezistrasyon depi nesans, lanmor e osi bann lezot rezistrasyon nesaser. Sirtou parey i nou annan maryaz ki pa lo la ozordi.

E pour nou, nou vwar li ae fasil akoz an term groser nou popilasyon. Me parkont Mr Speaker i annan bann defi ki atase avek, sirtou dan larezyon nou bann pei *SADC*. E mwan mon'n pran li, enn mon devwar pou fer en pti resers.

E ler mon'n get en pei ki mon'n gete se *Botswana* Mr Speaker, kot zot Lalwa ti vin *compulsory*, pou ou kapab anrezistre zanfan nek an 1998. E prezan mon poz mon lekor kestyon, me ki arive ek tou sa bann letan ki pa ti mandatwar pou zot fer sa kalite lapros?

I fer ki nou annan en bon zanfan, ki'n ne ki pa'n ganny anrezistre. Parey taler ti annan en Onorab ti dir, zanfan ki nou kapab dir, i zis la.

E pour mwan Mr Speaker, i fer ki i annan bokou bann lensertitid dan sa bann rezyon ki fer ki ozordi i annan bann serten servis, Sesel nou pa

tonm ladan akoz nou'n byen zer nou, kot i konsern sa Lalwa Lanrezistremman.

Par egzantp, si ou pa ganny anrezistre dan *Botswana*, premyerman akse pou ou anvoy sa zanfan lekol i vin en konsern. Akse avek sistenm servis sosyal, lasante tousala ou pa pe ganny gete parey en dimoun ki'n ne e ki'n anrezistre dan sistenm formelman.

E osi Mr Speaker, i annan bann zefor ki pe ganny fer pou fer ki bann pei parey ki dan difikilte akoz zot grander, e zot tradisyon, kot Gouvernman in vin devan pou anvoy serten *incentives* pou zot kapab anrezistre.

E la zot ganny met devan, i pa larzan definitivman, se si ou pe anrezistre, byensir ou a ganny akse avek sa bann servis, ki Leta i donn son sitwayen. Menm parey isi Sesel, nou annan, nou ganny akse ek servis lasante, ledikasyon, servis sosyal, bann servis ki ganny met, gide anba nou bann Lalwa osi.

E pou mwan Mr Speaker, sa i en bann lepa ki enportan pou en pei pas atraver pou sitwayen. Lot konsern ankor, se souvandfwa in annan bann lanmor ki arive, ki pa pas dan Sistenm Lasante.

Parey nou Sesel, nou dir en lanmor i arive depi *point a*, Lapolis, dokter i vini, i sertifye premyerman si lanmor in ariv, i kapab in ariv kot ou dan ou lakaz, ouswa kot en klinik. Ki tanzantan toulezour pe arive sa bann sityasyon.

Ou ava annan ou *health medical* ki vini, ki pou sertifye poudir sa dimoun in mor. Lapolis i pran lekor, e i desann i anmenn anba kot *mortuary*, ouswa si pa *Padayachy*.

Me prosedir legal i ganny fer, depi *from* komansman kot i annan bann form ki'n ganny ranpli, ki'n ganny sinyen. E ler i pe *handover* osi tousala pe ganny anrezistre.

So lankadremman li menm li legal, pou Sesel i azour, i annord e i pe marse Mr Speaker.

Mr Speaker ler mon pou vin direkteman lo sa *Bill*, mwan mon annan serten konsern ki petet mon ti a kontan met devan, ki Minis ouswa *Legal Officer* ki la, i ava adrese dan *reply*.

Premyerman Mr Speaker, kot i konsern ler en lanrezistremman apre nesans pa pe ganny fer, pou bann rezon ki an deor kontrol sa fanmir li menm. E dan Lalwa in site, enn de li, enn de legzanp ki in site.

Par egzanp, si i ariv en lanmor ou ganny donnen en, i vin parey sa, sa legal ki nou apel dan term legal. Kot en dimoun pou vini pou pran sa responsabilite, pou fer sa rezistrasyon.

Me i annan bann sirkonstans osi, par egzanp Mr Speaker. Si en madanm in tonm ansent, son lansentman byensir in al pou 9 mwan.

E pandan sa 9 mwan li menm li, sa msye swadizan son papa, ki sipoze vin papa, i ganny kondannen, met dan prizon, petet dan 6mwan dan lansentman li menm.

E ler zanfan i ne, sa paran i *pass away* li menm li. Ki mannyer petet, nou pou tret sa, pou kapab annan sa rezistrasyon ki ganny fer. Akoz i pou annan en *due process* mon krwar ki bezwen al avek, pou fer ki lanrezistremant i ava ganny fer.

Akoz ler mon pe gete i pa vin dan en fason *compulsory* pou ou kapab zis ale, ouswa ners, sa zofisyè parey zot mete la, i pou fer li *compulsory* pou li al - ler in soumet sa *birth*.

Eski i pou vin *compulsory* pou zis anrezistre sa zanfan? Ouswa nou pou bezwen al pas sa prosedir *due process* pou kapab ganny en manm fanmir

pou pran responsabilite? Sa i enn.

Dezyenm kot i konsern zanfan ki pou ne an deor Sesel, pa en Seselwa, kot en pei li menm li son Lalwa i pa fer li obligatwar, pou ou anrezistre sa zanfan an deor sa pei ki li in ne.

E pour mwan Mr Speaker mon ti a kontan en pe pli leklersisman lo sa bout la. Akoz nou konnen poudir otomatikman, i annan pei si ou'n ne dan son pei definitivman ou pou bezwen ganny sa sitwayennte.

E dan bann sirkonstans kot sa dimoun, sa paran li i pa pou, i pa anvi, i anvi vin son zanfan li menm li. Ouswa in pri, parey nou'n konnen la. Nou'n pas en proses *lockdown*, ou'n pri laba, ou pa pe kapab sorti pandan bann letan.

So lafason, eski sa paran li menm li i pou bezwen, annan en reprezantan legal li menm li pour li fasilite sa proses. Ouswa zis, mon pran kontak ek Biro *Civil Status*, e la serten formalite i komanse, eski i pou mars koumsa? Mon ti a kontan en pe leklersisman dan sa laliny. *Ok?*

Apre kot i konsern sa *authorization* pou *burial or cremation*. Mon krwar sirtou, sirtou nou bann, dimoun aze - I annan ki'n fini dir, mwan ler

mon mor, anter mwan, ouswa bril mwan, ouswa zet mwan dan lanmer, parey Lalwa i preskrir.

Eski nou, nou par konsekans ozordi nou konnen, nepli annan trou e (nou'n fek tann sa tou resaman), pou anter nou bann dimoun, difikilte teren. Si nou pe pran kont, sirtou ler sa dimoun in mor.

I vin parey ler mwan mon'n dir be ler mon mor, mon ti a kontan ganny brile, ouswa ganny antere. I vin parey dan mon *Will*. Ler mon mor, mon ti a kontan donn tel sa, sa, sa ouswa sa.

So dan sa fason Mr Speaker, ki mannyer nou pou kapte sa (atraver ou), pou fer sir ki sa ki sa dimoun li in demande i ganny arive dan en sans premyerman, ouswa pa fanmir pa pas par deryer komans lager. I ti dir antere, i ti dir brile. E la i komans vin en bann konfli, lo sa nivo.

So mon krwar i enportan ki sa bann leklersisman, i fer akoz i bann keksoz ki arive toulezour sa. E pou terminen Mr Speaker, mon krwar bokou zefor in ganny fer lo lapar Gouvernman ladministrasyon avan, e sa ki pe vini osi pe anbelir lo la. Pou nou kapab

annan en Leta Servis Sivil ki modern e azour.

E zefor parey in komanse avek larsiv, mon krwar i enportan ki, teknolozi i bezwen antre pou kapab anmas bann lenformasyon. Akoz sa i ed nou dan bann diferan parkour, devlopman sosyal popilasyon. Parey *census*.

E la nou konnen osi, ler nou fer en *population demographic*, parey i ganny rekomande anba Nasyon Ini kot tou le lannen, ouswa tou le kar. I annan bann rapor ki ganny soumet, avek zot pou konnen mannyer Sesel pe progrese, an term son bann servis e son bann, son bann aki ki annan.

E pour sa, mon krwar nou pe fer byen e mon salye bann travayer *Civil Status* ki pe donn sa servis. E kontinyen e mwan mon krwar nou bezwen la pou siport zot osi.

E parkont bann ki konnen, akoz in deza annan en lensidan ki mon'n pas atraver Mr Speaker, kot apre sa 2 mwan mon krwar ki in donner pou kapab anrezistre en zanfan.

In annan zanfan ki pa ankor ganny anrezistre atraver *Civil Status*, pou bann rezon mon kapab dir matrimonyal, ki'n arive.

E parfwa Lakour i donn son zizman, me parfwa i annan serten keksoz ki zis vir an ron. So nou bezwen *être* konsyans poudir ler en zanfan in ne, i pa ti demann son nesans, me i bezwen vin en imen legal, en zanfan legal, dan en sistenm ki osi i ava benefisye e grandi avek en, sa ki sistenm i donn li.

Avek sa mon pou dir mersi Mr Speaker.

MR SPEAKER

Mersi Onorab. Onorab Roucou.

HON MICHEL ROUCOU

Bonzour Mr Speaker. Mersi. Minis bonzour avek ou lekip. Bonzour tou koleg Onorab e bonzour spesyal pou zabitan Mont Fleuri.

Minis mwan mon pou siport sa *Bill*. Be selman mon santi poudir, parfwa nou kree bann lobstak pou bann zabitan, Seselwa zot menm zot.

Zis parey, kot ou konnen en madanm aze dan mon distrik e ozordi pe sey lager pou li kapab, donn en bout later enn son zanfan.

Be selman lo kot lanrezistremans mon pa konnen ki mannyer ariv en fot, an term bann non ki ozordi i bezwen vwar li al Ankour.

Mon pe koz lo madanm Jumaye ki i, ler i ariv kot

Lakour laba i pe ganny bokou difikilte. Parey Onorab Arissol in dir, nou bann dimoun aze, parfwa enn ler sa laz ki zot in arive zot vremen fatige pou zot al fer sa bann letour, pour zot al sepa ki bor ki sa i pran bokou letan, pran bokou zot letan.

I zis parey en, en garson dan mon distrik, Jean Paul. In zwenn li en fiy, in fer en zanfan avek sa fiy, i ti'n marye. E li in vwar ki i pa kapab deklar son zanfan, akoz sa fiy ti'n deza marye ek sa garson.

E in vwar poudir non sa msye marye aprezan ki i ganny met lo la, e li i bezwen al Ankour, pou li kapab prouve poudir li i papa sa piti. Ki sa i vin vremen konplike.

E ler nou pe koz an term bann papa, pran zot responsabilite. La i en lot bout ankour ki i vin vremen konplike Mr Speaker.

E lo kote *staff* li menm li, mwan osi tou mon pou donn mon sipor kot mon poudir ek bann *staff* kot *Civil Status*. Mersi. Sirtou sa madanm ki la.

Sak fwa nou ale, i vremen zenere, i vremen *welcoming* bann *staff* laba. E mon plizyer fwa mon'n ale Mr Speaker, menm pou mwan al deklar mon zanfan, ouswa pou mwan al deklar en lanmor dan fanmir.

Kot laba ou ganny vreman sa sipor avek sa bann *staff*.

Be selman en keksoz ki mon remarke Minis, se ki menm ki landrwa in repare. E landrwa pli ale pe vin *crowded*. Kot la nou vwar tou keksoz i, i lanmenm la, paspor i lanmenm, pour kart idantite i lanmenm, pou deklarasyon i lanmenm, ki sa mon mazine i vin bokou presyon lo bann *staff*.

Landrwa i vreman zoli i ganny *renovate*. Me selman mon krwar nou kapab amelyore. Swa parey, annou fer parey Onorab Arissol in dir. Kot tou keksoz ki annan pou fer ek deklarasyon, nou konnen poudir i en landrwa, keksoz ki annan pou fer ek paspor ek kart idantite i en landrwa.

Aprè osi Minis, mon'n ganny sans pou mwan zwenn en zanmi, ki ti dir mwan poudir *by mistake* li i pa ti konnen in aste en transpor, zis ler pou li al transfer son transpor lo li, i vwar poudir, in ganny deklare poudir in mor.

La osi tou i en lot keksoz ankor ki mon mazine poudir nou bezwen revwar, fer sir poudir bann fot koumsa. Kot la aprezan in bezwen al pas bann prosedir, pou li kapab al rektifye, rektifye sa fot.

Minis, mwan mon pou donn mon sipor, mon pou donn

mon sipor sa *Bill* aköz mon krwar poudir i en *Bill* enportan pou nou pei, e pou anmenn nou pli devan.

E sirtou la, ki zot pe propoze pou anmenn teknolozi ki sa pou fasilite, bann dimoun ki zot anvi al vwar pou fer zot *family tree*.

Ki ozordi ou konnen ki mannyer sityasyon i ete dan pei. E kot napa later tou dimoun pe sey met an plas zot *family tree* pou konnen kote sa bout, i tonm ek sa bout. Ki sa i ava ede. Mersi Mr Speaker.

MR SPEAKER

Mersi Onorab. Onorab Porice.

HON DOYACE PORICE

Mersi Mr Speaker. Bonzour Minis ek ou delegasyon. Bonzour tou mon bann koleg *MNA*.

Bokou in ganny kouver, lo sa ki mwan mon ti pe al dir. Me sa, mon pou siport sa *Bill* aköz en bon sistenm lanrezistremant i pou ed bokou nou bann dimoun la deor, ki lanmor, ki nesans.

E osi i pou ed serten dimoun ki pou pran zot responsabilite pour zot pa al pey lanmann, omwen al prizon.

Me Minis mon ti a kontan, mon osi siport pwen ki *Chief Whip* in met devan, kot i

konsern anmenn tou sa bann lazans anba en sel twa. Sa i pou fasilite nou, sirtou zabitan lo Zil Pros ek Praslin.

E mon ti a osi kontan si zot pe mazinen a lavenir desantraliz fasilite lanrezistremman, ki lo nivo rezyon omwen, sirtou ankor mon pou koz pou Praslin. E anmenn e fer parey zot pe fer isi lo Mahé.

Nou koz en pti pe, nou'n koz lo krematizasyon. Eski Minister in an kontak, annan en kontak avek lakonpanyen prive? Kot i konsern krematizasyon, sirtou pou zil Praslin, e La Digue osi?

Sa i en pti pe bann pwen, ki nou osi nou santi lo zil ki nou ti a kontan vwar sa bann tel keksoz i arive.

Nou konnen isi Mahé, mon osi mon'n ale laba kot *Civil Status*, i annan bon bann dimoun pe travay ase byen. Me pour lo nivo Praslin, nou ti a kontan ki sa bann dimoun zot osi zot ava annan en sel twa, kot tou bann keksoz, zot i deroul menm landrwa.

E mon santi, mon osi santi ki, bann dimoun lo nivo Praslin parey Onorab Rocky in dir, si zot in ganny zot zanfan lo Mahé, zot, zot bezwen anrezistre isi lo Mahé.

E zot pa ganny, zot napa landrwa reste. E zot santi ki, sa i en kree en pe difikilte. Mon'n deza ganny plizyer *call* ek serten bann, bann paran ki ganny zanfan isi lo Mahé. Kot menm, mon'n bezwen koz avek *PS* pou kapab *facilitate* sa dimoun pou zot anrezistre zot zanfan.

Sa enn pti pe bann pwen, akoz laplipar in kouven ki mon ti pe al koz lo la. E mon pare pou mwan siport sa *Bill*. Mersi.

MR SPEAKER

Mersi Onorab. Onorab Vidot.

HON AUDREY VIDOT

Mersi Mr Speaker. Bonzour tou Manm Onorab. Minis avek ou delegasyon e tou Manm piblik ki a lekout. En bonzour spesyal zabitan Roche Caiman.

Minis, mwan mon kontribisyon anver sa Lalwa ki devan nou ozordi. Premyerman i enportan ki nou, nou rekonnèt e nou apresye poudir, pou 43an Sesel nou'n akonplir en kantite.

Konpare avek letan nou ti komans bann lanrezistremman, bann non, nou bann zanfan, nou bann defen. Ki mannyer Leta Sivil in komanse e pou li ariv kot i ete ozordi.

E nou kapab dir poudir, nou'n fer bokou, bokou progres. Ozordi nou annan en Leta Sivil kot nou'n elarzi servis, ki bann

travayer in vwar zot ek letan, pour zot kapab anplifye zot lanvironnman travay. Ki permet zot, kapab donn servis nou popilasyon.

Avek bann regilasyon ki nou pe revize ozordi, pou fer zot travay ankor, senpleman petet vin pli, pli fasil. E osi ou edik nou pep osi pou pli byen servi bann servis ki ganny ofer.

E mon ti a kontan, mon konnen en kantite Manm in fer sorti bann pwen ki pertinan. E i byen zis pou ranforsi enn de san repete, mon kontan dan lesans ki ozordi parey bann paran ki vwar zot petet ki'n dan problem, kwa zot dan sibstans.

Me fanmir i anvi, i vwar poudir, pa les sa zanfan perdi son sans anrezistremant son non boner. Paran in vwar zot pe tap plizyer laport kot pou ale pour sey anrezistre sa zanfan e donn li son non avek son sinyatir.

E lenformasyon pou donn li son idantite. Dan mon distrik, i pa'n ganny eparnye avek serten bann ka parey. Mon rapel, i annan en paran ki ti pe sey tou, pou anrezistre son pti zanfan akoz tou le de paran, sa zanfan in tonm dan sibstans.

E zot ki granparan ki ti pe okip sa zanfan. E ozordi nou vwar poudir sa Lalwa, nou pe

rod fason ki mannyer nou kapab ede fasilite sa travay.

Me parkont mon ti a voudre demann Minis. Eski zot pe dan sa bann prosedir, ki i pe ganny met an plas, letan sa Lalwa pou pase, an referans pou asire, pou adres bann pti *issues* an referans ki, enn mon koleg Onorab Roucou in koz lo la.

Lo kot i konsern, non ki ganny mete lo en sertifika nesans, lo idantite sa zanfan, pou anpese ki i annan sa disparite avek paran, ki bokou fwa apre a lafen dizour. Menm si paran li in ekrir byen, me i annan bann pti *human error*, ki apre i kout ser pou sa paran.

I bezwen al peye lo li menm li pou li kapab al sanz swa en let dan sa sinyatir, swa en let dan non pou evite ki bann lezot prose ki vin avek dan zot lavi toulezour ki zot vwar zot, zot bezwen al peye pou al fer aranze.

So petet si zot kapab dir nou si zot pe, zot pe travay lo la pou adres sa sityasyon. Me en lot pwen ki mon ti a kontan demann Minis pou eklersi, an referans ki bann - par egzanp si deor aletranze nou annan en paran i Seselwa, en lot i etranze.

Me sa koup pa kapab fer zanfan, e zot adopte, zot adopte

en zanfan. E petet li sa paran ki Seselwa, li dan formalite pou anrezistre poudir sa zanfan in adopte, i pou li, konsider li koman son zanfan, ki baryer an term pou anrezistre?

Eski sa i pou ganny, i pe ganny adrese oubyen, i kler pou nou - mon konnen poudir Sesel nou pe, nou pe anforsi an term nou sitwayennte. Ki mannyer sa Lalwa i ganny enkorpore?

E osi pou anpese osi, ki nou pe koz lo *human*, lo *child trafficking*. Parfwa nou san ekspekte nou pa konn sa, koup ki pe reste aletranze, ki bann koneksyon pou ganny en zanfan pou adopte, pou anpese ki nou vwar nou, nou osi pe ganny angaze akoz zot pe demann poudir sa i son zanfan.

Dokiman i kler, pou anpese ki demen napa okenn, konfli ki vini avek sa ki nou Lalwa i pe dir ozordi.

So sa i de pwen. Mon pa'v vi repet menm bann size ki'n ganny fer resorti. Bann pwen for.

Me dernyerman mon tous lo sa bout penalti. Nou swete bann paran i a pran zot bokou responsabilite, kot i konsern anrezistremen zot zanfan.

Byensir i pou envite, ki zot vwar zot pe pey en lanmann, kot i konsern anrezistre zot zanfan. E zot fer li dan sa dele

letan ki'n donn zot, pour ki zot vwar zot pa met en *burden* lo zot dan sa letan ki nou, nou pe fer fas avek ozordi. Mersi pou donn mwan laparol Mr Speaker. Mon a termin la.

MR SPEAKER

Mersi Onorab. Nou a pran en poz la. E nou a rebran travay 11er. Mersi.

(BREAK)

MR SPEAKER

Nou a kontinyen avek deba. Onorab Naddy Zialor.

HON NADDY ZIALOR

Mersi Mr Speaker. Bonzour Minis ek ou delegasyon, Lepep Seselwa tou koleg Onorab. Mon pou bref Mr Speaker parske bomaten i annan bokou size, bokou rekomandasyon ki'n sorti dan merit sa *Bill*.

E mon ti a kontan osi aport mon soutyen, mon sipor par lefe ki i en *Bill* ki mon krwar nou tou ki isi anndan i ava agree ki i tous nou popilasyon.

Depi sa pti baba ki fek ne, sa manman, sa zenn, sa madanm, sa papa, sa dimoun aze. Bref dan lesans ki mon annan trwa rekomandasyon ki mon swete departman apropiye i ava pran li an konsiderasyon.

Enn parmi i baze lo sa ki nou *Chief Whip* in dir se ki annou fer sir ki i annan en *one-stop shop* ki dimoun i ava vwar li i annan en Departman ki fasilite li dan zot bann prosedir. Sirtou prosedir lanmor dan plas mon krwar nou tou nou konnen ler en dimoun i mor kantite lemosyon ki annan dan lafanmir, dan plas ki nou war dimoun pe eparpiye partou.

Dan sa loptik mon ava al dan mon dezyenm rekomandasyon ki posibilite Minis pour regard osi dan desantralizasyon. I annan Manm ki'n koz lo la mon mazine *Eden Island* in koz lo la bokou.

Desantralizasyon servis pou nou met li o pli pros, pli pre avek nou kominote, la ki nou pou plizoumwon pe bouz *digital*. E la mon pe mazin, Minis ou ava koriz mwan, ou annan bann *agent* ki zot, zot mobil ler zot al fer bann deklarasyon maryaz.

Eski i annan posibilite pour azout osi deklarasyon lanmor e deklarasyon nesans dan zot portfolyo? En fason demen si mwan mon dan lakour maler in pase, mon kapab lev mon telefonn e dir mon ti a kontan en *agent* i vini.

E la si i annan bann lezot servis adisyonnèl depandan lo

sa fanmir zot a kapab pe vin pli pros avek la kominote.

Trwazyenm rekomandasyon Mr Speaker - e sa mon krwar i ava en rekomandasyon zeneral ki pa selman pou sa *Bill*, se apre ki *Bill* in pase dan nou Lasanble e in ganny *assent*, in ganny sinyen, mazorite de fwa nou bezwen fer sa koleksyon ant Seselwa, nou dimoun avek Lalwa.

E la Minis mon propozisyon i koumsa; parey mon dir i tous popilasyon antye sa. Parfwa se selman letan ou dan en sityasyon ki en zofisyè oubyen Lalwa i dir ou be i annan sa, i annan sa, i annan sa.

Piblik, *public awareness* i enportan. So ler nou'n fer en pti lamannman, ler ki nou bann lezislater nou pe diskite, nou'n aprouve. E annou, annou, disimil sa lenformasyon avek piblik. Par egzanp annan en pti *slot* lo *SBC* ki ava dir be vwala bann prosedir par egzanp pou nesans ki ou merit fer pou deklarasyon lanmor, ki ou merit fer, ki bann dokiman ou bezwen.

Mon krwar pou terminen nou pe fer en letap signifikan koman en pei e nou pe vwar sa vizyon koman en Gouvernman pou bouz Sesel *digital*. E Minis

pou terminen, mon a zis remet lanfaz ki i enportan koman en pei. I enportan osi pou en Departman *Civil Status* fer sir ki tou dimoun i lo menm paz.

E vreman nou anmenn sa transformasyon. Parske bann transformasyon ki nou'n koz lo la e i bann transformasyon. E sa mon anv'i fer resorti bann adorasyon ki nou Gouvernman in koz lo la, e i bann transformasyon ki nou pe fer arive pti pa, pti pa. Mersi Mr Speaker,

MR SPEAKER

Mersi Onorab. Onorab Pillay.

HON SEBASTIEN PILLAY

Mersi Mr Speaker. Bonzour Mr Speaker. Bonzour Minis e bonzour tou koleg Onorab e tou dimoun ki a lekout. Mr Speaker mon pran laparol pou entervenir lo sa Prozedlwa, akoz i annan serten eleman enportan ki nou bezwen klarifye, e pour nou kapab fer sir ki Lotorite konsernen i met, in pran sa perspektiv.

Premyerman Mr Speaker mon krwar i annan en deba enteresan bomaten, kot nou'n tann koz lo divers size. Nou'n tann koz lo size lanterman. I byen. Mon krwar sa ki enteresan se ki ler nou ti pe rod vot, tou lanterman nou ti ale,

me ler nou'n fini ganny vot nou nepli kapab al lanterman.

So, tousala i en bann keksoz ki dimoun i bezwen mazine la deor.

(Interruption)

HON SEBASTIEN PILLAY

Mon'n arive-mon'n arive wi mon la, mon'n arive ozordi. Mon la! Zot in mank mwan.

(laughter)

HON SEBASTIEN PILLAY

I annan keksoz vreman enportan dan sa Lalwa Mr Speaker se, nou pe koz lo annan serten sanzman, (Onorab Roucou mon konnen ou kontan lanterman, les mwan fini!)

MR SPEAKER

Onorab Pillay adres ou pwen silvouple!

HON SEBASTIEN PILLAY

Mersi Mr Speaker. Mon ava adres mon pwen. Mon premye pwen ki mon annan pou adrese i konsern si oule sa *registration of birth* ki arive an deor Sesel. Mwan mon enn bann dimoun personnelman *from* mon perspektiv personnel, mon santi poudir si mon'n donn

sitwayennte en dimoun mon pa'n donn son zanafan.

E lefe ki sa dimoun i en sitwayen Sesel si i ganny en zanafan an deor Sesel, eski la nou pa pe apros en letap kot nou pe ouver laport ki nou devret sey frenmen, atraver met serten pre kondisyon ler i ariv lo sitwayennte?

Mon dir sa Mr Speaker, akoz ler nou regard sa seksyon Lalwa, in dir ki si a moman ki sa dimoun a son *date of birth* i en sitwayen Sesel si i bezwen i pou sitwayen Sesel par verti Lalwa, e par verti son parante.

E ou kapab en sitwayen Sesel par verti Lalwa, par verti ou parante dan de fason. Swa ou en Seselwa, Lalwa *du sang - by blood*, ouswa ou'n ganny sitwayennte par en provisyon dan Lalwa.

Prezan ler ou pou anrezistre sa dimoun dan sa pei kot sa dimoun pe ganny anrezistre, i annan bann levidans ki sipoze ganny *provided*. Sa ki mon bezwen ganny reasire se ki ler mon pe anrezistre sa dimoun ki an deor Sesel - koman en sitwayen – (pa koman en sitwayen) lo sa rezis, eski sa i pou fer li vin pli fasil an sa ki konsern son lanrezisteman koman en sitwayen Sesel?

Mon pa konnen si Minis ou pe konpran kote sa konsern i vini. Akoz ou pou annan dan serten pei kot i pou annan bann pei par egzanp ki anger oubyen bann lezot problem kot ou pou annan sa sityasyon.

Prezan ler nou pe koz sa *certificate of birth*, (Onorab Lemiel in tous lo la *briefly*) kot dimoun i ne dan sa pei i pou ganny en sertifika.

Par egzanp si sa dimoun in ne Lalmanny i pou ganny sertifika, si in ne *La France* i pou ganny en sertifika. I annan en si oule en filozofi ki egziste otour, e la mon pou anmenn sa eleman sitwayennte ladan. I annan pei i fer li vin Lalwa *du sang*. Savedir ou sitwayennte *by blood* parey Sesel i ete.

I annan pei, pei i fer li Lalwa *du sol*, savedir kot ou ete a sa moman. So i pou annan landrwa kot en dimoun pa kapab annan *dual citizenship*. So eski nou atraver lamannman ki nou pe fer nou pou pe kre serten konfizyon dan sa laliny? Sa pou mwan i en pwen enportan.

Akoz *at the end of the day* nou bezwen konnen ki *purpose* sa rezis i annan. Parkont nou konpran tre byen ki en *register of births* Sesel i anrezistre tou nesans. E i annan en ka ki'n pas Ankour en pe letan pase kot

i annan en resortisan en lot pei ki ti ganny son zanfan Lopital Sesel, me akoz i en etranze ki ti lo en *visitors permit* isi i annan bann *fees* ki Lopital i demande i pa ti ankor peye, i pa ti kapab anrezistre son zanfan.

E prezan i ti bezwen al Ankour, fer en laplikasyon devan Lakour pou Lakour donn dispansasyon e verifie bann eleman sa ka, akoz i pa'n kapab anrezistre sa nesans pandan sa peryod ki'n ganny preskrir.

I enportan sa akoz sa i zis ou pe *register all births*. Mon pe demann mon lekor akoz nou bezwen al anrezistre en *birth* ki pe arive an deor Sesel?

It's what I don't understand. Akoz in any case sa birth pou ganny capture dan sa pei kot i pe arive. E si sa dimoun obviously in sitwayen Sesel by the time i ariv Sesel pou li rod son passport oubyen son bann lezot keksoz, i pou straight forward li prouve poudir d i leka. Mon pe demann mon lekor si rezondet deryer sa has been well thought out - in ganny byen mazin?

En lot eleman enportan, e si nou fer en pti resers nou pou vwar ki en kantite bann *case* Ankour ki'n pase resaman - *well* pa resaman - me in annan plizyer *case* Ankour kot bann dimoun ki pa'n kapab

anrezistre zot zanfan dapre Lalwa, in bezwen al Ankour pou demann Lakour pou *waive* sa bann *fine* ki'n ganny mete kont zot, pou zot kapab fer sa lanrezistreman.

Me i annan en provizyon dan sa Lalwa ki person pa pe met an aplikasyon e sa se provizyon 31(3), ki se Prezidan Larepublik ki i kapab *waive* sa *fine* si i santi poudir i annan en gen koz, i annan en rezon valab ki sa dimoun pa'n kapab anrezistre son zanfan sa letan ki i anrezistre.

Mon ti krwar i en *one-off* akoz ler mon'n tann bann diferan dimoun koze, diferan entervenans koze, mon fer en pe resers e ou vwar poudir i annan plizyer ka ki'n *actually* al Ankour kot dimoun pe demann sa.

So kestyon ki souleve se eski lamannman dan Lalwa pe rezourd sa *mischief* ki annan ozordi? Eski i pe rezourd sa *mischief*, kot en dimoun i bezwen *actually* pran en avoka mon prezimen, e al fer laplikasyon devan Lakour pou li kapab anrezistre son zanfan - si in ariv en lenstans kot i pa'n kapab anrezistre.

Sa ka ki'n ganny nonmen par Onorab Manm Elekte pou distrik Mont Fleuri, i en ka ki aparet lo rezis Lakour,

zisteman. Kot si par egzanzp de dimoun i fer en zanfan me enn ladan i ankor marye, e si in marye anba stati legal, sa zanfan i obligatwarman bezwen pran sinyatir sa papa ki dan sa relasyon. Konmsi dan sa maryaz.

Me sa enn ki'n *actually* fer sa zanfan pa kapab deklar sa zanfan aköz Lalwa pa permet li. Me sa pa pou ganny korize sa *mischief* la li. Aköz sa i pe dir nou poudir i pou annan - eski malgre ki i pou annan sa *affidavit* ki dir ki mon'n donn mon konsantman pou sa piti pran mon sinyatir, sa maryaz pa pou *trump* sa konsantman.

Mon pa konnen si Minis ou pe konpran mwan la? Eski sa maryaz pou *stand* par lo sa konsantman ki'n arive? Aköz probableman sa maryaz nepli sibsiste. Sa de dimoun nepli an koup kantmenm zot in marye zot pa ankor divorce.

Me *until* ki sa divors i vin en dokiman legal, sa zanfan pa pou kapab ganny deklare ek sa paran si i pa al deklar sa zanfan i pa pou obligatwarman bezwen pey sa *fine* ki i pa'n al fer pandan sa letan.

E la i bezwen al Ankour fer el laplikasyon devan Lakour. So eski sa i en *mischief* ki kapab ganny korize? Eski sa i en keksoz ki kapab ganny korize

par Lalwa - mon pa konnen, mon pa santi Lalwa pe koriz li neserman. Petet Minis i ava klarifye, oubyen bann zofisye ki la i ava klarifye si sa pe ganny korize. Aköz in annan plizyer ka kot sa in prezant son lekor.

Prezan sa i anmenn nou lo en pwen fondamental ki e toultan dan bann Lalwa ou pou ganny sa. I annan bann Lalwa kot i annan dan son merit. I annan bann keksoz ki ou war li i bon. Me osi i annan bann bout dan bann Lalwa ki fer ki ozordi si ou en boug ou'n fer en piti avek en dimoun, ou pou pran ou responsabilite, ou pou bezwen komans pran ou responsabilite.

E mon krwar nou pe ariv a sa pwen kot ler nou pe koz - nou pe komans koz lo si in annan en laplikasyon Lakour pou donn en tes *DNA*, la ou la, *registration of a child born to an unmarried mother*. Be la bann boug la deor la balans zot en pe, bann ki'n marye in al fer piti an deor *whatever* ki oule fer la mon frer? Balans ou en pe la! Organiz ou. Si ou'n fer ou a sonnyen!

Konmsi parey bann *MNA* in toultan dir - ou pa ava bezwen vin tap laport *MNA*! Non-non-non, napa nou Onorab ladan. Be sa i enteresan. I en pwen enportan

akoz sa langaz ki pe ganny servi, e Minis mon pa konnen si ou *aware*, sa langaz ki pe ganny servi i en langaz enteresan sa. I en langaz ki pe anmenn nou ver en eleman ki nou ti debat bokou letan nou ti koz lo Sivil Kod.

E sa sete eski otomatikman en zanfan i bezwen annan non son papa ler i pe ganny deklare? Sa i en langaz enteresan, akoz nou pe ariv kot sa langaz ek sa lamannman. Sanmenm sa mon dir sa Lalwa i annan, i annan en balans ladan.

E ler nou regard en *sworn statement from 2 credible person having knowledge at the birth occurred in Seychelles*, sa i pou sertifye sa nesans in ariv Sesel.

Me sa ki enportan se ki nou pe ouver, nou pe ouver sa levantay ki for en kantite letan-pran en kantite letan. Koman en Nasyon nou pa'n oule koz lo la. Nou pa oule koz lo la, me nou met li akote, e sa se responsabilite ki ou bezwen pran ler ou decide met en zanfan o monn, ki nou tou nou bezwen.

Irespektiv ki ou ete dan ou lavi, responsabilite ki ou annan anver en lot lavi i vin primordyal e i vin enportan.

E mon krwar *eventually* en lot Lasanble - pa sa enn

probableman me en lot Lasanble dan lefitir sa langaz pou vin en langaz pli senp, pli direk. Akoz i form parti evolisyon sosyete. E tou sosyete menm bann ki pli kosmopoliten ki nou - menm bann pli avanse, swadizan pli avanse ki nou in reziste sa bann sanzman.

Me ler ou regard bann levidans, bann ka ki'n ganny prezante devan Lakour, ou al lo *SeyLII* ou *google* ou war poudir i annan bann ka kot zanfan pe lager paternite, akoz i annan en patrimwann;- akoz i annan en byen ki *involve*. Zanfan pe lager paternite akoz plizyer lezot size.

Ozordi par egzantp en boug i kapab en senp naryen ditou, demen i komans ganny biznes me in fer en zanfan ler i annan 17an, zanfan pou vin lager paternite.

So i pou annan en kantite eleman ki antre ladan. E sa eleman paternite i pa zis en keksoz ki nou devret *brush aside* sa. I en keksoz ki koman lezislater nou pou kontinyen lager avek, sey rod fason pou dil avek e i pa pou zanmen fasil pou nou e i pa pou zanmen popiler pou nou.

An konklizyon Mr Speaker Lalwa in ouver en pti pe levantay keksoz ki i kapab fer. Me dan sa louvertir sa levantay

ki Lalwa in fer, mon santi poudir i annan keksoz ki pou tonm an deor kontrol nou Lotorite lokal isi.

Ou konnen Onorab Zialor in mansyonn pouvwar sa bann dimoun pou fer bann atestasyon an mouvman. Sa i en keksoz nou pa ankor ariv a sa pwen pou nou kapab fer. Akoz Lalwa menm i dir ou fodre sertifikasyon lanmor i ganny fer par en *pathologist*, par en Dokter.

So ou pa kapab don en dimoun pou al sertifye lanmor ki li i pa en Dokter. So ou, i annan en keksoz ki bezwen reste parey i ete, akoz i annan en konotasyon legal;- i annan en konotasyon lavi *involved* avek. E sirtou la par lefe ki bokou fanmir pou komans regard sityasyon *COVID*.

E dan bokou pei i annan bann mouvman pou regarde ki, kwa ki leta i dwa bann fanmir ki'n swa ganny afekte avek *COVID*, swa bann dimoun ki'n mor avek *COVID* - si *COVID* i en lakoz lanmor, i bann keksoz ki nou bezwen komans koz lo la, komans diskite.

So i enportan ki nou fer sir ki lafason ki nou met keksoz am pals dan Lalwa i vin vreman kler pou nou tou.

So pou mwan Mr Speaker se sa enn mon bann lenkyetid.

So petet Minis i ava kapab eksplike ki mannyer, sa pou ganny fer. Mon pou ankor enn fwa *remind* Minis prezans, *medical practitioner* e *pathologist* lo bann *scene* an sa ki konsern bann - mon konnen i en pti pe an deor, me selman mon pou fini lo sa pwen Mr Speaker.

Lo bann *scene* lensidan, noyad, *whatever* aksidan ki'n arive, i enportan e i en keksoz ki tonm anba ou *remit* Minis pou fer sir ki i annan ler en Lalwa pe dir i pou bezwen annan, fodre ou fer sir koman Minis li sa i en keksoz ki *actually there!*

So avek sa Mr Speaker mon remersi Lasanble pou zot latansyon. E mon ekspekte ki bann Zofisye ki la i kapab ed mwan klarifye serten bann konsern ki mon annan.

E mon oule osi remersi tou dimoun ki pandan letan ki mon ti pe *recover* ki'n anvoy mwan mesaz, mesaz remersiman, menm bann sorti kot bann *MNAs*, bann ki mon'n tande mon remersi zot.

E zot ti pe rod mwan mon'n ganny sans retournen. Mersi bokou pou zot bann bon veyans *towards* mwan. Mersi Mr Speaker.

MR SPEAKER

Mersi Onorab. Onorab Woodcock.

HON WAVEL WOODCOCK

Mersi Mr Speaker. Bonzour Minis, ou delegasyon ek tou dimoun a lekout. Mr Speaker Lasanble ti byen trankil dan de semenn, dan lespas en minit ki *Leader* Lopozisyon in retourn dan sa Lasanble i komans en kankan.

MR SPEAKER

Onorab Woodcock. Les sa de kote al avek ou pwen silvouple!

HON WAVEL WOODCOCK

Ok Mr Speaker. Mr Speaker mon pou komans mon lentervansyon lo menm laliny ki Onorab Uranie pli boner ti pe koz lo la. Annefe Onorab Porice osi in tous en pti pe lo la. Kot i konsern bann manman ki sorti Praslin, La Digue lo zil pros ki vin donn nesans lo Mahe.

E konmela i annan en lobligasyon pou bann manman ki pe donn nesans pou la premye fwa, pou zot vin Mahe pou don nesans. E sa i pou en senp rezon an ka i annan okenn konplikasyon. Alor pou zot premye fwa ki zot pe donn nesans zot bezwen vin lo Mahe.

E mon prezimen ki lo kote La Digue byento sa sityasyon pou rezourd, par lefe ki zot pe al

ganny en ‘*State Of The Art Hospital*’, e mon prezimen ki bann manman La Digue zot pou kapab donn nesans dan sa nouvo lopital.

Avek nouvo provizyon kot i konsern deklarasyon nesans kot en *midwife* ouswa ners ouswa Dokter i egzamin sa zanfan apre ki sa zanfan in ne. Apre zot notifye biro *Civil Status* lo detay nesans sa zanfan. Savedir ki dezormen apre ki sa *Bill* in ganny *assent*, paran, *Civil Status* pou annan lenformasyon lo tou zanfan ler i ne avan ki Manm paran i vin deklar sa zanfan kot *Civil Status*.

An plis ki sa avek sa bann nouvo lamannman ki pe ganny propoze, bann *diaspora* nenport ki bor, nenport ki pei zot ete, zot pou kapab deklar e anrezistre zot zanfan Sesel.

E mon pe prezimen avek sa bann lamannman ki pe ganny anmennen, e mon ti a kontan Minis i konfirm sa, ki ban paran zil pros, bann paran, bann Praslin La Digue ki zot zanfan i ne Mahe zot pou kapab prezan anrezistre zot zanfan lo Praslin. I donn 30 zour pou zot anrezistre zot zanfan.

Parey mon dir dan lepase zot pa ti kapab si sa zanfan i ne Mahe. Me si anba sa Lalwa nou pe fer provizyon pou en Seselwa

ki pa Sesel i aletranze i kapab anrezistre son zanfan isi, alor provizyon i merit osi ganny fer pou bann paran ki reste lo Praslin, La Digue pou zot kapab anrezistre zot zanfan, Mahe ouswa atraver bann provizyon ki pe ganny fer, atraver *online* lo bann *platform online*.

Mr Speaker mon vin ankor lo *diaspora*, ozordi bann *diaspora* avek provizyon ki pe ganny fer dan sa Lalwa zot pou kapab anrezistre zot zanfan Sesel.

E nou tou nou konn tre - nou konnen nou konn listwar Sesel, i annan en Manm boner in tous en pti pe lo listwar Sesel. Nou konn tre byen rezondet akoz ki ozordi nou annan sa kantite *diaspora* ki pe reste aletranze. E mon pa pou al lo la ozordi mon'n koz lo la a plizyer repriz dan lepase.

Me zot konnen zot, sirtou lo lot kote latab zot konn tre byen, akoz ki ozordi nou annan sa kantite *diaspora* ki pe reste aletranze ki donn nesans ne zanfan nenport ki pei dan lemonn i kapab ganny son zanfan Sesel i enn ki bon.

E i annan Seselwa, i annan zanfan Seselwa ki'n ne ouswa bann ki pou ne dan le fitir, dan bann pei deor dan le fitir, i annan zot ki pa pou vin Sesel ziska ler zot vin adilt e i

annan osi ki petet pa pou zanmen vin Sesel.

Me avek sa provizyon i ava ede avek resansman pou nou nobou konnen, pou nou konn bann Seselwa ki pe reste aletranze. Pou nou annan rikord lo bann Seselwa ki pe ne aletranze dan le fitir. E mwan mon santi poudir sa i en pa dan mon direksyon, e osi pa zis bann zanfan ki'n ne, Seselwa kin ne aletranze

Pa zis bann zanfan bann Seselwa ki'n ne aletranze me osi nou bann, nou bann ser ek frer malerezman ki perdi zot lavi ki mor aletranze, zot osi zot pou kapab, zot fanmir zot pros pou kapab deklar sa bann lanmor si zot mor Sesel.

Mr Speaker sa i en Lalwa ki vremen enportan, annou pa souzestim sa desizyon ki pe ganny mete dan sa Lalwa akoz ou konnen e dan lepase in annan bann lenstans ki'n arive lot kote latab zot konn sa tre byen sirtou dan bann letan eleksyon.

Dan bann eleksyon ennler nou'n war poudir, ler nou'n verifeye nou'n war poudir i annan bann dimoun ki'n mor, ki'n vote.

E ti annan en kantite dimoun lo lalis voter ki ti'n fini mor, me petet zot pa'n anrezistre Sesel, lanmor pa'n

ganny anrezistre Sesel e nou pa'n konnen poudir sa bann dimoun in mor. Akoz sa bann dimoun pa'n mor Sesel zot in mor dan bann pei etranze. Selman zot ti ankor lo *voters register*.

E nou'n war, nou'n trouv levidans dan lepase kot dimoun, en lot dimoun in vini in vin vot dan plas sa dimoun ki'n mor aletranze. E sa i en konsern serye ki mon santi sa provizyon dan sa Lalwa pe dil enn fwa pour tou avek sa bann pratik ki'n arive anba Gouvernman presedan.

An konklizyon Mr Speaker Onorab Aglae in eksplik vreman byen, annefe in eksplik byen e in donn detay lo listwar *Civil Status* Sesel.

E in fer resorti ki *Civil Status* ti komans anba letan kolonyal anba Gouvernman Lafrans apre nou'n vin anba Gouvernman *L'Angleterre*.

E apre Gouvernman presedan depi ki zot in pran pei atraver koudeta zot in kontinyen avek en *Civil Status* ki nou Gouvernman ozordi pe anbelir e pe moderniz sa Lalwa *Civil Status*, sa *Civil Status Act*.

E me selman Mr Speaker i paret mwan poudir parey i annan en madanm ti dir pa bokou letan pase, keler lot kote latab zot *gear box* i grennen?

Akoz mon dir sa?

Onorab Vidot - i paret mwan Onorab Vidot pa'n ekoute Onorab Aglae ler ti pe koze - akoz lenpresyon ki li in donner se ki *Civil Status* ti komans an 1977.

I pa an 1977 ki *Civil Status* ti ganny formen, nesans ek lanmor ti pe ganny anrezistre avan 1977. Mr Speaker ou menm ou ou'n anrezistre avan 1977 ou. Minis devan lo *panel*, ou'n anrezistre avan 1977, *Leader* Lopozisyon e plizyer sa bann Manm dan sa Lasanble non anrezistre avek *Civil Status* avan 1977.

Me i enportan note Mr Speaker ki annefe se akoz le 5 Zen 1977 ki nou annan sa kantite *diaspora* Seselwa ozordi aletranze.

Mr Speaker e ozordi sa bann lamannman ki nou pe anmenn Mr Speaker. sa bann lamannman ki nou pe anmennen ozordi se pou nou fer provizyon pou nou bann frer ek ser ki aletranze pou zot kapab anrezistre zot zanfan Sesel. Pou nou kapab redonn zot, zot idantite ki zot merite koman en Seselwa.

Mr Speaker ozordi s ki mon kontan sa ki mon pe war pe arive dan sa nouvo Gouvernman, ki pe ganny dirize par Prezidan Wavel

Ramkalawan se ki dapre nou *manifesto* bokou ti dir ki nou pou *move towards an e-government*.

Kot dimoun dezormen pa bezwen tou lazournen vin met laliny devan, kot en lofis, me i kapab fer zot bann tranzaksyon atraver, tranzaksyon *online*. Nou'n war direksyon ki nou pou ale pou fer keksoz bouz, vin dan en fason pli efikas, pli pratik, ki nou kapab fer bann keksoz, nou bann tranzaksyon dan en pli kourt dele letan posib.

E mon'n santi e mon war direksyon ki Gouvernman pe ale. E menm atraver sa bann provizyon ki zot pe met dan sa Lalwa zot pe fasilite keksoz pou nou bann frer ek ser Seselwa. Non-selman bann Seselwa ki reste Sesel me osi nou bann frer ek ser Seselwa ki osi reste aletranze. Avek sa de mo mon dir ou mersi Mr Speaker.

MR SPEAKER

Mersi Onorab. Nou'n termin deba lo sa size e mon a envit Minis - Ou ti'n lev lanmen Onorab Georges? Eskiz mwan mon pa'n war ou. Onorab Georges.

HON BERNARD GEORGES

Mersi Mr Speaker. Mr Speaker mon pa pou long. Ler dan 2enm Lager Mondyal ler

Zeneral Mark Arthur sa gran zeneral Ameriken ti bezwen kit *Philippines* - mon konnen Minis i konn sa tre byen, son dernyen parol se "*I will return!*"

Bomaten Onorab *Leader* Lopoziyon in dir nou *I have returned*. Onorab *welcome back!* Nou ti mank ou. Lasanble ti tris ler ou pa ti la. *Welcome back* Onorab, nou annan travay pou nou fer.

Mr Speaker mon ti anvi pran laparol lo 2 pwen bomaten. Premyerman lo sa size ki mon koleg *Leader* in tous lo la taler, lo deklarasyon bann papa. E sa parey bann Manm ki ti la dan Lasanble presedan i ava rapel, i ti en topik ki nou'n koz bokou lo la ler nou ti pe revwar *Code Civil*.

E i en problem ki nou pou kontinyelman fer fas avek dan nou pei, kot parey nou tou nou konnen i annan en gran nonm dimoun ki fer zanfan an deor en relasyon stab. E i annan donk sa keksoz ki'n antre dan nou kiltir, e ki menm dan sa proze Lalwa ozordi, kot en papa pa oblize deklar son zanfan.

Met apar bann problem sa msye dan distrik Onorab Roucou ki'n al fer en piti avek en madanm marye, en zanfan eskiz mwan avek en madanm marye, sa se en lot problem.

Me menm bann ki pa fer sa, i annan en swa ki sa papa i fer pou li pa deklar son zanfan.

E menm la nou'n dir dan sa Lalwa, manman i annan en swa pou li pa devwal lidantite papa sa zanfan. I annan serten ka e mwan mon okouran *at least* enn, me mon sir i nou tou ki viv dan nou bann vwazinaz nou konn lezot legzanp.

I annan serten ka kot sa papa pa kapab ganny deklare akoz sa manman pa konnen lekel ki papa son zanfan. Anfen ou plito i annan en lide vag parmi kekfwa plizyer pretandan lekel ki papa son zanfan. E sa set en realite ki devan nou.

Koman en pei modern dan venteenyenm syek, eski sa set en keksoz ki akseptab oubyen eski nou devret fer en keksoz pou nou sanz sa?

Ler nou ti egzamin Kod Sivil nou ti pas en bon pe letan lo en desizyon filozofik, eski Lalwa i devret swiv bann mers dimoun, oubyen eski Lalwa i devret diriz sa ki dimoun i devret fer? Nou pa'n ariv lo en konklizyon e sa deba pou kontinyen tan ki zonm ek fanm i reste lo later.

Me i en problenm - i en problenm ki nou pou bezwen a en serten moman fer fas avek. Akoz nou tou nou anvi ki tou paran en zanfan i pran son

responsabilite. Onorab Lemiel in dir sa taler tre for ler i ti koze. E mon krwar nou tou nou partaz son lopinyon. Nou tou nou bezwen pran nou responsabilite dan nou lanmen.

E sa malerezman i en sityasyon ki pa pe ganny rezourd pa neserman dan sa Lalwa, me i reste en sityasyon vag. E to ou tar Mr Speaker koman en Nasyon progresis, koman en Nasyon modern ki pe *lead the world* dan bokou landrwa dan bokou laspe, sa set enn kot nou defayans.

E nou bezwen trouv en solisyon. Akoz parey Onorab Lemiel ti dir bomaten en zanfan pa swazir pou li ne, me ou pa kapab enpoz lo li en kondisyon kot i bezwen li al rode lekel ki enn son paran.

Mon krwar sa koman en Nasyon e en serten moman dan en fitir tre pros, mon krwar nou pou bezwen fer fas avek e edik nou popilasyon ki bann mers lepase i en keksoz ki nou pou bezwen sanze. Si nou anvi parey sa Gouvernman i anvi ki sak dimoun i pran son responsabilite plennman, dan tou sa ki i fer.

Dezyenm keksoz ki mon ti anvi koz lo la briyevman bomaten, se sa size koreksyon bann non, not Leta Sivil. E sa toultan in en problenm.

Depandan lo lafason ki sa Zofisye Leta Sivil i ekout sa dimoun ki vin deklare en zanfan, oubyen depandan lo son swa ki mannyer i pou eple en non, nou vwar annan de fwa ki dan en menm fanmir, menm non i ganny eple dan plizyer diferan kalite fason.

E i annan de fwa sa dimoun ki vin deklare sa zanfan, i donn pti non en paran *rather than* son non ki in deklare. E ou vwar annan de fwa ki arive lo bann *birth certificate*, i pa menm non ki lo *birth certificate* sa paran.

(Konmela pou sanz - non avan ki mon al lo la) E trwazyenman napa en fason ou plito *up till now* mon pa asire ki i annan, me mon ti a swete ki i annan.

Ler en zanfan i ganny deklare pandan bokou letan e mon *hope* ki i pa leka ozordi, napa en *cross-check*, napa en referans *back* lo sertifika nesans sa paran, pou tyek la fason ki in eple son non. Si sa ti fer i ti ava elimin en kantite sa bann problem.

E nou vwar donk ki i annan problem kot dan tou sa bann ka, sa dimoun i bezwen al Ankour rod en avoka, fer en lakizasyon, pran letan pey larzan, zis pou rektifye en fot ki'n arive par en mank

latansyon oubyen par en mank *focus*. Mon pe demann mwan si napa en fason administratif bokou pli senp, ki kapab ganny fer olye sa bann zafer al Ankour.

Mon pa vwar okenn rezon akoz kot *Civil Status* menm nou pa kapab annan en form, menm si i bezwen en form affidavit kot ou *fill in the blanks* e ou anmenn devan en noter pou fer li sinyen. Menm si i ava kout ou en pti larzan *but at least* ou ava fer en keksoz vit e ou ava kapab arive sanz en non ki'n ganny eple par fot.

Sa se bann keksoz Mr Speaker ki mon krwar sa ladministrasyon ki la i bezwen bouz tre vit lo la. Akoz se sa bann pti keksoz ki retard en sosyete fer bann gran pa. Mon krwar si nou kapab elimin sa bann pti problem, kot ou pa bezwen konny ou lipye lo en mars peron, me ou kapab ansanm 2 ou 3 mars peron an menm tan nou pei pou al devan bokou pli facil.

E mon fer lapel avek bann Lotorite *Civil Status* ki la ozordi pou regard en pe dan sa bann pti *twix* ki fodre nou fer avek nou Lalwa e sosyete an zeneral, pou renouvle nou langazman pou nou repran nou responsabilite konplet dan tou sa ki nou fer.

Apard sa Mr Speaker sa prose Lalwa ki devan nou ozordi, parey sa enn ki nou pou fer taler, set en gran pa devan parey tou dimoun i dir. Lalwa Leta Sivil i ti en Lalwa parey in ganny dir ase ansyen. Nou annan isi Sesel erezman en fason lanrezistremman ekstrememan modern.

Ki se swa nesans en dimoun, ki se swa en lanmor en dimoun, ki se swa maryaz, ki se swa en divors, ki se swa later, ki se swa en *license*, nou lanrezistremman i vreman, vreman alaoter.

E mon krwar nou devret *congratulate* nou lekor ki nou annan en sistenm ki performan, e ki nou annan en sistenm i ouver e ki aksesib.

Me tou devlopman ki nou kapab fer pou fer li vin ankor pli meyer, i bann devlopman ki nou bezwen sezi. E ozordi dan sa Lalwa i annan plizyer lezot gran pa ki pe ganny fer.

Electronic registration par egzantp, *well done!* Lontan nou ti'n merite an mezir ki nou pe antre dan en sistenm kot nou ava servi bokou plis mwayen elektronik pou fer biznes.

Sa i ava en gran pa. Li ava ed nou. I annan parey mon'n dir plizyer lezot keksoz ki nou pou bezwen revwar. E taler ler nou ariv dan Staz Komite i

annan enn de ki mwan menm mon pou partaz avek Lasanble.

Me zeneralman Mr Speaker mon ti a kontan atraver ou felisit Minis avek bann ki responsab pou fer en travay pou anmenn sa Lalwa devan nou. E felisit e remersye bann zofisye Leta Sivil ki pandan bokou, bokou lannen in rann nou en servis alaoter. Mon remersye ou Mr Speaker.

MR SPEAKER

Mersi Onorab. Minis ou a prezant ou repons lo deba silvouple.

MINISTER ERROL FONSEKA

Mersi Mr Speaker. Mr Speaker mon anvi kouver larepons lo plizyer *area* ki'n ganny releve. Me avan mon fer sa, mon oule remersye Lasanble pou sa ton ki zot in debat ki lo la e siport sa *Bill*.

E an zeneral mon krwar en pwen ki'n fer resorti tre for, i ki mannyer nou kapab amelyor sa servis pou fer si oule en servis pli *lean*, pli vit, pli efikas?

E natirelman dan, i annan en kantite keksoz menm pratikman, menm kot *Independence House* nou pe rod tou fason pou fer sa lake ki zot war tou le bomaten deor, vin pli kourt ouswa pli vit.

E nou pe rod diferan fason *streaming* dimoun ki kapab vin ladan, pou fer sir ki zot pa pe debout la toultan, pou fer sir ki en dimoun ler i vin anrezistre en lanmor par egzanp, i annan serten konpasyon ki nou kapab fer bann *fast track* pou fer sa bann keksoz arive.

E nou pe travay pa zis lo kestyon *Civil Status* e Imigrasyon, nou pe travay osi ek lezot Minister dan *Independent House* ki ler repiblik i vini i ganny en fason ki kapab ganny dirize pou li ariv pli vit posibil pou son bezwen.

Akoz i annan diferan departman la, mon pe *stray* en pti gin lo sa sityasyon zis pour fer resorti ki nou konpran ki servis ki nou donn piblik i en keksoz vreman enportan.

So nou pa war naryen koman en kritik. Nou pran tou bann sizesyon ki zot in donn nou ozordi valab e nou bann *staff* dan sa kote mwan la, nou pe pran not tou sa bann keksoz ki zot in dir.

Enn de pti keksoz pertinan an relasyon ek kestyon, sityasyon Praslin, La Digue, lo Onorab Uranie e menm Onorab Woodcock ek Onorab Doyace in mansyonnen, i premyerman anrezistremen menm si ou'n vin - en zanfan in ganny ne

Mahe i pou kapab ganny anrezistre nenport landrwa *ok*.

So *obviously* lo son *certificate of birth certificate* pou montre ki in ne Lopital Victoria isi, me selman sa lanrezistremen i kapab pa en problem pou li ganny fer La Digue osi. So nou pe aranz sa. Sa i *already* an mars.

E nou osi Onorab Uranie ti mansyonnen en pti, bann *issues* ki arive ler dimoun pe *travel*, pa oublie ki nou fer serten *allowances* ki nou donn paran pou asiste zot vin Mahe ler zot pe fer *delivery*. So i annan sa an plas pou zot.

Lo kote notifikasyon, sa napa okenn problem Onorab Bistoquet ti fer mansyon sa, ki notifikasyon i kapab fer par *email* osi. Nou pe bouz lo *electronic - in fact* nou pe sey bouz Gouvernman antye lo *electronic government as a main* vizyon si oule pou service delivery.

Be bann pti bout i komanse;- bann pti bout in komanse e so notifikasyon osi i kapab ganny fer par *email*, napa okenn problem lo la.

Mon oule koz en pti gin lo sa bann rezistremen pour zanfan ki aletranze pou *diaspora*. Sa i ganny rezerve zisteman pou paran Seselwa pou zot *biological* zanfan. I pa

an se moman *extend* pou bann dimoun adopte mon krwar Onorab Vidot ti fer sa keston, ouswa Onorab Lemiel mon krwar.

So sa *Bill* mannyer i ete, i pa pran ka okenn adopsyon e sa i kapab ganny *review* dan sa *future review* ki'n ganny programmen pou ganny fer pli tar. Me selman dan sa *Bill* ki i ete la i pa *extend to that*.

Mon oule fer zis en lot pwen resorti ki sa, bi sa *registration* deor wi *main* bi sa rezistrasyon deor, i pou annan en *register* ki nou, nou kapab gannnen. Nou konnen egzaktman ki kantite Seselwa.

E pou ankouraz sa bann Seselwa bann *diaspora* pou vin anrezistre pou *register* zot menm zot lekor dan nou bann Lanbasad partou. E sa nou pe travay ek Minister Zafer Etranze pou ankouraz sa.

Me nou bezwen osi - nou bezwen osi konpran lesansyel ki la en pei kot toultan nou pe fer vin travayer partou, i annan en *pool of professionals* si posibil, *workforce* ki la ki nou kapab tap ladan osi pou lavansman pei.

So sa i ke *main* bi an tou leka, pou nou konnen ki pe arive lo sa bann talan ki la ki nou kapab akse avek. So sa rezistrasyon pou sa bann

dimoun an deor i enportan en kantite.

Me selman mon oule fer resorti osi, ki i zis pour Seselwa ki ne Sesel natirelman, me selman pa neseserman pou en dimoun ki'n ganny - Ti annan en lepok ti annan plizyer paspor ti'n ganny van, dimoun i ganny nasyonalite dan lezot fason, sa i pa pou konte pou sa bann dimoun.

I zis pou Seselwa menm. So pou zot zanfan si zot a kapab anrezistre e donn nou sa lenformasyon ki kantite dimoun nou annan deor.

Onorab Georges e Onorab Aglae in manson enn de problem ki kapab arive lo anrezistrem, ki ler en dimoun pe anrezistre i ganny mal anrezistre.

E sa ki pe arive la, ler nou pe fer sa bann *registration* nou pe fer li ki sa dimoun ki vin anrezistre i ekri sa non. I pa zis eple sa non, i ekri sa non i met devan sa *Civil Status Officer*. E la sa *Civil Status Officer* i ganny en dimoun ki'n fini ekri. En keksoz tre senp pou fer sa.

E mon krwar i kapab rezourd en kantite sa bann problem ki'n arive oparavan. Onorab Zialor in manson *one-stop shop* *again*, desantralizasyon e bann

sityasyon ki nou kapab ariv obor sa dimoun pli vit. Sa i pa ankor leka a se moman, me i annan en kantite bout ki bezwen ganny fer pou bann keksoz koumsa. E i kapab arive a la fitir.

Akoz sa ou pe al dan bann zafer parey *electronic signature* oubyen en ponnyen keksoz ki ou kapab met an plas ki ganny legalman ankadre. Me selman sa bann bout koumsa nou pa ankor arive. Nou napa one-stop shop ki nou kapab anmenn deor kot ou, me i pa en keksoz ki enposib osi pou fer. Alors sa bann keksoz ki nou ava gete dan lavenir.

Me an menm tan ou'n koz lo en pti gin lo en form piblik ki pe arive ek sa *Bill and all that*. Mon krwar sa i enportan menm sa rol i pou ganny zwe par Manm Lasanble menm, pou zot kapab enform piblik lo sa *Bill* ann antye.

Nou'n annan sityasyon, mon pe get Onorab *Leader* Lopoziyon in anmenn enn de sityasyon lo *challenges and paternity*. Dan en ka nou'n fer en pti gin sa sityasyon ki si amikalman de dimoun i *happy* pou zot al pran *DNA test*, sa i fer sir ki *as long* ki sa *DNA test* i ganny fer dan en landrwa ki ganny rekomann par *Civil Status*.

Sa i fer sir ki nou pa bezwen al rod en *paternity order*. So, me sa bann sityasyon *paternity* ki annan diferan *challenges*. Finalman se Lakour ki pou pran desizyon lo sa bann sityasyon.

Be taler mon a les Mr Knights koz en pti pe plis lo la, lo sa bann sityasyon ki kapab - ki arive toulezour. Akoz dan nou lavi, nou lavi i koumsa li. I konplike. Zanfani ganny ne dan diferan fason. Alor ler keksoz i difisil pou rezourd, toultan i annan Lakour ki nou bezwen depan lo la.

Bann sityasyon ki paran i an prizon in ganny mansyonnen par Onorab Aglae. Sa napa en problem akoz sa prizonnyen i kapab demann lord pou li permisyon pou li sorti, pou vin fer anrezistremant. So sa bann sityasyon i pa en keksoz ki nou pa kapab rezourd, me i bann konsiderasyon ki nou kapab fer.

Lo kestyon bann *births*. Mon ti a kontan demann Dr Fock-Tave pou koz en pti gin lo bann difikilte par ler ki arive dan Lopital lo zanfani ki'n ne - petet selman pa ankor ganny *registered* apre in mor. So mon ti a kontan *call* Dr Fock-Tave pour koz en pti gin lo la an plis detay.

MR SPEAKER

Minis Dr Fock-Tave pa pou kapab pran laparol la ziska ler ki nou al dan Komite. Mon sizere ki ler nou al dan Komite si Manm i annan en pwen lo la i a kapab relev li e Dr Fock-Tave i ava kapab adrese.

So carry on Minis e nou a kapab pas dan Komite apre.

MINISTER ERROL FONSEKA

Ok Mr Speaker. Mon konpran sa. So taler en pwen enportan ki mon anvi fer resorti lo la, alors ou'n al pran sa dan lot bout.

Mr Speaker zeneralman mon krwar mon'n kouver preski tou keksoz dan sa *Bill*. E dan bann kestyon ki mon'n fer monte la devan mwan, me natirelman taler si i annan plis leksplikasyon nou kapab fer sa pli tar. Mersi Mr Speaker.

MR SPEAKER

Mersi Minis pou ou larepons. Prezan nou a pran vot lo merit zeneral sa *Bill*. Manm ki an faver lev lanmen silvouple? Mersi okenn Manm ki kont? Tou Manm in vote mon krwar. Mersi Madanm Clerk.

Vot lo *general merit of the Civil Status (Amendment) Bill 2021* in ganny 29 vot pour 0 vot kont e 0 abstansyon. Alor sa *Bill*

in pase lo *general merit* e mon a envit Madanm Clerk pou fer *Formal Second Reading*.

MADAM CLERK

Mersi Mr Speaker. *A Bill for an Act to introduce a new system for the Registration of Births and Deaths to provide for the electronic submission of documents, to Revise Penalties under the Act and for matters incidental thereto.* Mersi Mr Speaker.

MR SPEAKER

Mersi Madanm Clerk. Bon nou a kapab, mon war *Bills Committee* i annan plizyer amannman e nou a kapab pas dan Staz Komite la.

Onorab Hoareau ou ki pou pran travay *Bills committee*? Parey labitid, Onorab Hoareau i a komanse e an mezir ki nou prosede si Manm i annan pwen ki fer an mezir nou ale zot a kapab entervenir. Yes Onorab.

HON JOHN HOAREAU

Bonn apre midi Mr Speaker. Bonn apre midi Minis avek ou delegasyon e mon *welcome* osi Mr Stephan Knights ki sorti kot *Attorney General's Office*.

Mr Speaker i annan en pe bokou lamannman so nou pou bezwen al en pti pe lan lo la. Nou pou komans avek *the long*

title li menm, kot lo trwazyenm laliny nou oule azout apre 'the', nou pou azout 'Civil Status' dan sa long title en. So i pou lir koumsa; "To revise penalties under The Civil Status Act."

Nou bouz lo *Clause 1(1)* kot nou pou *insert en comma after which* ki lo trwazyenm laliny. *Ok.*

MR SPEAKER

Panel, eski zot kapab sinyale si zot annan okenn komanter lo bann amannman ki Onorab Hoareau i propoze?

HON JOHN HOAREAU

Nou pou al dan lalis enterpretasyon.

MR SPEAKER

Eskiz mwan panel in sinyal keksoz? Mr Knights excuse us, as we proceed if you want to react to any amendments proposed by Onorab Hoareau please signal us.

HON JOHN HOAREAU

Ok. Nou a kontinyen Mr Speaker.

MR SPEAKER

Ok so far? Yes carry on Onorab Hoareau.

HON JOHN HOAREAU

*Ok, Mr Speaker nou'n ariv lo lenterpretasyon *pathologist*. Nou oule *include the word 'specialized' instead of 'special.'* So i pou lir koumsa; "*pathologist means a medical practitioner who has specialized.*" *Ok?**

Nou pou desann aprezan lo *Clause (5)* apre i vin en limeron 15 la, "*... duty to maintain registers*" anba (f) '*register of* ... nou pe tir '*children*' nou pe zis kit li '*register of adoptions.*'

MR SPEAKER

Mr Knights yes. Mr Knights you have a point there or...? The Member. Ok you would like to hear the member first. Ok. Wi Onorab Bistoquet.

HON ROSIE BISTOQUET

Mersi Mr Speaker. Mr Speaker anba definition 'stillbirth', i dir mon napa la ek mwan the "it shall have the definition assigned by the Minister for Health or responsible Minister."

*Mon issue se ki petet sa definition li menm i ti kapab donn en *standard*, en standar pou *definition of 'stillbirth'* akoz i annan 2 keksoz en *abortion* i - *there is a standard gestational age* apre '*stillbirth*' i ganny *define by* diferan pei *just gestational age according to different countries.**

Be selman mon krwar standar ki Sesel i devret adopte se enn vi ki nou annan zanfan osi ki pou ganny deklare bann zanfan ki ne an deor Sesel, eski nou pou pran standar *L'Angleterre*, eski nou pou pran standar *Sud Afrique*?

Ouswa eski nou adapte mon pou standar pou nou baze lo bann *guidelines* enternasyonal, ki *at least* nou ava annan en standar ki nou konnen poudir *this is a stillbirth, this is an abortion?* Sa anba *definition*. Mersi.

MR SPEAKER

Mersi Onorab. Be dapre sa ki mon lir as definisyon Minis, Minis mon sipoze Minis lasante ki pou deside. Mr Knights *yes*. Dr Fock-Tave *will address. Yes please*.

CHIEF MEDICAL OFFICER DR. SUSAN FOCK-TAVE

Mersi Mr Speaker. Onorab Bistoquet i annan toutafe rezon, kan nou pe defini 'stillbirth' e 'abortion' i annan bann diferan standar.

Kan nou pe koz lo definisyon 'abortion' ek 'stillbirth' i annan diferan standar ki aplikab. E se pour sa rezon li nou pa'n met li dan Lalwa prensipal, aköz depandan lo nivo devlopman

teknoloji dan *medicine*, dan lasante, diferan pei i kapab determin li diferaman. E menm pou nou isi Sesel nou bezwen gard sa posibilite pour nou sanz sa definisyon, paramet sa definisyon par rapor a devlopman ki pe arive.

Alors sa definisyon i pou ganny bibliye dan Gazet e i pou enkli laz lansentman ki nou pel *gestational age*, e osi pwa sa baba oubyen sa ki nou apel dan sa ka sa.

So sa definisyon *product of conception* i pou ganny bibliye e i pou pran kont sa. E letan i arive ki nou santi poudir devlopman dan lasante i permet nou kapab tenir bann baba pli boner a vi, sa definisyon pou ganny revize.

Akoz letan ou'n fer definisyon 'stillbirth' par konsekans ou pou osi definir kwa ki en *abortion*. Se pour kwa ki sa definisyon i pou ganny met dan notis dan Gazet.

MR SPEAKER

Mersi Dokter. Onorab Bistoquet mon krwar Dr Fock-Tave in adres ou pwen, se ki *the Minister in this case it's the Minister for Civil Status from what I read*, ki pou bibliy *the definition. So according to national standards is that ok?*

**CHIEF MEDICAL OFFICER
DR. SUSAN FOCK-TAVE**

Mr Speaker si ou permet mwan. Sa i devret *at the definition assigned by the Minister responsible for Health. By the Minister responsible for Health.* Mersi Mr Speaker.

MR SPEAKER

Thank you. Onorab Bistoquet ou ti annan lot pwen?

HON ROSIE BISTOQUET

Not really Mr Speaker. I zis kekfwa parey Mrs Fock-Tave pe dir, si sa pou ganny pibliye *then it's ok.* Akoz diferan pei i fer, mon konnen *L'Angleterre i 20 gestational age.* E lezot pei, mwan mon konnen isi Sesel i apepre dan 28, 25 onwards.

Si sa i pou ganny pibliye *according to the new development* ki arive *then it's ok.* Akoz letan, letan i ale, *then* nou kapab si nou fer li antre petet i kapab annan serten definisyon ki ankor dan 20an, nou pou war nou en pti pe plis an aryer. Mersi.

MR SPEAKER

Ok Thank you. Does Mr Knights agree, if it's Minister For Health that we need to put in Minister for Health there? Because up in Minister it says Minister responsible for Civil Status. So

that's agree. Thank you. Onorab Pillay wi.

HON SEBASTIEN PILLAY

Mr Speaker be mwan mon pa neserman an faver *about sa lekel ki pou remet sa definisyon, pou fer subsidiary legislation?* Mon krwar nou bezwen met en *proviso* oubyen met en morso *Clause* ki fer referans avek *Minister*, me i osi fer referans avek *Minister For Health.*

Akoz the issue that you have is you have two Ministers mentioning the same law;- one Minister is going to make their regulations. So it is not the Minister for Health that is going to make the regulations in relation to this, it is the Minister for Civil Status.

So why don't we say the definition assigned by the Minister for Health, but we put in that the Minister who will be making the regulation would be the Minister for Civil Status.

MR SPEAKER

Onorab Georges ou'n lev lanmen?

HON BERNARD GEORGES

Wi Mr Speaker. Mon ti anvi zis dir ki *that is why it's by notice and not by regulations.* En S.I. i kapab plizyer keksoz, *regulation*

is a new one - en notice is another type of S.I., alor anybody can by notice. I pa bezwen sanmenm Minis ki pou fer the regulations under the Act.

Have I taken the words out of your mouth Mr Knights?

MR SPEAKER

Wi Onorab Pillay.

HON SEBASTIEN PILLAY

Following this argument ok, which makes sense. But then you have to decide because the intent in the law originally, you were not intending to have the Minister for Health make the definition, because you have already defined the Minister responsible for Civil Status.

That's what your law intended originally. But now you have found that there is a - based on the query raised by the other Honourable member, that there is a lacuna that exists now in the definition. So we have to clarify where is that definition going to be made?

Because even though it's a notice, it means the notice cannot just keep coming and coming. I mean you've just said that based on technologies going to be revised etcetera, etcetera. So we need to clarify when the notice comes in, because the notice is binding on the law.

MR SPEAKER

Yes Mr Knights. You can address.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker the notice will be published in the Gazette from time to time when the definition is revised from time to time basically. And this will be done by the suggested by the Minister responsible for Health.

MR SPEAKER

Yes Dr Fock-Tave.

CHIEF MEDICAL OFFICER DR. SUSAN FOCK-TAVE

Mersi Mr Speaker. Zis pou fer kler poudir sa bann definisyon i pa en definisyon ki pou sanze detrwa fwa par an.

En definisyon ki pou la letan in mete dan gazette i pou la pou en pe letan petet 2an, petet 3an, letan ki teknolozi i improve. Letan ki nou nivo servis i improve, se la ki pou annan en revizyon dan sa definisyon.

E sa definisyon parey mon dir revizyon se pour gestational age e avek weight sa foetus. Se sa ki pou sanze, me selman i pa en keksoz ki nou pe sanze sepa tou le 3 mwan oubyen tou le 4mwan. I en keksoz ki pou la

pou en pe letan avan ler i ganny revize. Mersi Mr Speaker.

MR SPEAKER

Wi. Nou'n terminen ek sa pwen, Onorab Bistoquet ou ankor lo la?

HON ROSIE BISTOQUET

Mr Speaker mon pe konpran ki Dr Fock-Tave pe dir be selman pou nou, konmsi letan ou pe gete nou napa en standar, en *benchmark*. Ler ou napa en *benchmark* ki mannyer ou pou mezir sa ki vini? Ki mannyer ou pou mezir par egzanp mon pe dir pour Angle mon konnen i pou sanze *from time to time*.

L'Angleterre par egzanp ou annan en baba ki ne i 20 *gestational age* avek son *weight* parey ou'n dir mete i 500grams ouswa mon krwar *less than that*. Prezan nou pou nou isi meton i 19 pou konpran, 19 *gestational age* avek son *weight*. Nou, nou napa en *benchmark*, nou bezwen aksepte sa ki laba ki vin isi, aksepte sa ki dir sa ki pou zot.

Nou, nou napa en *benchmark* nou, *why not* kekfwa annan en *range* met li dan sa, en *range from a to z* konmsi nou a konnen *ok from this period for the 5 years* nou pou aksepte *this is the range*. *Rather* ki nou napa naryen, ler

ou napa naryen ou pa kapab konte. Zero i zero, *one is one*. Koumsa ki mon pe regard li. Mersi.

MR SPEAKER

Mersi. *Would panel like to respond to this point or...? Yes* Dr Fock-Tave.

CHIEF MEDICAL OFFICER DR. SUSAN FOCK-TAVE

So pou dir ki pour le moman i annan en *working definition of what is a stillbirth?* I annan en definisyon aktyelman. I pa vedir ki napa naryen ditou la.

E sa ki nou oule fer se avek notis, se fer dan premye, premye sanzman. Pou le moman i annan en definisyon ki dir ou 26 semenn oubyen (a) 800 granm, e nou, nou oule fer li vin 26semenn oubyen 800granm.

Konmela i fodre i tou lede. Problenm avek sa se ki souvandfwa pou bann dimoun ki vini kot ou pa kapab vreman - pou letan ki zot in vini pou vin konsilte premye fwa ou pa kapab vreman determin *the right conception gestational age*. Nou pa kapab determinen.

So i annan sa nou pe sanze pou met li 'and', tir 'and' met 'or.' Savedir a vin swa i 26 semenn oubyen i 800granm.

Nou pa pe egzize ki i annan tou lede.

Par rapor a *benchmark*, i annan *benchmark* deza ki enternasyonalman i annan la. E nou konnen poudir 19 semenn par egzanz pou le moman en *foetus* pa *available* deor. So i annan bann *benchmark* ki bann pei devlope, vreman devlope zot in ariv petet 22 semenn e pou laplipar lezot pei i 24 semenn.

So *benchmark* i deza annan pou nou *align* nou lekor avek. Selman nou, nou pa ankor ariv sa staz 24 semenn definitivman. Mersi.

MR SPEAKER

Zis pou mwan sey terminen lo sa pwen Dr Fock-Tave. Eski i korek pou asimen poudir se *Minister of Health* ki pou konsider *benchmark* ler i fer son definisyon? *Is that...?*

**CHIEF MEDICAL OFFICER
DR. SUSAN FOCK-TAVE**

Yes. Minister of Health ki pou determin *the weights* avek *the gestational age*.

MR SPEAKER

Thank you. Mersi mon krwar sa in konklir lo sa pwen. Nou a kontinyen. Kote nou ti'n arive Onorab Hoareau?

HON JOHN HOAREAU

Yes, nou ti'n ariv lo Clause 5 section 15 kot nou ti dir '*include* 'anba (f) '*register of children adoption.*' Nou ti dir tir '*children*' mon krwar sa i ok.

MR SPEAKER

Thank you. Les Mr Knights. Mr Knights *you can respond.*

**ASST. PRINCIPAL STATE
COUNSEL STEFAN KNIGHTS**

Thank you, Mr Speaker. We if you look at the original Act, section 15(3) it tells us that you should also have a register for children adoption. So this is why we had reiterated that. So I don't know if the members agree to keep it.

MR SPEAKER

Thank you. Onorab Georges.

HON BERNARD GEORGES

Yes Mr Chair. Annefe se mwan ki ti'n raise sa pwen, pa pou demann delete 'children' me zis mon ti pe demande, eski i pa an tro? Akoz anba Children Act tou bann adoptions i bezwen of somebody below the age of 18. So ipso facto the register of adoptions i pou children adoptions.

Me si parey Mr Knights in dir sel keksoz ki nou pe fer se nou pe gard sa ki ti la avan akoz

this is an Amendment Act and its not a new Act, so alor annou gard li for the sake of regularity.

MR SPEAKER

Tre byen. Ok nou a kapab kontinyen.

HON JOHN HOAREAU

Ok nou kontinyen Mr Speaker. Clause 6 seksyon 18 (a) (1) (b) "... kept by the Chief Officer in such" nou tir 'safe' nou met 'places' - 'places' avek en 's' en - '... so as may ...'

MR SPEAKER

Ok panel. Yes, Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Thank you, Mr Speaker. I do not think that it reads well there. So as to maintain the integrity of the records. So what it says as may maintain but we would prefer to have the word "so as to maintain the integrity of the records."

MR SPEAKER

Yes Onorab Hoareau. Onorab Henrie avan. Yes.

HON GERVAIS HENRIE

Mersi Mr Chair. Lo sa pwen sa ki mon anvì konnen se ki si i pou annan en lobligasyon annou apel li en lobligasyon

legal lo lapar Departman konsernen pou annan en *backup electronic storage register*.

So i dan *Bills Committee* mon rapel nou ti pe dir par egzanzp CBS si zot annan en *electronic storage system*, zot pou annan en, (ki mannyer nou pou apel sa), en *site somewhere* ki pa *disclose publicly* kot zot *backup* tou zot lenformasyon. Eski dan sa ka i pou leka pou sa Departman? Mersi.

MR SPEAKER

Yes Onorab Bistoquet.

HON ROSIE BISTOQUET

Mr Speaker mon pou dakor avek Onorab Henrie.

Petet vi ki Minister Lasante i annan sa sistenm *Health Information System or Health Management System*, ki petet *Civil Status* osi - vi ki sa bann lenformasyon pou sorti direk kot *the Ministry of Health*.

Then inclusiveness i kapab annan sa *backup* direkteman pou - mon pa konnen lekel ki pou ranmase si Minister Lasante, si lot seksyon - ki i a fasilite akse avek lenformasyon. Apre *storage of important health database* e kot i kapab petet ganny *linkages* avek diferan Minister ki konsernen avek sa sityasyon. Mersi.

MR SPEAKER

Thank you. Bon eski sa i neser okenn sanzman wording dan sa Clause la? So we keep the wording, all sides agreed? Wi Onorab Georges.

HON BERNARD GEORGES

Mr Chair merci bokou. Akoz mon pa krwar, nou pa'n adres 'safe', si nou tir 'safe' nou bezwen fer en pti adjustment. E mon versyon prezan reads as follows; ... "kept by the Chief Officer in such places as will maintain the integrity of the records run in definite period." Is that ok Mr Knights or not?

MR SPEAKER

Mr Knights, panel 'will' in the place of 'may?'

HON BERNARD GEORGES

No, 'as to maintain?' "In such places as to maintain the integrity of the records." Thank you.

MR SPEAKER

As to maintain ok. Thank you. Ok that's agreed. Yes Onorab Hoareau, next one. Hold on, Onorab Pillay.

HON SEBASTIEN PILLAY

The way I see it there is a legal obligation by the Civil Status to

maintain the records, because these are two different things here. In every civil country the Civil Status has a legal obligation to maintain certain records because that conots or relates to the particular aspect of enforcement.

When you say in such places, I think we have to be clear here what is maintained by the health information system is the health information system. What has to be maintained by the Civil Status is another sets of records. So I think we have to be sure and we don't cross lines here.

Just help me understand this. I wouldn't want us to supplant what you're supposed to be keeping at the Civil Status.

MR SPEAKER

Panel. Yes Minister.

MINISTER ERROL FONSEKA

Mr Speaker, mon'n konpran ki Onorab pe dir, me selman ler nou pe get a lavenir parey pli boner mon dir nou pe koz lo Civil Status la.

Be pli boner mon'n koz lo vizyon Gouvernman pou al lo e-government, savedir i pou bezwen annan en lot database backup over and above sa ki nou pou war dan tou bann MDAs. So sa mannyer in ganny

ekrir la i permet sa pou arive. E akoz *e-government* i *alright* nou tou nou pe dir *e-government*.

Me selman *at the same time* nou bezwen get son sekirite *e-government*. E *one of the security areas is to really remote ou data system of everything* ki sa dimoun pe sey atake *whatever* ou kapab rezourd sa.

So mon krwar mannyer in ekrire la i permet sa. I donn en pti pe sityasyon pou nou kapab fer sa loubraz. Mersi Mr Speaker.

MR SPEAKER

Mersi Minis. Onorab Hoareau *next point*.

HON JOHN HOAREAU

Ok Mr Speaker Onorab Georges ti annan en, ti'n *flag out amendment to section 20*, mon krwar i ava eksplik zot.

MR SPEAKER

Yes Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker *we agree with the proposal. We would ask that this proposal is done under the law revision project. If the Honourable Member, he will observe that the references to justice of peace throughout this*

Act for instance in section 20, section 54 and so forth.

So we would prefer to do this under the law revision project. And the other things within this Act that will be removed as well.

So for instance references illegitimate children so as to bring this Act in line with the Civil Code Act, 2021. So if the Honourable Member agrees we will do this under under the Statutes Law Revision Bill.

MR SPEAKER

Onorab Pillay.

HON SEBASTIEN PILLAY

Thank you Mr Speaker. Mr Speaker I disagree, because you see, Honourable Georges is right to flag it because you've already deleted it. You've abolished it and now you're asking us to wait for you to revise the law and then clean it?

We cannot pass the law with something that is non-existent.

MR SPEAKER

Yes Mr Knights.

HON SEBASTIEN PILLAY

So I think I understand your point and the complication it would bring, in that we now have to look at all references for

justice of the peace and then we move it in the law.

But I was wondering why we didn't do that in the amendment which we did to the Penal Code? That is to correct all references to it in this excessive laws. So maybe you can clarify that for me.

MR SPEAKER

Mr Knights, yes.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker in the Penal Code we repealed all references to justice of the peace and the Courts Act on the Law Revision Bill that will be refer to the Assembly shortly. We have more or less propose the repeal of the Council Justice of the Peace.

What we are suggesting here is that it should be a more holistic repeal in relation to that once we look at the Bill in it's entirety.

The focus here is on registration of deaths and births and this will be done in relation to the justice of peace and other aspects will be done under the law revision project and then we will bring it before the assembly. Thank you.

MR SPEAKER

Yes Onorab Pillay.

HON SEBASTIEN PILLAY

Thank you Mr Speaker. Mr Knights have given me a lawyer's response to a legislator's question. Honourable Georges appreciates the humour in it because he understands the response to that content.

I'm still into disagreement with this answer but I don't have the majority to force the issue, so I will leave it at that. But I think government here, you've been caught with your pants down and you will need to decide how you go about this.

Just one point to clarify, why the inclusion if I may Mr Speaker with your permission, why the inclusion of the Principal Secretary responsible of Health under this section currently?

MR SPEAKER

Would Mr Knights like to reply to that?

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Sorry Mr Speaker. I'm just looking for the section, so we are now given the Principal Secretary for Health the opportunity to examine, inspect and also verify the registers.

Because they too will be having the notification of birth document. So it's more or less a crosscheck that will be done by them as well to insure that all the vital statistics are accurate.

So as you can see here the Attorney General can check it, the Auditor General can check it, the Chief Justice can check it Magistrate as well as the Justice of Peace.

So we have now included that the PS for Health can also check this register given the role that the Ministry of Health will now be in relation to registration of births and all that.

MR SPEAKER

Mersi.

HON SEBASTIEN PILLAY

So my last point is then why isn't the power given to the Minister and then it will be delegated to the PS?

Because it is the Minister that will make the notice, we'll refer to the Minister. So you enshrine - you give the power to the authority and the authority then delegates the power just like the Minister for Civil Status in this case can delegate the power. It should be the case here.

Anyway that's up to the government to decide.

MR SPEAKER

Mr Knights do you have anything? You're ok? We'll leave it as it is Principal Secretary for Health. Thank you.

Vi ki i annan en bon pe travay ankor pou fer lo Bill, nou ava pran en poz la e nou a rebran 2er. Minis ek delegasyon nou a rezwenn zot apre midi. Mersi.

(BREAK)

MR SPEAKER

Bonn apre midi tou dimoun, nou dan Staz Komite e nou a kontinyen avek amannman. Onorab Hoareau ou kapab rebran kot ou ti'n arive?

HON JOHN HOAREAU

Mersi Mr Speaker. Nou'n ariv aprezan lo Clause 8. Section 22(a), 22(a) (2) i lir koumsa;

"The document or form shall be filled up", nou pou delete the words 'filled up' nou ranplas li avek 'completed.'

MR SPEAKER

Byen, mon pa'n war panel in lev lanmen, so kontinyen.

HON JOHN HOAREAU

Ok nou al lo Clause 31, i annan en sizesyon pou sanz 'meaning of child' pou met li anliny

consistent avek meaning ki ganny donnen, oubyen definisyon ki ganny donnen anba Children's Act.

So meaning ki nou pe propoze se ki child be changed to 'means a natural person under the age of 18.' So 'means a natural person under the age of 18years.'

MR SPEAKER

Yes, Mr Knights. We'll hear you.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Thank you Mr Speaker. Mr Speaker we do not agree that there is a need to amend this definition. The definition of child in the Interpretation in General Provisions Act only becomes relevant when the word is not defined in the particular law.

And it is also possible to have several definitions of child in different laws. For example you might have a law dealing with sexual offences and the definition of child may be a person under the age of 16.

There was a specific reason why we tried to particulate a definition in relation to the Interpretation and General Provisions Act using the word natural person. So as to omit companies and so forth. So we don't think that is necessary,

that we adopt the same definition here.

MR SPEAKER

Thank you. You want to agree with that Onorab Hoareau? Byen, nou kapab kontinyen.

HON JOHN HOAREAU

Well, Mr Knight have given us a reason why it is done the way it is, so we will continue we proceed.

MR SPEAKER

Thank you.

HON JOHN HOAREAU

Nou pe al aprezan lo Clause 31 ankor, nou pe get definisyon relative e la i annan enn de mo ki'n ganny deleted.

Mon pou lir; "relative means the grandmother, grandfather, uncle, aunt, uncle," nou'n tir 'guardian' or 'an' nou'n met 'older sister or older brother.' Apre i annan en comma and includes 'a guardian,' apre en 'comma' apre i kontinyen "of a child."

MR SPEAKER

Thank you. Mr Knights, panel is ok, carry on.

HON JOHN HOAREAU

Nou al lo dernyen interpretation, the register ankor la nou oule en

space apre ant ‘*stillbirth*’ avek ‘*established*’ me selman nou pou tir ‘*established*’ *altogether under this part* so i pou lir koumsa;

means “the register means a register of births or a register of stillbirths and cognate words shall be construed accordingly”.

MR SPEAKER

It’s ok. Proceed.

HON JOHN HOAREAU

Nou sanz ‘z’ dan *authorized* nou met ‘s’ akoz i fer li konsistan avek *Oxford English*.

MR SPEAKER

Ok. We can carry on. Onorab Georges.

HON BERNARD GEORGES

Mersi Mr Chair. Mr Chair lo sa pwen ‘s’ and ‘z’ mon krwar *Bills Committee* in koriz en bann, me i pa'n koriz tou e mon ti ava demann Lasanble otoriz AG’s *Chambers* ler zot fer *White Copy* pour fer en *systematic revision* pou tir li dan *American English and into English-English*.

Etandonnen ki mon pa'n al dan sa liniversite mon obzekte ki nou servi sa mo *Oxford English*, akoz i annan osi *Cambridge English* ki pli bon ankor ki *Oxford English*. Me

mon ava les sa pase pour le moman. Mersi.

MR SPEAKER

Thank you. AG’s Office you noted the changes. Onorab Esparon.

HON REGINA ESPARON

Mersi Mr Speaker. Mr Chairman mon zis anvi retourn 32(1) letan nou pe dir ki en ‘*medical practitioner a man or a midwife who attends to a birth, shall give a notification of the birth to Chief Officer and to the mother of the child.*’

Mon en pti pe zennen la parske si dan ka kot sa manman ki'n donn nesans sa *stillbirth* la, apre li osi i pa *survive*, ou pa pe kapab pe raport avek li. In arive ka kot sa manman in donn nesans sa *stillbirth* e apre kot sa manman osi in *pass away*, napa sa paran la, napa sa manman la.

MR SPEAKER

Would the panel like to respond?

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Sir, Mr Speaker. It’s a very good point so it can be the mother of the child or an authorised person if that is appropriate.

MR SPEAKER

Ok can you-? Mr Knights can you read the line for all members to get it clear please? With your proposal.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

We are suggesting that after the words “the mother of the child” you insert the words “or an authorised person.” And this will also include guardians, family members and so forth.

MR SPEAKER

Agree? Thank you. Onorab Hoareau.

HON JOHN HOAREAU

Ok nou kontinyen Mr Speaker lo 32(5) kot nou oule en space in between ‘for’ avek ‘help’, 32(6) nou oule include the word ‘the’, “a notification of ‘the birth.” Ok.

MR SPEAKER

Yes. Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker we do not agree with the proposal and we take tye view that there is no need to amend this provision. But if the Assembly decides to make this amendment for the sake of consistency, the Assembly will

need to make similar amendment throughout the Bill.

So for example in subsection (9) you would see that we have a notification of stillbirth, so a similar change will have to be made there. And further we have used words such as “notification of live birth” in the text and if we add ‘the’ before it, it may not read well.

MR SPEAKER

Ok. So you accept that?

HON JOHN HOAREAU

Ok, yes. We continue lo Clause (9), kot nou pe propoze ki nou komans Clause (9) avek ‘where a medical practitioner’ rather apre nou delete, nou tir ‘a’ nou met ‘where a. Apre i annan en space ant ‘who’ avek ‘pursuant’ lo menm laliny, e osi en space ant ‘a’ avek ‘fixed’ lo avan dernyen laliny.

Nou al lo Clause 33.

MR SPEAKER

Yes, carry on.

HON JOHN HOAREAU

Ti annan en propozisyon par Honourable Georges pou 33(1) ‘a notification of livebirth’ kot i dir ‘may contain,’ Onorab Georges pe suggest ki nou servi ‘shall contain.’

MR SPEAKER

Ok. Accepted.

HON JOHN HOAREAU

Nou move down to subsection (3)” the Minister responsible for Health shall prescribed a form or ‘the’ manner”, include ‘the.’

MR SPEAKER

Ok. Panel alright? Ok.

HON JOHN HOAREAU

Nou al lo 34(3), la i annan en pti flag ki i devret annan en timeframe ki ganny reduce, so in met” if the birth of a child is not registered within sa period of 15 days.” So mon pa konnen ki panel i panse lo la.

MR SPEAKER

Yes panel.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker the timeframe should be maintained. In proposing this timeframe we consider different situation. For example where a single mother may have had medical complications we would want to send the reminder about 2 weeks thereafter.

So we were looking at it from that point. But as the members of the Assembly rightly

pointed out the responsibility is under parents to register their children in any event, but we are just facilitating the process by send them an email or so to remind that person from time to time.

MR SPEAKER

So the proposal stays 15days ok? Thank you.

HON JOHN HOAREAU

Ok we go to 34(5). “The person submitting a registration from to the Chief Officer shall submit a statement and shall state that the statement particulars”, la nou pe met ‘of the birth provided.’

Apré nou'n tir ‘of the birth’ apré i kontinyen “are true according to the person’s best knowledge and belief.” Konmsi nou'n tir li pli ba nou'n met li anler avan ‘provided.’ Is it ok?

MR SPEAKER

Panel. en moman Onorab, panel pe fer e pti konsiltasyon. Yes, ok carry on.

HON JOHN HOAREAU

Ok. Nou al lo 6, subsection 6. “A Chief Officer shall issue a certificate of birth in such a manner”, nou annan en space la between ‘such’ and ‘manner’ – “as may be prescribed to the

person registered a birth of a child or such other authorised.”

Ankor la i parey Onorab Georges in eksplike ler zot fer zot *White Paper* zot a, zot *White Copy* sorry, zot ava include ‘s’ dan plas ‘z’.

MR SPEAKER

Yes, taken care of.

HON JOHN HOAREAU

Nou ava al lo 8. *“If any person specified in subsection 2 fails to register the birth of a child after two months”, two la i annan en space, ‘two’ ek “months of the birth of that child the Chief Officer or the Attorney General may make an ex parte application by notice of motion” – la nou tir ‘and’ nou met ‘with.’*

“And accompanying affidavit to the Master of the Supreme Court or Judge”, nou tir ‘to make’ nou met ‘for.’

MR SPEAKER

Panel. Agreed. Ok no problem Onorab Hoareau.

HON JOHN HOAREAU

Ok. Nou kontinyen lo (9), subsection (9). Avan dernyen laliny i dir any, “shall register the birth any time after four months.” Nou, nou pe suggest three months e dan Bills Committee nou ti pe diskite ki 3

mwan se laz ki zot pran mon krwar bann vaksen ensidswit.

So registration has to be done before they take the vaccine otherwise it would be registered according to a number proposed as - parey ler sa zanfan in e i annan en limero rather than en non. So register would after three months i pou donn li son non e sa i ava son non.

MR SPEAKER

Three months. Yes, Onorab Bistoquet thank you.

HON ROSIE BISTOQUET

Mr Speaker thank you. Mwan mon ti a propoze ki before rather than after it should be before three months. Akoz si nou pe donn justification all the necessary programs pou sa bann group zanfan i komans trwa mwan, then i devret ganny anrezistre, ganny en idantite avek whatever comes with it before three months.

MR SPEAKER

Yes Doctor.

**CHIEF MEDICAL OFFICER
DR. SUSAN FOCK-TAVE**

Mersi Mr Speaker. Me si nou pe tenir sa largiman premye vaksen i donner BCG immediately after birth within

the first week of life. E sa zanfan pa ankor anrezistre, if that is the sole argument for that, nou bezwen tenir sa an kont.

MR SPEAKER

Yes, Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker we do not have any difficulty with this proposal, but the Assembly needs to consider the practical reality of things. The registration of a child under this section by the Civil Status Department is really a last resort action taken by the government.

We proposed four months for practical purposes. Firstly, the Civil Status Department after two months can make the application for an order for the mother or guardian of the child to come in and register the child.

Now when the Civil Status Department sends the request information, the request to the Attorney General it will take us about five to ten working days to gather all the information and put together an application and file this application in the Court.

Then the Court will issue a summons for the mother or the guardian of the child to appear in the Court and fix a date for the hearing. This process may take

about another five to ten working days, and then the Court at its own discretion may want to give her the time of the person to come in, which may be another five to ten working days.

So when we have looked at it, this is why we had suggested four months for these practical reasons. And if the Honourable Members decides to change to three months, we would also ask that you amend section 37(1) by deleting four months and replacing it with three months.

MR SPEAKER

Ok. Bills Committee do you have an opinion?

HON JOHN HOAREAU

Well. I would reckon three months would be ok. We would change it to three months. Just to make it in line with the series of vaccine that is taken at three months of age.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker as we said we have no difficulty with it, but it's just that you have to consider the practical realities of this being done with in three months.

MR SPEAKER

The only point Mr Knight is making is that there needs to be time before the Chief Officer steps in. Ok.

HON JOHN HOAREAU

Can we have the advice of a medical practitioner please?

MR SPEAKER

Doctor.

**CHIEF MEDICAL OFFICER
DR. SUSAN FOCK-TAVE**

So from a medical point of view it doesn't matter when the child is registered or when the child is - when the child is registered or when they get issues with the certificate.

Because as I've said, parey mon'n dir en baba i ganny son - si nou pe dir pou vaksen son premye vaksen i ganny premye zour oubyen trwazyenm zour BCG avan, koman i ne e i pa ankor. Laplipar di tan i pa ankor ni ganny en ID ni pa ankor anrezistre.

Pou mwan i pa fer en diferans, me selman la pratik se lo kote ki mannyer pou garanti ki tou sa bann steps i ganny swiv, sa i an deor Lasante. I Civil Status avek Biro Attorney Zeneral. Lo kote lasante nou napa okenn problenm avek sa kat mwan oubyen trwa mwan.

MR SPEAKER

Bon pou nou kapab terminen nou ava ekout Onorab Bistoquet lo la si i bezwen apre nou a bezwen, si i napa soz nou a kapab gard sa ki i annan.

HON ROSIE BISTOQUET

Mersi Mr Speaker. Mwan mon pe regard li trwa mwan it's a maximum ki nou kapab fer. Akoz si nou get internationally laplipar pei i dir ou at three months. I trwa mwan. Si ou get lezot research internationally i dir ou en baba fodre i ganny anrezistre at three months.

So why not, I mean at least we can adapt the same situation rather ki nou pou fer li vin kat mwan. So nou, nou dir trwa mwan akoz nou ti pe, wi BCG ou kapab pran li one day, 24 hours letan en baba i ne, akoz that's international standards for vaccination.

Be selman pou sa baba komans ganny son trwa komansman vaksen, trwa vaksen ansanm, ansanm ki komans trwa mwan. Then si nou pa pe, mon osi mon pa pe get lo kote Lasante, be selman argument ki'n monte ki avan nou problenm bann manman ti'n ganny dir, well the law se ki zot ti bezwen ganny anrezistre avan en mwan. Only 30 days.

La we are giving them two months, which is sort of a lenient, but at the same time nou pe get li international standards ki i dir nou and most countries they say that even WHO three months is the legal time, well the period ki ou kapab anrezistre en zanfan. Mersi.

MR SPEAKER

But clarify Mr Knights please. This is not for the mother right it's for the Chief Officer.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Yes Mr Speaker. So everyone has 30 days to register the child and then we are saying that if the child has been registered within that 30days then the Chief Officer can step in, he will step in on another 30days later.

But what to resolve the issue what we can suggest is that in subsection 8, you remove the words two months and replace it with 30days. So immediately after the 30days the Civil Status Department can seek to get the parents to come in to register the birth.

MR SPEAKER

Ok. Ok I think there's agreement with that so we are going back to section 8. Change in section 8 and in section 9. Yes Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker and if we, if the agreed is after the 30days, then we are also have to make a few other minor amendments. For instance in subsection 7 you may not have afford a penalty then the fixed penalty will just be R1000.

MR SPEAKER

Ok. Mr Knights are you satisfied that this stage will not mean other complications in other parts of the Act?

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker if you give is the opportunity we can just align everything else at a later stage.

MR SPEAKER

Ok. Thank you. Yes Onorab Georges.

HON BERNARD GEORGES

Ki desizyon final Mr Chair 3 ou 4?

MR SPEAKER

What Mr Knights has proposed is that section 8 is amended from two months to 30days and section 9 from 4 months to 3 months. Correct Mr Knights am

I getting you right? Thank you. Agreed?

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Yes just if I may. So immediately after the 30days Civil Status can then summon the parent to come in. So this is because the length of the process. So we, this is why we have reduced the length of time that we have to wait to summon the parent to come in to register.

So once the 30days have lapsed then immediately thereafter Civil Status can make the application and this process will take about 6 weeks or so.

MR SPEAKER

Ok. So that's accepted. Carry on Onorab Hoareau.

HON JOHN HOAREAU

Ok, just a minute.

MR SPEAKER

Yes Onorab next.

HON JOHN HOAREAU

Honourable Georges wanted to flag something in relation to Clause 35(a).

MR SPEAKER

Onorab Georges.

HON BERNARD GEORGES

Mersi Mr Chair. Mr Chair sa set en pwen ki mon ti dir bomaten ki mon pou retourn lo la en pe pli tar.

Anba 35(a) ki mannyer i ete la, ou plito anba 35 annantye pou en papa vin deklar son piti i bezwen fer enn sa bann keksoz, swa ou plito ler en madanm pa'n marye i anvi al deklar son piti, son zanfan (eskiz mwan) son zanfan.

I pa kapab met non papa sa zanfan si i pa'n marye avek sa papa amwen ki i annan en *joint declaration* ki papa ek manman tou lede in sinyen. Oubyen en lord sorti kot Lakour ki dir ki sa msye se li papa sa zanfan. Sel de fason.

Konmela en papa i kapab al devan en noter *at anytime sign* sa ki apel en *acknowledgement of child*, a nenport ki moman e deklar son zanfan. E bokou zot i fer sa. Se Leta Sivil si mon konpran byen anba seksyon 35 *Civil Status Act* konmela pa pou sanz non sa zanfan *unless* ki zanfan osi i siny sa *acknowledgement of child*, pou dir mon dakor ki non sa zanfan i pou annan son papa.

Me si menm manman pa sinyen, sa *acknowledgement* i *still* valab, akoz sa papa i *still* in deklar son lekor koman papa sa zanfan. Or konmela sa

acknowledgement of child pa pou annan okenn lefe akoz i bezwen en *joint application*.

Alor mwan mon pe, sa se premye pwen. E si larepons se be naryen pa'n sanze, akoz i *still* kapab al devan noter. I *still* kapab fer son deklarasyon konmkwa i papa sa zanfan - i zis ki sa pa pou afekte sa *birth certificate* sa zanfan, mon eksepte.

Me *what if* sa papa i anvi al Ankour e fer Lakour fer en deklarasyon konmkwa li papa sa zanfan. Konmela sa pa egziste, zis sa papa i kapab al Ankour zis pou li dir sa se pa mon zanfan.

Akoz ler sa zanfan ti ganny konsevwar mwan mon ti *Uganda* alor mon pa kapab papa sa zanfan. Alor i fer sa ki nou apel en 'dezave de paternite' ki Lakour i dir.

Oubyen sa zanfan si papa pa'n deklar li sa zanfan i kapab al Ankour anmenn en *case* ki nou apel en '*recherche de paternite*' pou dir mon anvi ki Lakour deklare ki sa msye se mon papa.

Me sa papa li menm li i pa kapab al Ankour e dir ki se mwan papa sa zanfan, mon anvi ki Lakour i deklar mwan koman papa sa zanfan. Sa pa egziste.

Alor mannyer i ete la sa papa ki anvi deklar son zanfan e ariv lo sertifika nesans son zanfan i pa kapab fer li *unless* ki sa manman i dakor. E si sa manman pa dakor i pa pou kapab fer li atraver sa *joint declaration* i pa pou kapab fer li par en *case* Ankour akoz i napa drwa al Ankour akoz se sa i pa ganny aksepte.

Alor mon pe dir ki *at least* nou bezwen donn sa posibilite en papa ki anvi pran son responsabilite, e fason ki mon vwar, *unless* ki i annan en keksoz ki mon pe manke, *unless* ki fason ki mon war se pour sanz sa *paternity order*, sanz definisyon pou dir ki ti annan en *paternity order* ki Lakour i kapab donner a lenstans swa en zanfan swa en papa.

Dan sa ka pou annan sa pti lafnet ki en dimoun ki anvi pran son responsabilite i kapab pran. *Have you followed Mr Knights? Thank you.*

MR SPEAKER

Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker *there's is a saying that a "mother's baby father's baby."* I totally understand the point that Honourable Georges

is making about the father been having that opportunity to declare a child. But there is also other issues that will arise such as accessing the child and all of this things.

So I don't know what will you propose to address this issue whether or not they simply go to court to deal with that, because you will still need consent from the mother to get a test a DNA test or anything of that sort.

HON BERNARD GEORGES

That's the issue Mr Chair. Sa papa ki anvi proactive pa ganny posibilite pou li proactive. Mon pa oule retard sa prosis la ozordi akoz parey Mr Knights in fer nou mazinen bomaten nou pe dil avek Civil Status la.

E mon krwar ki nou bezwen pran sa konsep e landrwa kot i devret ante se dan Civil Code. E mon krwar se dan Civil Code kot nou bezwen fer en, mon a donn en posibilite pou en papa malgre ki sa manman pa anvi pou li kapab rekonnet son zanfan e fors sa lo sa madanm. Akoz? Why not after all?

Akoz ki en manman i kapab blok en papa ki biological papa biolojik sa zanfan, from acknowledging sa? I posib ki dan serten ka dizon rape ou pa

pou anvi. Sa mon konpran me nou kapab fer sa bann leksepsyon.

Me leksepsyon pa kapab pli for ki lareg. Mon krwar ki nou bezwen annan en lareg ki permet avek bann leksepsyon ki permet sa manman dan serten ka pou pa aksepte.

Parey mon dir, mon'n zis flag sa. Mon pa'n propoz en lamannman. Akoz mon pa ti anvi retard sa deba. Akoz i en lot deba dan li menm, me mon ti anvi etandonnen ki nou la ozordi koman en Lasanble flag sa e demann avek Mr Knights pou trouv en fason pou fer sa antre dan son Statute Law Revision at some point, dan en statute apropiye, akoz pou nou kapab koman en Lasanble annan en deba konplet lo sa issue ler i arive. Mersi.

MR SPEAKER

Thank you onorab Georges. Mr Knights you will have noted, sure and we can carry on. Onorab Pillay.

HON SEBASTIEN PILLAY

Thank you, Mr Chairman. Mr Chairman, Honourable Georges has conceded, because as the LGB he knows that this is a sticking point for the Act. And he doesn't want to labour the point so much as to labour the

process. And he is doing what any Leader of Government Business would do.

But Mr Knights knows full well that with the amendment he's made, he actually made it worse than what it was before.

Because basically you've introduced - you've even introduced at C(3) a sworn statement. And a sworn statement can only be given in front of an Attorney. Unless the decision is to amend the word 'sworn' and remove it.

So I think what was your intent in doing this, I cannot understand. For instance - And the point made by Honourable Georges which is the most pertinent point right now is that what happens in the case of a father who wilfully wants to acknowledge that this is my child? How does he do it?

Because there is an actual impediment to him not doing it. And I've seen cases - I've seen cases personally where the father wants to take care of the child, wants to support the child. But the mother won't allow the father access to the child or even to acknowledge the child.

So, are you telling us there will be a resolution to this going forward? If he could answer that.

MR SPEAKER

Mr Knights, yes?

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker, this position is not a worse off situation to what currently exist in the current law and as you quite rightly pointed out. You have seen such a situation perpetuate because the law doesn't address it.

Now, if the Assembly gives us the opportunity, we can propose a provision to insert a new paragraph D to facilitate that proposal by Honourable Georges.

So, if you just give us about 48 hours or so, so we can try to come up with a provision that the Honourable Leader of the Opposition can also agree to.

MR SPEAKER

But how will we handle that Honourable Georges?

HON BERNARD GEORGES

We can't Mr Chair, that's the simple answer. We're committed to taking this Bill and we must see it through today.

What I will suggest is, let's not rush. I think the point needs to be thought through carefully and if we need to come back with a small amendment to cater for that, let's do it then.

But what I would like the panel to do is to take it under consideration and find the best way of doing that.

MR SPEAKER

Right. Save it for another occasion. Thank you, Mr Knights, for agreeing.

Onorab Hoareau.

HON JOHN HOAREAU

Ok, we move to 35 (c) (ii) as LOTO suggested, sworn statement. So, we remove 'sworn'.

We go on to 36 (a) "a joint application is made and is submitted." So we include 'and is submitted.'

MR SPEAKER

Ok. Panel, yes Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker, I do not consider that the proposed amendments may be necessary, because even if you were to make this application to the Chief Officer submitting to the Chief Officer, it would not really make a difference. And there is no need for you to put is made and is submitted in my humble view.

MR SPEAKER

Yes? Ok Onorab. Yes Onorab Georges.

HON BERNARD GEORGES

Thank you Mr Chair. We need at least 'and.' Because before that there was nothing. It was just 'made submitted.' I think we need at least 'and.'

MR SPEAKER

'Made and submitted.'

HON BERNARD GEORGES

'Made and submitted.'

MR SPEAKER

Ok, agreed. Onorab Hoareau.

HON JOHN HOAREAU

Ok, we continue. I think we've got an agreement on 4 months. So, 37 (1) we have to remove 4 months to 3 months.

We move on to 38 (2) – "The person who finds the child shall within 7 days of finding the child, give to the police and to the Director responsible for Children Affairs, a statement of all information that the person has in relation to birth of the child." So, we remove 'regarding the particulars of the birth of'. Ok?

MR SPEAKER

Panel. Yes Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

So, we are suggesting that has in relation to the child? In relation to the child, because the person may not even have information as it relates to the birth. So, whatever information the person has in relation to the child we would want that information. Not just specific to the birth.

MR SPEAKER

Thank you. So in relation to the child. Yes Onorab Hoareau.

HON JOHN HOAREAU

Yes, we go 39 (1) ‘if, (we have a ‘comma’ here) ‘after 60 days of the finding of an abandoned child’ - not ‘the ‘abandoned child.’

*And the last line, same paragraph, last line – ‘child’ and, ‘give names to the child.’
Ok?*

MR SPEAKER

Ok. Yes I think that’s agreed.

HON JOHN HOAREAU

39 (7)

MR SPEAKER

One second. Mr Knights, yes.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker, the proposal is that we delete the words ‘name the child’ and replace it with the word ‘give names to the child’?

MR SPEAKER

Is that right? Yes Mr Knights, you agree with that or.

HON JOHN HOAREAU

Ok, so we move to 39 (7) - ok Clause 39.

MR SPEAKER

En moman Onorab Hoareau. Wi Onorab Pillay.

HON SEBASTIEN PILLAY

Yes. Mr Chairman, I just want to ask a very quick question. Maybe the Minister for Internal Affairs can weigh in here. Why 60 days? If after 60 days of the finding of the child. Why 60 days?

MR SPEAKER

Yes, would Minister like to address that.

MINISTER ERROL FONSEKA

Mr Speaker, it’s nothing specific other than giving time, due time. That’s the motivation behind these 60 days. But if there’s a proposal about here we will look at it. Thank you.

MR SPEAKER

So, any proposal?

HON SEBASTIEN PILLAY

Well, this is what I was trying to understand. Because in normal circumstances, how long does the parent, does the mother have for naming the child or registering the child right? So, your 60 days has got to match with what the law requires.

MR SPEAKER

Minister or Mr Knights?

MINISTER ERROL FONSEKA

Yes, I would suspect looking at this - is an abandoned child might be abandoned without the law enforcement knowing who abandoned the child. So, that probably gives a bit of time. So, it's a slightly bit different case. Thank you Mr Speaker.

MR SPEAKER

Ok, yes Onorab Hoareau?

HON JOHN HOAREAU

Ok, we move to 39 (7) (a). " It shall carry". Include 'shall' instead of 'must'.

MR SPEAKER

Ok. Yes. Onorab Bistoquet, lo ki pwen ou ete la?

HON ROSIE BISTOQUET

Mersi Mr Speaker. Mwan mon pe regarde, se ki why 60 days, parey Onorab Pillay in dir. Akoz can't we align it with the registration, the time frame?

Ki dan en fason si par egzantp nou annan en abandoned child which is found on day 2 or day 3 - or we don't know. Day 5 or even day 6 after birth, then that's where the time frames starts. Tather ki nou pou dir li be 60 days.

I don't know what the reason behind is the 60. Si nou kapab align li avek the above, the previous registration, then mon krwar i ava anliny avek sa Lalwa. Mersi.

MR SPEAKER

Oh, nou pe retourn lo la. Minis.

MINISTER ERROL FONSEKA

Mr Speaker, nou napa en problemm avek sa. Zis parey mon ti a pe dir avan, nou ti pe konsider en dele letan ase, si ti annan en - si nou pa ti kapab idantifye sa paran. Me nou napa problemm ek 30 days.

MR SPEAKER

Onorab Bistoquet pe propoz 90 days?

HON ROSIE BISTOQUET

(Off-Mic)

MR SPEAKER

So, not 90 days. 3 months, ok? If after 3 months. Yes Onorab Pillay.

HON SEBASTIEN PILLAY

Yes Mr Speaker, mon konpran kot Minis pe vini. Selman kot nou annan en issue la se ki, 34(1) i dir ou "The registration of the birth of a child born at any place within Seychelles shall be done within 30 days of the birth of that child." Ok? So in the context of sa zanfan, ou bezwen etabli son birth. And then you are talking about 60 days pou sa.

The issue ki nou annan la, se ki probableman anba registration of births ou bezwen met en derogasyon ki unless the child is an abandoned child, ki ava donn ou 60 days legal standing.

Akoz as it stands now, the Director for Children Affairs will be contravention to the law after taking charge of the child. This is what I'm concern with. Unless the AG's office have another way of looking at it.

MR SPEAKER

Yes, will panel try to resolve that. Wi Onorab Georges.

HON BERNARD GEORGES

An atandan ki panel pe sey resolve sa Mr Chair, mon pe kalkile. Mon krwar Minis in kekfwa donn nou en lide la.

En zanfan i bezwen ganny deklare within 30 days of birth. E sa se ler ou konn son paran. So, i donn ou sifizaman letan pou ou deklar sa zanfan who is known. Me enn ki ganny abandonnen, in all likelihood en zanfan pou ganny abandonnen lo day 1, 2 or 3. Me pa pli tar. Akoz i pa pou'n viv sa kantite letan as an abandoned child.

Alors, a sa moman ou napa en lide lekel son paran, e i pou pran en pe plis letan. Donk, ou bezwen donn en pti pe plis ki 30 in my view.

E se probableman sa rezon akoz in met 60. Pou donn bann Lotorite en pti batav letan pou zot kapab al rode lekel sa paran. So, if that is the case, personnelman mon napa problemm avek sa, donn doub letan pou en abandoned child ki ou donner pou en zanfan ki ou konn son paran.

MR SPEAKER

Yes.

HON SEBASTIEN PILLAY

Mon swiv son lagreman. E mon krwar sa i fer en sans. Mon'n swiv Minis premye kou. What I'm looking at is when you look

at 34, should we not have like a proviso? Or in which case we make mention of, after the word 'child', unless the child is an abandoned child.

And then your proviso for an abandoned child will kick-in.

MR SPEAKER

Sorry, mon pa oule konplik sa. Me selman mon vwar the birth - the declaration of the birth often child i en ka diferan avek the case of an abandoned child. So, eski nou bezwen link sa de keksoz ansanm, oubyen si enn i bezwen koriz lot?

HON SEBASTIEN PILLAY

The point that I am saying is legally, is it correct when the Director of Children Affairs will be doing it in 60 days? This is what I'm trying to clarify. Because the law previously says you have 30 days to register the birth.

So, I'm agreeing with the 60 days. All I'm saying is do we need a proviso. If the AG's office feel we do not need a proviso, then fine. We don't need a proviso.

MR SPEAKER

Ok. Panel?

MINISTER ERROL FONSEKA

Mr Speaker, si ou pran;- I annan en diferans ki Onorab Pillay pe koze. Akoz dan en abandoned child ou pa konnen kan in ganny abandonnen osi. So,

Mwan mon krwar i ok manner i ete, me selman i a depan lo the legal people, akoz i de keksoz. I a child o moman ki in ne. Apre en lot senaryo i sa child ki'n ganny abandonnen. So pansman, i de pansman la. Me selman tou fason nou napa en problem si zot anvi redwir sa a 30 zour. Mersi Mr Speaker.

MR SPEAKER

Onorab Pillay pa pe rod redwir, i pe rod align li avek.

HON SEBASTIEN PILLAY

You know what will happen Mr Chairman. We will find a way. They are proposing to have some more amendments made. We will find a way to align it internally within the law, to ensure whatever the Director for Children's Affairs can do, is legal throughout the Act.

Because we are talking about a child that can be abandoned anywhere. Next to a dust bin or any place. We will find a way somewhere else Mr Chairman.

MR SPEAKER

Ok. Bon be dan sa ka nou a move on. We've accepted that it stays 60 days. Minis.

MINISTER ERROL FONSEKA

Yes. Zis pou pran konsiderasyon, sa *child* pa neserman en *newborn* osi. So, i kapab ariv en sityasyon kot in ganny kite dan en landrwa. So, thank you.

MR SPEAKER

Onorab Hoareau.

HON JOHN HOAREAU

Mersi Mr Speaker. Mr Speaker, Onorab Georges ti anv *flag* en keksoz lo *section 39 (c)*.

MR SPEAKER

Ok, Onorab Georges.

HON BERNARD GEORGES

Did I Mr Speaker? It's 39. 39(c). Eskiz mwan, wi efektifman. Non, mon'n *highlight* sa, i ti en *note to myself* pou mwan al tyek *section 4 and 6 of the Children's Act*. Eskiz mwan. *Ignore my comment*.

MR SPEAKER

Ale, next one. Onorab Hoareau.

HON JOHN HOAREAU

Ok, PART V *Registraion of Deaths. Body of the deceased*. Nou tir '*shall*' nou met '*to*'. Ok.

81 (1) *trwazyenm laliny, 'give or cause to be given'*. So nou met '*be*' apre nou met '*n*' avek *give* pou fer li vin '*given*.'

Leres mon'n ganny direktiv pou kit li koumsa ziska ler nou ariv 81 (3)

"The Minister responsible for Health shall prescribed a form or the manner." Include '*the*' isi. Nou al lo 82 (3).

MR SPEAKER

Hold on. Mr Knights? Yes, Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker, we take the view that 'cause to.' In 81 (1), '*cause to give a notification*' may be the correct position or the correct wording. And I am not sure if we maintain in the words *executor of the estate of the deceased person*.

Yes, ok.

MR SPEAKER

Ok. Onorab Hoareau is that 81 (3) that's just an insertion of the ...

HON JOHN HOAREAU

Ok, 82(3), fourth line of the paragraph where it says '*Chief Officer for a permit to bury*.' So we add the work '*to*' here.

MR SPEAKER

Ok.

HON JOHN HOAREAU

We go to 84 (2) "In relation to a death qualifying for an inquest or a death specified in subsection (4), the medical practitioner, pathologist or forensic pathologist shall immediately..." Nou'n add the word 'immediately' avan submit.

MR SPEAKER

Panel, do you agree with that? Ok, ou dan 84 (2) la, en?

HON JOHN HOAREAU

Yes.

MR SPEAKER

Ok, panel.

MINISTER ERROL FONSEKA

Sorry Mr Speaker.

MR SPEAKER

Nou ok panel, yes.

MINISTER ERROL FONSEKA

Yes, dan 83. (2) i pe suggest who shall immediately cause or submit.

HON JOHN HOAREAU

Immediately submit.

MINISTER ERROL FONSEKA

Submit? Ok, thanks.

MR SPEAKER

Ok. 84 (2). Ok Minis? Ok Onorab, carry on.

HON JOHN HOAREAU

85(1)(c) a Magistrate's Certificate issued pursuant to section 264. I mank en 6 la. Ok.

MR SPEAKER

Yes, Onorab Georges ou le entervenir la?

HON BERNARD GEORGES

Yes, Mr Chair enn bann problem ek *Microsoft* se ler ou delete 4 ou pa vwar aköz the horizontal stroke i pas zis atraver the horizontal stroke of the 4. Annefe sa en fot ki bann drafters i fer, i pa 264. I 26 instead of 24. Nou pe zis ranplas li, mersi.

MR SPEAKER

26, ok then.

HON JOHN HOAREAU

Ok, sorry. 85. (2) second line of the paragraph. Death is in plurals, 'deaths' so we add an 's'. Ok.

MR SPEAKER

Dan mon versyon occurring i annan en capital O. "Register of

*Deaths Occurring in Seychelles”
is one title? Ok, sorry.*

Thank you, carry on.

HON JOHN HOAREAU

Ok, we move on to 86 (1) second line. Shall forthwith issue. Nou tir ‘give’. Ok. Nou include the word ‘issue’ nou tir ‘give’. ‘Shall forthwith issue’, olye ‘give.’

MR SPEAKER

‘Issue’ olye ‘give.’ Panel i ok? Ok.

HON JOHN HOAREAU

Nou ariv lo 87(1). 87 (2), sorry On receipt of the order under subsection (1), the Chief. La i annan en spacing.

MR SPEAKER

One second. Onorab Pillay, kote ou ete?

HON SEBASTIEN PILLAY

Thank you, Mr Chairman. I wanted to clarify because I was reading through the Act to try and understand this provision. And it’s in relation to the prohibition on issuing a medical certificate of death. I don’t have an issue with the amendments proposed so far. But here I think, I wanted to get the AG’s Office opinion.

Why there isn’t a time frame specified within which the report should be given? Because you made mention in 84(2) in relation to a death qualifying for an inquest or a death specified in subsection (4);- medical practitioner, pathologist, forensic pathologist shall submit a medical report to the Commissioner of Police. When should that report be submitted?

And when should the Commissioner of Police submit the report to the Attorney General? How will this be specified? Will it be specified, under the Inquest into Death Act or will it be specified in another way?

MR SPEAKER

Yes Mr Knights?

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Honourable Pillay, right now we are actually rethinking the proposal to insert the word ‘immediately.’ Because it may not be practical to immediately submit a medical report on us as proposed by the Assembly. So we are just reconsidering that right now.

In relation to the prohibition on submitting the cause of death. There’s a

procedure that will be followed, that will be carried out by the Magistrate or the person conducting the inquest into the death.

And when the Magistrate or that person conducting the inquest, complete the inquest then there will be a declaration as to the cause of death. So, this is why the medical practitioner here isn't allowed to issue or presume a cause of death.

HON SEBASTIEN PILLAY

Yes. But Mr Chairman, Mr Knights is changing the subject. What I want to know is, you've got two circumstances where you are prohibited to issue the certificate.

1) is when the opinion of the medical practitioner, the person die in a suspicion circumstances. Right?

And then 2). When there will be an inquest under the Inquest of Death Act, 2021. Right?

My question to you is simple, Why haven't the Attorney General's office put in place a time frame within which that report shall be submitted? When will that report be submitted. How long will it take, 3 months, 6 months, 5 months?

Try to clarify whether there will be a timeframe within which

that closure can be obtained. Either by the family of the deceased or in relation to any cause of action that the family of the deceased or the state may have in relation to the death of the person.

MR SPEAKER

Yes Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker, when we get to the Inquest into Death Bill, I understand that some of the Members have a proposal, that the inquest should be completed within 6 months. So, this is my general understanding.

So, I don't know what will be your approach in relation to that. We don't have a specific timeline to be straight forward as I can with this question.

HON SEBASTIEN PILLAY

Mr Speaker, my last question. So, basically you are telling me that if for example a member of my family pass away in relation under suspicious circumstances as identified under section 4, how long will I have to wait to get the medical report?

MR SPEAKER

Yes. Mr Knights? Panel?

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker, I'm no medical expert. So, I do not know how long a medical report will take to be completed. So, we will expect that the medical practitioner submit the medical report with a reasonable time and conduct their duties diligently.

MR SPEAKER

Thank you. Can we accept that and si i bezwen revizyon pli tar, Attorney General i a kapab anmennen.

HON SEBASTIEN PILLAY

Mr Speaker, with all due respect, we are accepting something that the Attorney General should be able to tell us. How long will it take for somebody to get that report. I mean it makes sense. You are the Minister for Internal affairs.

Somebody dies under suspicious circumstances, there is an investigation that's going to be conducted. There is a report that needs to be produced in the death of the person. I am sure you understand the necessity for the family or whoever to get that report.

But here it seems that nobody can commit themselves as to what timeframe the person or persons can get the report. So,

there is nothing I can do to change this.

MR SPEAKER

Thank you. Minister first. I en pti pe konfizan.

MINISTER ERROL FONSEKA

*Mr Speaker, mon pa tro konpran ki sa gran nesesite pou met en *timeframe* ki petet pa zanmen kouver tou sirkonstans.*

*I arive sityasyon ki ou ganny en lenformasyon pli tar apre ou bezwen *exhume a body*. Si ou'n met en *timeframe* la ou pou kapab al *exhume it*? Mon pa konnen.*

*So, ki lenportans, is it a *timeframe* or to get sa levidans - sa rapor ki pli pre, ki pli vre. As oppose pou met en *timeframe* zis pou fer en rapor me petet i pa konplet.*

*Nou annan en kantite sityasyon kot lekor pa ganny vwar pou en pe letan. So, mon pa konpran akoz i telman nesese pou met sa *timeframe* lo sa sityasyon la? Mersi Mr Speaker.*

MR SPEAKER

Mersi. Mr Knights, yes.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker, *we as I said. We don't know the complexity of preparing certain medical report. So, we are not in a position to specify a time.*

So, I don't know if the Honourable Leader of the Opposition has a particular timeline in mind that he would want to propose to the Members of the Assembly to find a solution to go forward.

MR SPEAKER

Ok, yes Onorab. Si ou annan en propozisyon spesifik, propoze nou a kapab pran en vot lo la. Si nou, nou bezwen move on.

HON SEBASTIEN PILLAY

Thank you. Mr Chairman, mon'n ganny mete dan en pozisyon vreman difisil. Akoz mon annan en medical practitioner la ki pa kapab donn nou larepons. Mon annan mon AG's Office ki pa kapab donn mwan larepons e mwan mon en layperson ki pe sey konpran sa from en legislators prospective.

So, mon pa kapab propoz en keksoz unless zot, zot dir mwan that is happening currently la. Nou pe met en nouvo propozisyon dan Lalwa. Mon krwar i normal lo non lepep ki mon demande, ki mon enquire ki si dan sirkonstans

kot Lapolis in dir in annan foul play dan sa lanmor, i annan en rapor ki bezwen ganny prodwi, ki kantite letan sa dimoun, sa rapor ou ganny prodwi? Akoz i annan fanmir.

Mon krwar nou tou nou'n rankontre bann case similar to this. So, the issue ki mon ti pe rode. So-

MR SPEAKER

Wi, le pwen ki zot in fer se ki zot osi, they cannot conceive of all the consequences to be able to set a timeframe. Sa ki mon'n konpran zot. Zot osi zot annan menm difikilte ki ou.

Wi Dokter, wi.

CHIEF MEDICAL OFFICER DR. SUSAN FOCK-TAVE

Mersi Mr Chair. I depan ki oule vwar dan sa rapor. Si ou le vwar zis en rapor, nou kapab met immediate. Si ou le vwar en keksoz ki sibstansyel, ou bezwen donn letan.

Ki nou pou mete dan sa rapor? Medical observations made during the examination of the decease, eski i konpri letan nou'n egzaminen preliminary la, ou'n fer the post-mortem, part of the examinations, se ki ou'n fer bann prelevman lesantiyon ki bezwen ganny analize, ki ou pa pou neserman gannyen dan 48erdan.

I posib ki i annan keksoz ki ou pe anvoy aletranze ki ou pa pe gannyen avan 6 semenn. So, i vin en pe difisil pou ou vremen met ater ki sa *timeframe* pou sa rapor. Si dan rapor-

MR SPEAKER

Si mon kapab sizere. Eskiz mwan. Yes Dokter.

CHIEF MEDICAL OFFICER DR. SUSAN FOCK-TAVE

Si i en rapor ki ou dir *medical examination of the deceased*, i zis *the visual*, sa i kapab ganny fer. Letan sa *visual examination* in fini ganny fer. Me si *medical examination of the decease*, pou mwan *examination of the decease* i konpri tousala.

I pou annan bann diferan keksoz ki nou pou bezwen pran konsiderasyon. Petet i annan sirkonstans kot *within 48, 72 hours* keksoz i konplet i kler.

Me selman *suspicious circumstances* i kapab vedir ki ou pa ankor ganny tou sa bann detay. Ou ava ganny en rapor preliminar. Me selman en *complete report* ou pa pou neserman gannyen toudswit.

MR SPEAKER

Ok.

HON SEBASTIEN PILLAY

You see, i annan en circular reference ki ganny fer avek sa seksyon anba *Inquest into Death Act*. So, si nou pran *Inquest into Death Act* - ki mon pa *anticipate en debate*. Section 9 i dir ou koumsa poudir a *medical report pursuant to section 83(3) of the Civil Status Act, Cap 34*. Ki nou pe fer la, nou pe amande.

E nou pe entrodwi en keksoz ki en lot Lalwa i fer referans avek ki napa en *timeframe*. *Question which I wanted to understand is, what is the current practice?* Eski nou oule sanz *the current practice or we want to maintain the current practice?* *This is what I want to find out.*

Akoz si nou napa, *then mon pou bezwen, when we come to the Inquest into Death Act, look at what is reasonable within the timeframe and what it means to be.*

Akoz *the work you see here is as reasonably, as soon as reasonable practicable.*

MR SPEAKER

Wi, Mr Knights, *yes.*

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker, the current practice is that the Police will conduct the - would do this time type of

observation. And we are saying that it a better place for the medical practitioners to conduct this type of observation.

And then the Police will do a Police report that will not include those medical observation.

Now, I cannot say to you the length of time that it will take to complete a report. You have simple matters, you have complex matters but at the end of the day we will expect that the medical practitioners carry out their duties diligently and complete the job within reasonable timeframe.

MR SPEAKER

Mersi. Si Onorab Pillay i dir i napa en propozisyon nou ava aksepte sa ki *panel* pe dir. Minis wi.

MINISTER ERROL FONSEKA

Mon krwar Onorab Pillay in donn larepons Mr Speaker. Akoz dan sa ka ki nou servi, *reasonably as practicable*, i dir nou ki ou'n konsider en kantite keksoz, nou ti a kontan fer keksoz vit. Me ou konnen i annan *so much unknown*.

La si ou get *forensic itself*. *Forensic*, en bout lekor i bezwen ganny anvoye an deor. En dimoun i bezwen al ek sa, *handover* kot i fer sa *forensic*. E

pou rezon levidans zot pa pou *release* sa ek en lot dimoun.

Sa menm dimoun ki'n anmennen, li menm li apepre 3, 4 mwan ler zot in pare, i pou bezwen *travel* laba, met sa dan en *proper container* pou retourn avek ek rezilta.

So i annan en kantite sirkonstans dan sa bann sityasyon. So sanmenm in met *reasonably as practicable*. As *fast as is*. So, mon krwar sa i la, i sot sa sityasyon. Annou pa sanz en keksoz zis pou sanze.

Nou'n annan sityasyon, *even now lo Truth Commission* nou pe esper rezilta serten keksoz ki'n arive karant ekek pase. So, alors annou zis kit li mannyer i ete, mon krwar. Akoz sa i kouver nou dan sa ka. Mersi Mr Speaker.

MR SPEAKER

Onorab Pillay, mon krwar si ou napa en propozisyon en *amendment*? Ale.

HON SEBASTIEN PILAY

Zisteman Mr Speaker. Zisteman akoz sa ki nou pe koze lo '*Truth*' eksetera, ki Minis in met devan.

Anba ou Lalwa *currently* ki ou'n met devan nou, *Civil Status Act*, ou napa *as soon as reasonably practicable*. Sa i

ganny trouve anba *Inquest into Death Act*.

Mwan mon ti pe demande akoz ou pa ti'n met li dan sa Lalwa la pou fer parey. Ou konpran? Aprezan ou ti ava annan konsistans dan tou lede Lalwa, i ti ava dan en dele letan ki rezonnab.

Akoz se zisteman akoz 'Truth' ki mon pe met sa devan. Ou pa kapab akoz 'Truth' selman ou pa pare pou fer en sanzman dan Lalwa ki pou satisfere sa ki 'Truth' in anmennen.

MR SPEAKER

Ok, mon krwar *panel* in pronons zot lekor lo la. So, nou pou bezwen les zot *deal* avek sa Lalwa. So, *do I read it right* ki i napa sa *word* 'shall immediately submit' then Mr Knights? Akoz mon krwar Bills Committee ki'n sizere sa.

Yes Doctor.

CHIEF MEDICAL OFFICER DR. SUSAN FOCK-TAVE

Mr Chair, si nou pou pe koz *alignment* then i fer en sans ki nou met la parey olye sa 'immediately' – "as soon as is reasonably practicable."

MR SPEAKER

Ok, *is that agreed?* Bills Committee.

HON JOHN HOAREAU

Yes Mr Speaker. Mon krwar avek tou respe, largiman ki Onorab Pillay pe fer, i devret pe fer sa dan sa lot *Bill* ler i vini. Annou *move on*.

MR SPEAKER

Dokter in propoz sa *wording, panel. Bills Committee you do not accept that wording?*

HON JOHN HOAREAU

Yes, you can go with it.

MR SPEAKER

You can go with it. Panel i ok? Onorab Georges.

HON BERNARD GEORGES

Just, akoz mwan ki pe fer sa bann notes Mr Speaker, pou White Copy. So, dan 84 (2) ant 'shall' avek 'submit' nou azout "soon as practicable." Is that correct? "As soon as reasonable practicable."

MR SPEAKER

Ok, good. Thank you. Onorab Hoareau next one.

HON JOHN HOAREAU

Ok. Parey mon'n dir, 87 (2) i annan en *space* ant 'the' avek 'chief' lo lot kote laliny.

87(3) osi menm zafer. Dan dezyenm laliny i annan en

space ant 'to' avek 'an authorized person'. E Mr Speaker, Onorab Georges ti oule flag en konsern lo the use of the word 'shall' si i obligatory and bann consequences ki al avek lo seksyon 98.

MR SPEAKER

98?

HON JOHN HOREAU

88, sorry. Yes.

MR SPEAKER

88. Ki seksyon?

HON JOHN HOAREAU

88 (1).

MR SPEAKER

88 (1), yes Onorab Georges.

HON BERNARD GEORGES

Mr Chair, mon ti'n flag sa. Me mon krwar keston in ganny rezourd. Akoz *subject to subsection (5)*. *Subsection (5)* i dir *the death of a...* sa i bann dimoun ki mor an deor Sesel, 'may be registered.'

So, napa en lobligasyon pou anrezistre. *You can do it in one of two instances*. Alors sa 'shall' dan 88(1) i dir ou ki si ou pou fer li, i pou bezwen ganny fer dans a *register* ki ganny known as *registry of death outside Seychelles*. Mon krwar

sa' shall', refers to the Register rather than the obligation to register. Mersi.

MR SPEAKER

Thank you. We have dealt with that. Onorab Hoareau, next one.

HON JOHN HOAREAU

Nou move lo 88 (5) (b) 'in such circumstances as are.' Nou include the word 'as are.'

Nou move lo 88 (8) third line, surviving relative of the deceased person or a person authorised ankor la, i annan sa 's' dan plas 'z' ki pou ganny get lo la.

Apré nou al lo 89 (2), menm zafer. 89 (3) (a) 'surviving relatives' i dan plural. (B) 'authorised' ankor nou vwar sa.

E Clause 13, amendment to section 112. Avan dernyen laliny sa paragraf i annan en space ant 'a' avek 'fine'. Ant 'a' avek 'fine' i annan en space ki ganny insert.

MR SPEAKER

So, 'to both a fine and a term.' Ok?

HON JOHN HOAREAU

Yes, e mon krwar sa ti dernyen lo sa seri amannman. Mersi.

MR SPEAKER

Tre byen. Mr Knights, yes.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker, I will suggest after the word both we put - Sorry, it should be 'to both such fine and a term of imprisonment.'

MR SPEAKER

'To both such find and a term of imprisonment.' Bills Committee i ok? Alright.

HON JOHN HOAREAU

Ok.

MR SPEAKER

Agreed. This is in amendment to section 114, right? Clause 14. No, no. Sorry. 112 section 13.

HON JOHN HOAREAU

Yes.

MR SPEAKER

Thank you. I dir, 'to both such find and a term.' Yes.

HON BERNARD GEORGES

If we do it there, then we have to do it in 114, 115, 116 as well, akoz zot to zot annan sa fine and a term of imprisonment. Nou bezwen komans depi 110, e sanz tou.

MR SPEAKER

Are you suggesting. Yes?

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

We can leave it as it is.

MR SPEAKER

Ok, thank you. Onorab Bistoquet? Wi.

HON ROSIE BISTOQUET

Mr Speaker, mersi ou'n donn mwan sans pou koz ankor. Mon'n mank en pti keksoz taler letan ti pe koz lo 3(4) 'abandoned child.'

Mon pa konnen ki nou mazine, si par egzanp i annan sa abandoned child, ki nou mazine ki son nasyonalite? Si par egzanp sa zanfan ki'n ganny abandonnen nou annan laprev ki i sorti, well i from a foreigner. Son manman ouswa son papa. Ouswa son manman sirtou i en foreigner. Ki mannyer nou pou anrezistre li la, koman en Seselwa ?

Or ki mezir ki nou kapab met en Clause anba la pou kapab fer sir ki sa zanfan osi i ganny en nasyonalite ? Mersi.

MR SPEAKER

Minis ou annan en repons pou sa?

MINISTER ERROL FONSEKA

Yes Mr Speaker. In fact nou annan en legzanp sa e akoz Mr Elizabeth ti deal ek sa mon a les

li eksplik zot ki ti arive. Mr Elizabeth.

MR SPEAKER

Mr Elizabeth ou kapab pran.

CHIEF IMMIGRATION OFFICER MICHEL ELIZABETH

*Thank you Minister. Annefe mon mazine *abandoned child* i pou bezwen ganny mete dan Lalwa *Citizenship* ki le moman i pa pe reflekte. Pour lemoman la. E mon mazine ki nou pou bezwen kree en seksyon spesyal pou li, pou nou kapab *cater* pou sa kategori dimoun. Mersi.*

MR SPEAKER

So, nou pa pe tous naryen la. Sa pou en lot lokazyon. *Thank you.* Eski i annan okenn lot lamannman oubyen klarifikasyon?

*Ok, dan sa ka nou'n terminen lo la e nou a re pas dan Staz Lasanble. Ok, e mon a demann LGB pou anmenn Mosyon pou *Third Reading*.*

HON BERNARD GEORGES

Mersi Mr Speaker. Mr Speaker, anba *Order 76(1)* mon *move* ki *Civil Status (Amendment) Bil, 2021 as amended* i ganny lir en Trwazyenm Fwa. Mersi.

MR SPEAKER

Mosyon a ganny segonde silvouple. Onorab Arissol.

HON SANDY ARISSOL

Mersi Mr Speaker, mon oule segonn Mosyon propoze par Onorab Georges. Mersi.

MR SPEAKER

Mersi. Nou a pran vot lo *Third Reading*. Manm ki an faver lev lanmen silvouple?

Lo vot pou *Formal Third Reading of the Civil Status (Amendment) Bill, 2021 as amended* 28 Manm in vot pour, 0 kont e 0 abstansyon. So, sa *Bill* in aprouve par Lasanble e Madanm Clerk a fer *Formal Third Reading*.

MADAME CLERK

Mersi Mr Speaker. *This Act may be cited as the Civil Status (Amendment) Act, 2021, and shall be read and construed as one with the Civil Status Act, Cap. 34, which as amended, is hereinafter referred to as the "principal Act".* Mersi Mr Speaker.

MR SPEAKER

Mersi. Sa *Bill* alors in pase par Lasanble. *Well*, nou'n ariv letan pou en poz. Nou a re pran travay 4er.

(BREAK)

MR SPEAKER

Byen, nou a re pran. Me avan nou prosede lo nou *Bill* ki lo *Order Paper*. Avek konsantman *Assembly Business Committee*, mon pou donn Onorab Bastienne 5 minit pou li fer en pti *statement* lo en lensidan dan son *constituency*, ki i anvi met a latansyon Minis. Onorab Bastienne.

HON DESHEILA BASTIENNE

Mersi Mr Speaker. Bonn lapremidi Mr Speaker. Bonn apre midi Minis ek ou delegasyon e bonn apre midi tou Onorab. En bonn apre midi osi pou tou zabitan Perseverance.

Mr Speaker, mon remerisi ou pou donn mwan sa pti letan pou mwan fer en deklarasyon, lo sa lensidan ki'n arive dan distrik Perseverance an vi ki Minis Zafer Entern i la avek nou.

Mr Speaker, mon pe profite koman Minis Zafer Entern i la prezan dan Lasanble pou tous lo sityasyon ki'n arive yer swar dan zil Perseverance. Rezon mon pe lev sa sityasyon la ozordi, se akoz i annan en Solda e Zofisye Lapolis ki'n enplike dan sa bagar.

Mr Speaker, i tris pou tann bann tel sityasyon parey

kot vwazinaz pe ganny detri atraver bann aksyon ilegal. Zanfann pe ganny tromatize e pe viv lafreyer. Bonm petrol pe ganny servi, gran kouto, ros ek boutey pe ganny anvoye partou kote!

Mr Speaker, mon'n fer en letour dan Perseverance bomaten avek lasistans Lapolis, e sa kantite debri ki ti annan lo semen ek devan laport, devan serten lakaz i vreman pa akseptab.

Case i dan lanmen Lapolis e mon swete ki lape ek lord a ganny etabli dan Perseverance o pli vit posib, pou ki lavi bann zabitan a retourn normal.

Minis si Mr Speaker, i permet, eski ou ti a kapab fer en deklarasyon pou eklersi Manm piblik ek zabitan Perseverance e reasir zot ki lord ek sekirite zabitan i garanti. Mersi.

MR SPEAKER

Minis. Mersi Onorab. Minis si ou annan en larepons bref silvouple, pou partaz avek Onorab e avek piblik, nou a akout ou.

MINISTER ERROL FONSEKA

Mersi Mr Speaker. Onorab Bastienne mersi pou ou prezantasyon. E mon totalman dakor e konsernen avek sa sityasyon parey ou'n fek

demontre la. Sityasyon ki'n arive yer swar.

Zis mon oule re asir ou ki Lapolis i *on top of that* e nou pou sir ki sa i ganny get profon en rapor a ganny sorti. E an menm tan kit ou *informed* ki progre nou pe fer lo la. Mersi Mr Speaker.

MR SPEAKER

Mersi Minis. Bon prezan nou a kapab prosede avek lot *Bill* ki devan nou e sa se *Inquest into Death Bill, 2021*. E mon apel Onorab Gorges, *Leader* Biznes Gouvernman pou prezant Mosyon pou *Second Reading*.

HON BERNARD GEORGES

Mersi Mr Speaker. Mr Speaker, anba *Order 69 (2)* mon *move* ki *the Inquest into Death Bill, 2021* i ganny li en Dezyenm Fwa. Mersi.

MR SPEAKER

Mon a ganny segonnman silvouple. Onorab Arrisol.

HON SANDY ARISSOL

Mersi Mr Speaker. Mosyon in ganny segonde.

MR SPEAKER

Mersi. Minis lentrodiksyon lo ou *Bill*.

HON ERROL FONSEKA

Mr Speaker. *Leader of Government Business, Leader* Lopozisyon. Tou Manm Lasanble, tou dimoun a lekout, ankor enn fwa bonn apre midi. Ozordi mon ganny sa responsabilite pou prezant *the Inquest into Death Bill, 2021* pou konsiderasyon Lasanble.

Lanket dan lakoz lanmor i tre enportan, akoz se sa ki ede pou etabli bann vre fe dan kwa ki'n okazyonn sa lanmor, ki parfwa pou rezon ki pa natirel, ouswa bann lanmor sibit.

Sa i osi kapab ede dan rediksyon ou prevansyon sa bann ka tou an respektab swe e sagrinasyon sa fanmir ki an dey.

Gouvernman i pran en gran lentere pou fer lenvestigasyon e konn avek presizyon lakoz tou lanmor ki'n arive dan nou pei.

Rezondet sa Prozedlwa se pou promouvwar lazistis, idantifye lakoz sirkonstans dan bann lanmor sibit ou ki annan doutans lo son vre lakoz. Menm bann lanmor ki en pe sispe ou par egzanp negligans.

An plis ki sa, sa *Bill* i osi fer provizyon pou ki lanket dan en ka lanmor, i ganny byen etabli dan en fason pou redwi lanmor okazyonnen par menm sirkonstans.

Pour lemoman lanket dan en ka lanmor sise i kapab ganny fer anba *the Criminal Procedure Code*, Kod Penal Sapit 54. Me nou konstate ki i annan bokou mankman dan sa Lalwa, e se sa ki sa *Bill* pe sipoze adrese.

An plis ki sa, sa *Bill* pe osi entrodwir bann nouvo prosedir dan lenvestigasyon bann ka lanmor. Par egzanp konmela anba Prosedir Kod Kriminel, si i annan en ka parey, Lapolis i bezwen prepar en rapor lo sa lakoz lanmor e donn bann detay spesifik lo bann blesir trouve lo lekor sa dimoun.

Anba sa nouvo *Bill*, lekor sa dimoun mor i pou bezwen premyerman ganny egzaminen par en Dokter oubyen en *pathologist*, ki pou responsab pou prepar en rapor medikal.

Lapolis li i prepar rapor ki annan pou fer avek lanket. Ki pou enkli *statement* bann temwen e tou lezot levidans ki pou kapab ede pou idantifye sa lekor e aköz probab sa lanmor.

Sa *pathologist* pou osi annan dwa ganny akse avek dosye medikal sa dimoun ki'n mor.

Anba sa Prozedlwa en Ziz Mazistra, en Avoka ou en eksper legal ki'n deza fer lanket dan en lezot pei i kapab ganny apwente pou fer lanket dan

bann lanmor ek sirkonstans swivan.

1) En dimoun enkoni.

2) En lanmor ki'n arive pandan en looperasiyon Militer ou Lapolis.

3) Lanmor ki lye direk ou endirekteman an rezilta en lentervansyon ou prosedir medikal.

4) Lanmor aksidantel dan landrwa travay ou en transpor piblik.

5) Tou lanmor ki'n ariv Sesel anba nenport ki sirkonstans sise.

Gouvernman avek led *ANHRD* pe osi konsider ofer plis labours dan sa *field* avek bi pou ganny plis Seselwa pli spesyaliz dan sa domenn. Evantyelman ogmant kapasite kalite mendev dan *forensic pathology*.

Mr Speaker, dan son vre sans sa *Bill* finalman eklersi vre rezon aköz lanket i merit ganny fer dan en lanmor sise.

Anba provizyon sa *Bill*, sa dimoun ki annan manda pou fer sa lanket, pou selman kapab servi zis bann prosedir e levidans pou li eklersi bann dout swivan.

1) Lidantite sa dimoun ki'n mor.

2) Kote, kan e ki lakoz e sirkonstans son lanmor.

Sa dimoun ki e anmenn sa lanket pou napa dwa reponn

okenn kestyon. Ki swa kriminel, sivil ouswa okenn aksyon disipliner ganny pran kont li. An se moman Lalwa aktyel pa fer okenn provizyon kler lo sa size.

Sa Prozedlwa i osi adres size an relasyon avek letopsi. Repartisyon lekora, lanterman e kreasyon e menm letan kot en lekora i bezwen ganny detere.

Mr Speaker, i enportan pou note ki nou pe enkli bann provizyon legal ki kler dan bann sikonstans, kot en letopsi i devret ganny fer. Mon osi ganny enformen ki Minister Lasante pe an se moman fer fas avek bokou difikilte anlany avek neglizans medikal, zis akoz an se moman napa okenn regilasyon ou lankadreman legal ki donn direktiv kan en letopsi i merit ganny performen pou determin lakoz en lanmor.

Mr Speaker, sa *Bill* i osi donn pouwar Prokirer Zeneral pou rekomann en Mazistra pou fer en lanket, espesyalman kot i pou dan lentere piblik.

Lanket dan lanmor sipe i pa pou neserman otomatik e i pou annan detrwa faktora ki sa endividi ki ganny apwente pou fer sa lanket. E osi Prokirer Zeneral pou bezwen pran en konsiderasyon. E sa i enkli.

a) lanpler piblisite donnen li sikonstans otour sa lanmor i

kapab ede pou redir posibilite ka lanmor dan menm sikonstans.

b) Lasistans fanmir sa defen pour ki en lanket i ganny fer lo sikonstans son lanmor. E 3).

Si sa lanket ou lenvestigasyon dan sikonstans sa lanmor, sa lanmor pou ganny antreprann par en Ziz ouswa en eksper sorti dan en lot pei.

Mr Speaker, avek sa mon termin mon prezantasyon. Mersi Mr Speaker.

MR SPEAKER

Byen. Mersi pou ou prezantasyon. Nou a ouver deba lo *Bill* e Onorab John Hoareau in lev lanmen. So, i a kapab komanse.

HON JOHN HOAREAU

Mersi Mr Speaker. Bonn apre midi tou dimoun ki a lekout. Mon pou donn mon sipora sa *Bill*, akoz mon krwar i pe promouvwar lazistis dan bann ka kot i annan lanmor sibe e napa leksplikasyon kler akoz sa lanmor in arive.

Atraver en *inquest*, tou bann sikonstans medikal, fizikal sa lanmor i ganny egzaminen, e sa i kapab anpes repetisyon en tel kalite lanmor

si bann rekomandasyon i ganny aplike.

Mr Speaker, Prozedlwa pe osi etabli bann prosedir lenvestigasyon kler apre ki en lanmor i sibat. Fodre dir ki souvandfwa en *inquest* i ganny konfize avek en *Commission of Inquiry* par la grann piblik.

En *Commission of Inquiry* i ganny deklanse par Prezidan dan bann sikonstans kot i annan lentere piblik. Tandis ki en *inquest* i en prosedir legal ki pou ganny fer par demann (AG), *Attorney Zeneral* ler i annan en ka lanmor ki napa en leksplikasyon kler ki'n arive.

Ozordi anba *Criminal Code* parey in ganny dir, en *inquest* anba *Peace Officers Act*, en *inquest* i ganny fer. Me i ganny fer par Lapolis ki prepar en rapor lo lakoz lanmor e i napa souvandfwa detay ki enportan koman bann detay *pathologist*, ensidswit.

Me sa ki pou diferan anba sa nouvo Lalwa, se lekor pou ganny egzaminen par en *pathologist* ou en *forensic pathologist*, oubyen en dimoun ki kapab fer en rapor medikal - ki ganny dezinyen pou fer en rapor medikal e Lapolis selman pou azout bann levidans kot i entervi bann temwen.

Mr Speaker, Prozedlwa pe fer provizyon pou ki en Ziz, en

Mazistra oubyen en Avoka, oubyen nenport eksper ki annan pou fer avek en *inquest* aletranze, i kapab vini pou fer en lenvestigasyon lo lakoz en lanmor ki ineksplikab. I kapab osi ede pou idantifye sa lekor.

Mr Speaker, sa *Bill* ti'n merit vin bokou letan avan. I *long overdue* parey nou dir. Mon rapel pa tro lontan pase kot en zanmi pre avek mon fanmir ki ti'n al lapes avek son zanmi lanmenm la deor obor St Anne, en zour apre midi. Answit zot lekor ti ganny anmare *along the cost* North East Point.

E finalman masin ek bato ti ankor entak, zot bann *fishing gears* ti ankor entak dan zot bato ki ti ganny anmase avek *Coast Guard* lannwit ki zot ti ganny trouve manke.

Alors i annan en kantite kestyon ki devret ganny reponn la. Menm fanmir pa'n kapab zanmen ziska ozordi anmenn en *closure* avek sa sikonstans, menm ti annan en *inquest* swadizan ki ti'n ganny fer par demann *Attorney Zeneral*.

Alors ler nou pe etabli en Lalwa e ler nou pe etabli bann prosedir legal ki kler, sa i a fer ki bann rekomandasyon ki ava ganny trouve, ki ava ganny mete, an ka ki i annan en lenvestigasyon ki fer dan en tel

kalite sirkonstans, i a fer ki sa bann keksoz pa a repet ankor.

E nou a konnen kler ki bann prekosyon, oubyen ki bann keksoz nou bezwen met a lavan, avan ki dizon nou al lapas oubyen nou a fer en pti parti *pèche* en pti pe dan larad la.

So, Mr Speaker parey mon pe dir in *long overdue* akoz, mon mazine si ti annan en *inquest* ase detaye a sa moman, petet fanmir ti a ganny en bon *closure* lo sa sirkonstans.

Alors Mr Speaker, i annan osi serten kestyon ki nou bezwen demande swivan ler nou pe analiz sa Prozedlwa ki'n anmenn devan nou.

Premyerman anba *Clause 3 (1)*, nenport Mazistra i ganny *empowered to hold* sa *inquest*. An vi ki pou fer en *inquest* koumsa ou bezwen serten alokasyon bidzeter. So, anba ki provizyon Bidze ki sa i tonm anba la.

Dezyenmman, Mr Speaker. Anba *Clause 5 (2)* '*reporting of deaths*' mon osi krwar ki sa *fine* R10 mil i devret ogmante pou fer vin R25mil pou bann dimoun ki pa raport en lanmor avek Lapolis, an tan ki i konnen ki sa lanmor i kapab en size pou en *inquest*.

Sa *fine* i devret ogmante dan lesans ki i vin koman en

deteran pou anpes bann keksoz koumsa arive. Nou kapab pran li dan menm lozik avek Lalwa Reseler. Kot ler ou konnen ki ou pe aste keksoz vole ou pinisyon, ou kondannasyon i bokou pli sever ki sa ki vole li menm.

Ankor Mr Speaker, anba *Clause 7(2)*, mon pe propoze ki sa fine ankor i sorti R10mil pou vin 25mil. Pou *deter* dimoun ki manipil oubyen i zwe avek levidans. Dizon i bouz lekor ou byen i *tamper* avek lekor en dimoun ki'n mor anba bann sirkonstans ki i bezwen annan en lenvestigasyon en *inquest*.

Alors sa osi, en pti pe dan menm laliny avek Lalwa rRseler i tonm koman en dimoun ki pe kasyet oubyen i pe sey asiste en dimoun pou vole e pou vann li.

Mr Speaker, anba *Clause 20(1)* napa en *timeframe* oubyen dele letan pou en *inquest* ganny fer. Mon mazine taler en pti pe avan ler nou ti pe vwar sa *Bill Civil Status*, Onorab LOTO ti pe fer serten deba lo sa size.

Me i bon fer rekonnèt ki en *inquest* pa kapab pran en dele letan endefini. Alors dan serten Lalwa, par egzanp Lalwa *L'Angleterre* i prevnir, i donn 6 mwan pou en *inquest* ganny fer apre ki sa dimoun in ganny deklare mor anba sirkonstans ineksplikab.

Alors, mon ti a kontan petet ki anba sa enn Lalwa nou sey konsider en keksoz en pe dan la menm fason.

Mr Speaker, finalman anba *Clause 29*, mon ti a kontan konnen akoz oubyen ki lozik ki Prezidan i ganny pouwar anba sa Lalwa pou '*exempt any person or class of person from an inquest.*'

Mon krwar poudir anba Lalwa tou dimoun i egal anba Lalwa. Alors nou bezwen re get sa clause pou fer li vin en pe pli konstitisyonnèl.

Mr Speaker, si antretan mon kapab konsidere poudir i kapab osi annan serten ka kot en dimoun i mor, e i annan serten levidans ki sansib lo kote sekirite leta, lo kote sekirite pei, petet serten *Clause* i kapab ganny azoute, pou fer ki sa lenformasyon i a diskresyon Lotorite sekirite pei e i kapab ganny reste koman en morso ki ganny klasifye. Mr Speaker, sa ti mon kontribisyon atraver sa deba. Mon remersi ou.

MR SPEAKER

Mersi Onorab. Mon ava apel Onorab Sophola.

HON NOLINE SOPHOLA

Mersi Mr Speaker. Bonn apre midi Minis ek ou delegasyon e tou dimoun ki a lekout.

Mr Speaker, Minis in dir nou ki sa *Bill* pe ganny anmennen pour ki i kapab revwar bann prosedir bann ka lanmor. Sirtou kan lakoz pa kler e lafason ki sa bann ka pou ganny trete.

Mon pou konsantre mon lentervansyon lo parti 4. *When post-mortem examination is necessary.* Mon annan serten konsern pou klarifikasyon. Sa i lo kote tretman medikal kot Minis in tous lo la an pasan.

Minis mon pou met sa dan serten konteks pou nou kapab byen konpran. Minis par egzanp i annan pasyan ki ale vini kot Dokter preski pou 1 an i pe ganny trete. 2 ou 3 semenn apre i ganny ospitalize e pandan ki i la lopital i desede.

Kote medikal i demann lafanmir pou donn permisyon pou fer *post-mortem*, pou fer letopsi. Me manm fanmir i refize, ki sa dimoun pou zot i ti dan lanmen Dokter e Dokter i devret konnen ki sa pasyan ti gannnen.

Ki provizyon ki sa *Bill* pou fer ki servis medikal i annan sa pouwar pou fer *post-mortem* san konsantman fanmir?

E dezyenm osi, si par egzanp sa fanmir, sa pasyan tou dilon i ti pe ganny trete, par egzanp zot in dir li sirkilasyon disan. E ler *post-mortem* i ganny

fer, petet sa fanmir in donn konsantman, zot tir son *cause of death* i en *tumour* dan son latet, e manm fanmir i oule pourswiv servis medikal pou sa move tretman. Ki provizyon ki sa *Bill* pe fer dan sa sityasyon?

E mon lot se *conduct of post-mortem examination*. Minis mon vwar ki i annan 5 fason ki mon dir letopsi (pou dimoun byen konpran deor) - Sa letopsi i kapab ganny fer. I annan moman ki par egzanp, premye in dir selman par en *pathologist* ; - dezyenm en *forensic pathologist*. Trwazyenm, *medical practitioner under supervision of a pathologist or forensic pathologist or an approved medical practitioner*.

Minis, ladan mon annan serten konsern, se ki nou koz toultan lo latransparans. Mon pe demande si dan sa *Bill* nou kapab fer provizyon ki sa enn trwazyenm i sanble le meyer.

Kot sa *medical practitioner* oubyen sa *pathologist* i fer sa letopsi dan prezans en lot dimoun koman en *supervisor*, pou ki i annan sa latransparans. Ki *the cause of death* i ganny byen determinen e non pa mannigans i ganny pase avek. Mersi Mr Speaker.

MR SPEAKER

Mersi Onorab. Onorab Georges.

HON BERNARD GEORGES

Mersi Mr Speaker. Mr Speaker, ler mon ti retournen sorti mon letid Avoka e ki mon ti travay dan biro *Attorney Zeneral*. Parey tou bann zenn Avoka, mon ti asize dan en biro ki mon ti partaze avek en lot Avoka e atann premye *file* ki pou vin lo mon biro pou mon al Ankour.

Pou mwan kapab met mon pti kravats blan parey ou metet Mr Speaker, ek mon palto. E al Ankour al fer en *case*. E premye *case* ki mon ti gannyen sete en *inquest*. Pou al Ankour dan en *case* kot en zennonm ti'n komet swisid, ti'n pann son lekor.

E travay ki ti'n ganny fer par bann lanketer, ti vreman remarkab. Ou ti annan ou en *file* ki Lapolis ti'n compile avek bann portre, avek *post-mortem report*, avek tou bann *statement* ki ti'n ganny pran avek tou bann dimoun ki sa viktim, nou kapab dir.

Sa dimoun ki ti'n mor ti'n rankontre oubyen ti'n pas letan avek dan bann moman, bann zour avan ki i mor. Pou sey antre dan son lespri e *workout* ki si sa ki ti'n arive. Ki sa ki ti'n anmenn li pou komet swisid.

E i ti kler atraver tou sa bann levidans ki ti annan en

semen pou swiv e ki tou dimoun ti kapab konpran dan en fason lib e ouver, atraver levidans ki ganny donnen dan en Mazistra, devan en Lakour pou kot piblik i kapab antre.

Lafanmir ti la zot menm zot pou zot konpran egzaktman ki ti'n fer enn zot pros arive komet en swisid. E depi sa zour mon'n en gran partizan sa keksoz ki nou apel en *inquest*. E i annan en bon rezon akoz sa i ganny fer.

Dan serten lezot pei se en dimoun ki apel en *coroner* ki fer sa. En nespes Mazistra ki en *coroner*. Ki ekout sa levidans ki lafen i rann en *verdict*. E son *verdict* se *death by misadventure* oubyen *death by his or her own hand*. Oubyen *death by a criminal Act* - si i krwar i aneife sa dimoun in ganny touye, i pa'n swiside.

Oubyen *open verdict* ler sa Mazistra pa kapab tonm dakor. I pa konnen. I posib ki i en keksoz, i posib ki i en lot, eksetera. Tousala i ede, i ed en fanmir annan *closure* akoz dan en fason ouver e endepandan zot asiste a bann netwayaz bann dimoun ki annan en keksoz pou dir lo sa enn ki'n mor.

Menm si sa enn ki'n mor se en dimoun ki'n ganny vwar mor. Me *at least* i ganny fer dan

en fason transparan e ouver e dan tou pei sivilize mon krwar sa se lafason ki keksoz i devret ganny fer.

E donk se avek en lazwa partikilye pou bann rezon ki mon'n donnen ki ozordi mon kapab koz lo sa *Inquest into Death Bill*, ki bokou, bokou pli gran. Son *scope* i bokou pli larz ki sa enn ki ti egziste dan nou *Criminal Procedure Code*.

Sa bann lartik ki pe al ganny *repeal* la Mr Speaker, apre midi dan sa *CPC* - (*sorry*) Seksyon 346 ziska 351. Tou Lalwa, tou Lalwa *inquest* ki ganny trouve dan 1, 2, 3, 4, 5, 6 seksyon *Criminal Procedure Code* ziska prezan i apepre en paz edmi Lalwa. E la i pe ganny ranplase par en Lalwa ki 22 paz longer ki devan nou.

Donk nou vwar ki mannyer en konsep ki telman enportan, ozordi pe ganny son lanpler e pe ganny son rezon det e pe ganny son *roadmap* lo ki mannyer en lanket i devret ganny fer.

E sa ki annan la konmela se zis son finisyon ki sa ki pou arive Ankour. Me sa ki devan nou la ozordi se *the whole process* depi ki sa keksoz i arive, ki mannyer bann Lapolis avek bann servis medikal, ek bann *pathologist* i ava pran li an

men;- ki rapor zot pou fer e ki rezilta nou pou gannyan.

E tousala avek en sel bi. E sa se parey nou'n ganny dir par Minis an fet de bi. Enn se ekler lalimyer lo sa ki'n arive dan sa ka e dezyenmman atraver sa, fer en fason pou ki i pa pou ariv ankor dan lezot ka.

Mon krwar se sa rezon det en *Inquest into Death Bill*. E donk Mr Speaker, sa Lalwa ki devan nou napa gran rezon pou nou pa anbras li e dir ki i en keksoz ki nou pei ti byen merite. E ki ozordi nou pe donn en lot zouti travay bokou pli performan a bann dimoun ki annan pou fer avek *Inquest into Death*.

Me i osi, nou bezwen pran laparol ozordi pou- Kantmenm ler i tar pou dir ki pa ti toultan leka. Mr Speaker, i annan anba Lalwa ki egziste konmela, tel parey anba sa enn ki pe vini, i annan serten diskresyon dan serten Lotorite, an partikilyerman *Attorney Zeneral*.

Akoz se pa dan tou ka kot i annan en *sudden death* oubyen en *suspicious death* oubyen en keksoz koumsa. Se pa dan tou sa bann ka ki ou pou bezwen fer en *inquest*. Akoz i annan ki evidan ki sa ki'n arive. Alor ou pa bezwen al fer en lanket.

Me mon krwar ki *the rule of thumb* se *when in doubt do*, parey Angle i dir nou - ler i annan en dout lo ki mannyer en lanmor in arive, oubyen dan ki sirkonstans en dimoun in trouv lanmor, menm si in ariv *in plain sight* e tou dimoun in vwar, i enportan pou annan sa *inquest*. Pa pou konn lafason ki sa dimoun in mor, me pou konan bann rezon akoz ki sa dimoun in arive pou li mor.

E pa plis ki yer, mon ti parey devan *Truth and Reconciliation Commission* pou koz lo en ka ki ti'n arive isi dan nou listwar, kot en lanket ti ava en keksoz tre apropiye. E sa serten prizonnyen ki ti'n sove e ki ti'n ganny *shoot* par larme.

Mon pa pe ouver sa *polemic*, sa ti yer e in fini. Me sa se zis pou dir ki si dan sa bann ka ti'n annan en *inquest* tel parey ti merite, *case* pa ti pou bezwen arive devan *TRNUC* ozordi.

Lafanmir ti pou'n konnen depi sa lepok ki si sa ki ti'n arive avek zot defen. Pou ki rezon i ti'n mor, oubyen i ti'n trouv lanmor akoz i pa ti'n mor par li menm. E akoz ki sa ti'n arive.

E pou sa dezyenm rezon sa *Bill* ozordi, kisisa ki ti kapab arive pou anpes sa ariv ankor.

Akoz sa keksoz pa'n termin avek sa enn *case* yer ki

mon ti devan *TRNUC*, menm keksoz in repete plizyer fwa avan ki in ganny korize. *Inquest* parey Minis in dir nou ozordi, i en fason pou *assure* ki sa keksoz pa riv ankor.

Pou trouv solisyon ouver devan tou dimoun, dan tou piblik, devan tou transparans pou anpes repetisyon en keksoz. E se sa lide deryer en *inquest*, oubyen parey Onorab John Hoareau in dir nou lapremidi. En *inquiry*, en *public inquiry* dan bann ka kot i nesaser.

E se pour sa rezon ki parey mon'n dir, otan ki nou kapab fer en Lalwa vin pli performan, otan i pou bon pou nou. Akoz enn bann keksoz ki nou pa kapab aksepte se ki i ava annan serten *suspicious death*.

Mon pa pe dir akoz en krim in ganny komet or *whatever* mwan. Mon dir okenn *case* kot i annan en sispansyon, kot ou pa konnen akoz sa keksoz in arive. Menm si ou kapab koman en endividi entelizan ariv a ou prop konklizyon, nou pa devret les sa arive.

Nou devret annan en sistenm kot an tout transparans, avek tou posibilite ki leta i kapab met devan, i

annan en lanket ki ganny fer e i annan en prosesis piblik ki ganny *hold*, oubyen ki ganny *held*.

E i annan en *verdict* ki ganny rann par en dimoun endepandan apre ki in ekout levidans an tout transparans.

Nou pei koman en pei modern e progresis pa *deserve* mwen ki sa. E ozordi alors annou pran nou responsabilite. E avek tou fakilte ki nou annan e avek en sans ki nou pe fer en keksoz ki byen, annou ansanm donn nou pei en Lalwa modern ki pou fer ki dan bann ka ki sa Lalwa ki kouver, nou ava annan en fason perform dan fason pli modern e pli transparan ki posib.

Mr Speaker, mon pou aret la akoz mon pa anvii pran tou letan apre midi. E taler dan *Committee* i ava annan enn de pti kestyon ki mon pou souleve avek ou permisyon lo bann pwen en pti pe pli spesifik dan sa Lalwa. Mon remerci Mr Speaker.

MR SPEAKER

Mersi Onorab. Onorab Henrie.

HON GERVAIS HENRIE

Mersi Mr Speaker. Bonn apre midi tou dimoun. Mr Speaker, dan bann lannen resan ki'n pase, nou ava rapel pou dir i

annan bann *inquest* dan Sesel ki'n ganny fer. E parmi bann ki kapab ankor fre dan memwar piblik Seselwa, zot ava rapel Harmon Chellen, en Morisyen ki ti mor Port Glaud, ti annan en *inquest* ki ti ganny fer dan lensidan otour son lanmor an Septanm 2014. Ti annan osi en Robin Freminot ki ti arive an Zen 2014, ti annan en *inquest*. Robert Banane an Fevriye 2018. Ti annan osi en *inquest* dan lanmor Richie Fideria an Mars 2019.

Me in annan bann lezot lensidan ki pa'n neseserman annan en *inquest* malgre dan lye kot in arive. Par egzanp ti annan en zonm sorti Honduras ki ti pe servi en santans prizon Sesel, ki ti ganny trouve pann dan son kaso en Out, 2017.

E apre ti annan en lensidan kot en defen, Maureen Crispin ti mor Kordgard Baie St Anne Praslin, nou a rapel osi sa ti fer lev kestyon piblik aköz pa ti annan en *inquest*.

E in annan bann lensidan kot dimoun in mor Sesel, me *inquest* in ganny fer aletranze. Nou a rapel en zonm Angle, Ian Redmond ki ti mor, i ti ganny atake avek reken Anse Lazio an Mars, 2012. E apre ti annan en Matlo Angle i zot ti anmase dan park laba kot batiman sant kiltirel anvil. E *inquest* ki ti fer

Langleter ti konklir ki i ti mor avek en *overdose* Eroin.

Alors bann ka, parey Minis in eksplik nou byen, kot letan en dimoun i mor e Lotorite i santi poudir i bezwen eksplike lekel sa dimoun, ki mannyer in mor, kan i ti mor. Kote i ti mor. Pou donn bann detay.

Me pli enportan, souvandfwa bann *inquest* i fer rekomandasyon, ki anpese bann lensidan parey repete. Partikilyerman dan bann enstan kot bann dimoun i mor anba, ler zot dan *care*, bann arzan Leta.

E sa ki enteresan se ki dan en lepok dan nou listwar, sa zafer *inquest* antant Prezidan ti santi ti anvi fer, ti ava fer. Si pa ti anvi, pa ti fer.

E sa ki mon'n vwar sete, Onorab Georges ki'n fek koze avan mwan ti deza pibliye en let dan en zournal *Today*, en edisyon *Today* e kot i ti eksplik bann provizyon Lalwa ki permet annan *inquest*. E depi sa bokou dimoun in pran lentere dan sa size.

Alors, nou koman en Lasanble Nasyonal, ozordi nou bezwen rekonnet nesesite irzan pou aprouv en tel Prozedlwa ki mon swete nou ava ganny sipor bi partizan lo la. Aköz sa Lalwa i pou kree en kad legal pou reform bann Lalwa, enn bann

Lalwa ki'n egziste depi lepok kolonyal.

Parski ozordi ler nou pe koze, se anba Kod Penal ki fer provizyon pou en *inquest*. Donk prezan i annan en *Standalone Act* lo *inquest*. En pe parey semenn pase ler nou ti *repeal criminal defamation*. Lasanble in met son swe ki i annan en *Standalone Defamation Act* pou pran an kont bann lezot sityasyon ki kapab leve.

Alors sa Prozedlwa ki devan nou i enn modern e i pe etabli en standar nasyonal, kot par egzant prezan pouvwar *forensic pathologist* i ava ganny definir kan letopsi i neser pou fer. Pouvwar Mazistra pou deter lekor par egzant ouswa permet lekor ganny antere ouswa brile, apre ki lanmor in arive.

E mon dakor avek Onorab Hoareau, parski in *long overdue*. Akoz en *inquest* i en konponan enportan dan nou sistenm lazistis. Me dan bokou fwa sa in ganny neglize. E pou bann ki zot pros souvan i mor dan detansyon Lapolis, dan prizon ouswa parey mon'n dir avek bann konplisite azan Leta.

Souvandfwa lontan ti annan bann dimoun ki ti mor avek koud bal, kan selman Larme ki ti annan fizi dan nou pei. I ti enportan ki zot ganny

lazistis. I ti enportan ki zot konpran dan ki sirkonstans zot pros in mor.

Alors le sel fason pou zot ganny larepons, ti enportan ki sa bann *inquest* ti ganny fer. E souvandfwa ti annan en mank lenformasyon otour bann sirkonstans.

Alors sa Prozedlwa ki devan ou mon vwar li pe anbelir sa konsep 'akse avek lenformasyon' ki nou pei pe promouvwar. I pe osi donn sipor par lasosyete. E osi par sistenm lazistis pou bann ki ganny afekte dan bann sitasyon parey.

I pe anmenn respe. I pe plito fer bann ki koupab, annan respe pou bann dimoun ki ganny afekte par zot aksesyon. I adres lenzistis souvandfwa sirtou kot bann azan Leta ki merit *accountable*.

An gro Mr Speaker, mon vwar li pe aport konfyans, or i dwatet aport konfyans nou popilasyon dan sa sanzman ki sa Ladministrasyon ti dir i pou anmennen. Ki aktyelman pe promouvwar.

Akoz dan *inquest*, dezormen ki pou annan dan nou pei. Latransparans, pou annan rann kont, i pou promouvwar laverite. I pou anpes labi, atosite e i pou les laverite fleri dan nou sosyete.

E Mr Speaker, detrwa pti pwen ki mon ti ava kontan panel i adrese, Onorab Hoareau in koz lo sa egzansyon ki Prezidan i kapab donnen dan Lartik 29. Mon dakor avek li lo la. Akoz sa egzansyon?

Akoz mon ti a prefer vwar par egzansyon kot nou dir en *inquest* i kapab fer *behind close door*, pou rezon kot par egzansyon nou anvi lentere sekirite serten dimoun. Bann temwen par egzansyon ki enplike, ouswa pou bon administrasyon lazistis.

So toultan i ava annan. Me selman i ava annan serten ka ki i *behind close door*. E mon ti a kontan Minis i osi adrese kestyon ki Onorab Hoareau in koz lo son konponan bidzeter, dan ka en *inquest*, dizon bann fanmir santi zot oule ganny en legal representation pou pli byen fer zot pwen. Eski i ava annan *legal aid* pou lafanmir annan en *l'homme de loi* ki a reprezant li? Akoz Leta normalman i vini avek en reprezantasyon legal.

E osi mon pa'n vwar zanmen, me si i ariv en lensidan kot plis ki en dimoun i mor, eski nou kapab fer en *joint inquest*?

Donk sa i bann pwen ki mon ti ava kontan panel i adrese. E sa i anmenn mwan a lafen mon lentervansyon lo sa

size Mr Speaker. Mon pou siport sa Prozedlwa. Mersi.

MR SPEAKER

Mersi Onorab. Mon annan Onorab Pillay.

HON SEBASTIEN PILLAY

Mersi Mr Speaker. Souvandfwa nou ganny loportinite dan Lasanble pou nou debat bann Lalwa. E sa enn ki la i enn sa bann rar leksepsyon kot ou vwar en Lalwa i fer provizyon pou nou bouz *from* en fason fer, pou nou al ver etabli en kad oubyen komans etabli en kad kot nou kapab pran serten aksyon ler serten lensidan oubyen sityasyon i arive.

E sa i napa naryen pou fer avek Gouvernman LDS. Mon krwar sa i en keksoz ki tre lontan menm bokou dimoun in koz lo la. Akoz in annan plizyer repriz kot in annan bann demann kot i annan bann *inquest* ki ganny fer.

Mon krwar nou a *recall* sityasyon ki ti arive kot prizon en fwa. Kot ti annan en *inquest* ki ti ganny fer dan sa sityasyon. E enterven anvan mwan in mansyonn serten lezot legzanp kot i annan bann *inquest* ki'n ganny fer.

E lafason ki sityasyon ti ete avan. Sete seksyon 347 a seksyon 351, *Criminal*

Procedure Code ki ti pe ganny servi kot en Mazistra ti bezwen fer en laplikasyon anba sa provizyon Lalwa, pou li kapab fer en *inquest*. Onorab Georges sakouy latet, akoz annefe i annan en *case* ki ti *involve* osi en aksidan lo en bato ton, si mon pa tronpe.

Kot li i ti akt pou en parti, i ti annan en avoka ki ti akt pou en lot parti zisteman. Ki ti annan serten demann pou ki i annan en *inquest* ki ganny fer dan sa sirkonstans.

Me ler ou annan en Lalwa i fer li pli *straight forward*. Me prezan kestyon ki ou bezwen demann ou lekor, se Minis avek tou senserite, ki garanti ou kapab donn nou ki lenplimantasyon sa Lalwa pa pou ganny fer dan okenn fason kot i pou annan okenn faver, oubyen okenn *ill will* dan lenplimantasyon sa Lalwa.

Mon dir sa Mr Speaker, akoz Minis ozordi ou vwar ou dan en sityasyon ot se ou ki Minis pou *Internal Affairs*. Me sa Lalwa i *straddle* plis osi rol sa dimoun ki ansarz zafer legal dan pei e sa se Prezidan Larepublik.

E Prezidan Larepublik in ganny en derogasyon enportan anba sa Lalwa, e sa se pou li fer en egzanpsyon anba sa Lalwa, pou ki en dimoun i ganny

exempt from en inquest. Mon konpran, me selman mon pa dakor. I senp.

Ler nou regard lentansyon sa Lalwa se zisteman rezon pou en *inquest* ganny fer, i ganny etabli lo bann baz ki sa lanmor i pa en lanmor ki normal. E menm sa Lalwa ki menm dan serten lenstans i en pti pe anfanten dan lafason ki i pe sey dekrir serten sitasyon.

Kot par egzanp ou pe dir, en zofisyè Lapolis ki vwar ki en lanmor i en lanmor ki devret ganny pran anba sa Lalwa. I devret imedyatman fer en rapor lo la. Fotespere bann zofisyè Lapolis i ganny *training* pou konpran sa Lalwa.

I annan en *capacity building* ki ganny fer pou zot konpran rol ki zot bezwen zve vizavi sa Lalwa. E ler nou pe koz en zofisyè Lapolis, eski an relasyon avek prodwi en rapor ki pou determin en *inquest*, eski nou pe koz lo en *WPC* oubyen *PC*?

En *Woman Police Constable* oubyen en *Police Constable*? Oubyen eski nou koz en Zofisyè pa pli ba ki ran Serzan.

Akoz i annan serten Lalwa, kot i annan serten standar ki ganny etabli, lo lekel zofisyè ki pe fer serten rapor

vizavi lanket dan serten sirkonstans.

E si nou swiv *trail* sa Lalwa, enn bann keksoz enportan ki mon'n *come across* -e taler mon ti annan en deba avek panel lo la, se ki i annan en provizyon ki koz lo 24 erdtan. *Within 24 hours* en rapor i devret kapab ganny prodwi dan serten sirkonstans.

Ki fer mwan pa konpran taler, akoz nou ti pe ganny sa deba, lo tou bann lezot sityasyon ki kapab arive kot nou pa kapab preskrir en dele letan?

E mon kontan, mon apresye ki *Bills Committee* la nou'n fer *commitment* ki akoz, nou pa dir ki dan *within 6 months*, dan *within* en serten kantite letan ki sa rapor. Akoz nou pe koz lo diferan rapor ki pou ganny prodwi. E mon ava fer sa pli kler Mr Speaker.

Ou annan en rapor ki ganny prodwi ler sa dimoun i vwar, in premye dimoun pou *attend seen* sa lanmor. *Next* ou annan rapor ki bezwen ganny fer par sa 3 dimoun. Sa *medical practitioner* ki'n ganny dezinyen, sa *pathologist* e sa *forensic pathologist*.

E en keksoz ki mon vwar petet in bliye ganny fer se definisyon pou en *forensic*

pathologist pa'n ganny mete dan Lawal.

I annan en referans to *what a forensic pathologist* i sipoze fer. i annan en definisyon pou en *pathologist*, me napa definisyon pou en *pathologist*, me napa definisyon pou en *forensic pathologist*

E dan sirkonstans kot zot ganny konsidere koman bann *expert witnesses*, zot pou bann dimoun ki pou al Ankour oubyen ki pou form parti sa *panel* parey enterven an avan mwan ti pe koz lo la, ki pou *form* par *the main body of sa inquest* ler pe arive.

So, pou mwan i en keksoz vremen enportan sa Lalwa. Akoz i pou ed nou pou nou pas en sapit e komans bouz dan en lot letap. E mon krwar i en keksoz ki nou bezwen get li, pa koman pe ganny fer par lot kote oubyen en kote. Me en keksoz ki nesese dan en sosyete parey pou nou. Kot finalman nou etabli.

Kot byento menm parey i konsern bann *Commission of Inquiry*, nou pou annan en sistenm, en kad legal ki ava enkorpor tou bann eleman ki nesese, pou fer ki bann *inquiries* oubyen bann *inquest* i kapab ganny fer parey dan sirkonstans sa Lalwa.

So, Mr Speaker mon krwar Minis i annan detrw pwen pou li adrese. I a fer avek mon menm e avek lezot Manm ki'n soulev sa pwen - 3 dimoun ki'n koz lo sa pwen kot akoz ki i annan sa derogasyon ki Prezidan i annan? So, Minis ou ava adres sa pou Lasanble.

Anba seksyon 6 "*reporting of death occurring in official custody.*" Nou vwar poudir i annan en lobligasyon ki *within 24hours* ki sa dimoun i donn en rapor *within 24 hrs* en? *It's very important* e sa nou bezwen regarde.

Me nou bezwen osi annan en menm obligasyon ki ler *pathologist* i attend en *scene*, e ki nou pe fer en rapor lo *cause of death*, i bezwen annan en dele letan *within which* sa rapor i ganny donnen pou ki sa *inquest or whatever* aksyon ki bezwen ganny pran i ava ganny pran pli tar an relasyon avek lenvestigasyon ki bezwen ganny fer pou sa lanmor an ka partikilye.

E sa ki pou mwan i enteresan osi se ki in fer provizyon par lefe ki nou, nou en pei kot nou annan par egzant bann bato ki vin dan por. Nou annan bann *cruise ships*, nou pou annan bann avyon. I posib ki en lanmor i kapab ariv lo avyon.

Me i posib en lanmor i kapab ariv lo bato. *Either* en bato kot i annan bann dimoun pe travay *or* lo en *cruise ship* e kot en *inquest* i pou bezwen ganny fer.

Akoz letan i annan bann lanmor koumsa i annan tou sa bann zafer lasirans ki *involve, insurance claim* ki *involve*. E i pou enportan ki nou annan en kad legal pou nou kapab *deal* avek sa sityasyon. So mon vwar sa in ganny enkorpoire dan sa Lalwa osi.

So Mr Speaker, mon ava atann leksplikasyon Minis lo sa bann pwen ki'n ganny *raise* par bann Manm anndan isi, e apre nou ava bouz ver *Committee Stage* kot mon ava annan serten komanter pou mwan fer lo bann morso pli spesifik sa Lalwa. Mersi.

MR SPEAKER

Mersi Onorab. Minis ou a fer ou repons lo deba silvouple.

MINISTER ERROL FONSEKA

Mersi Mr Speaker. Mersi bann Manm Onorab ki' fer zot pwen monte. E i annan enn de ki'n rezonnet parey, espesyalman lo sa sityasyon lotorizasyon Prezidan e mon a adres sa premye.

Ok, si zot regard *18 (2)*, zot pouvwar lo la i dir ou en

“Magistrate may decide not to hold an inquest if the Magistrate is satisfied that the death was due to natural causes and it is unnecessary to do so. (b) in the circumstances, it is not necessarily in the public interest, public health or in the interest of national security to do so.”

So, basically ki pe arive, sa sityasyon *national security* i en keksoz ki tonm anba Prezidan e pour sa rezon Prezidan in ganny sa *leeway* pou fer sa. Pou ordonn ki en *inquest* dan bann ka *national security* i pa ganny fer. Sa i sa rezon pou sa.

Lot sityasyon ki zot in mansyonnen lo kestyon *reporting time*. Sa *reporting time* i donn 24 hours. Me selman zot bezwen konpran ki sa *reporting time*. I totalman diferan ki pou prodwi en rapor parey nou’n noze pli boner *cette* apre midi.

Sa *reporting time* i lo *duty* en dimoun e i liste la dan diferan sirkonstans, ki o moman ki nou vwar en dimoun i mor ki dan son proteksyon, i bezwen fer sa rapor. En *written report* o moman ki sa lensidan i arive.

Sa i pa neserman en rapor ki determin tou keksoz ki’n arive ek sa dimoun ki’n mor. Sa *inquest* ki a fer sa apre,

pathologist i a fer sa bann zafer koumsa.

Sa i zis en rapor toudswit ki ou bezwen fer ler en dimoun in mor dan ou sarz. E ou bezwen fer li *in written form, verbally obviously straight away*. In *written form* i mete la dan 24 erdtan.

Mr Speaker, lezot sitasyon ki’n ganny leve par serten Onorab. Onorab Sophola in mansyonnen sityasyon lo. Serten sityasyon ki arive dan Lopital ler en dimoun pa satisfè ek fason ki zot fanmir in mor. E ki manner i pou al devan pou anmenn sa bann sityasyon?

Zis nou bezwen fer sir, nou bezwen konnen osi ki en dimoun devan en *Magistrate* i kapab fer aplik, AG i kapab fer aplikasyon *to the Magistrate* pou *instigate* en *inquest*.

So, dan sa sityasyon en manm piblik ki pa satisfè, i kapab al dan sa direksyon pou li ganny en *inquest* ki ganny fer.

Lo kestyon Onorab Sophola, in mansyonnen bann diferan dimoun ki kapab fer sa lanket. Nou’n koz lo en Ziz, en Mazistra, en Avoka ou en eksper legal ki’n deza fer lanket dan lezot pei, i kapab ganny apwente pou fer lanket dan bann lanmor e sirkonstans swivan. Apre nou ti liste sa lalis sirkonstans.

Mon oule zis enform li ki an se moman nou napa e sa grap dimoun i la akòz pou an se moman nou annan zis en *forensic pathologist*. I en keksoz ki manke dan pei e alors dan sa bann sityasyon, i en konsern ki egziste, ki nou napa ase dimoun kalifye pou fer sa bann louvraz *inquest*.

Onorab Hoareau ti fer sizesyon lo bouz sa bann *finances* sorti R10mil a R25mil dan seksyon 3(1) 7(2) e sa en keksoz ki nou a kapab diskite pli tar lo sa bout.

Mon ti a kontan osi petet anvil Dokter Fock-Tave pou koz en pti pe lo bann defayans ki i annan dan Lopital, dan nou *Medical Health* ki zot in eksperyans oparavan, akòz ti mank serten Lalwa lo sa size. Dokter Fock-Tave ou pou kapab?

MR SPEAKER

Non, Minis i pa pou kapab *at this point*.

MINISTER ERROL FONSEKA

Mr Speaker, mon pe mank sa ankor enn fwa. Sa nou a fer sa dan dezyenm kours.

Me les mon get mon lalis si mon'n mank okenn lezot keksoz. I annan. Mon konnen Onorab Henrie ti koz en pti git lo *exemption* si nou kapab fer -

exemption behind close door? Sa i en keksoz ki nou a kapab debat lo la pou ranplas sa sityasyon. Selman mon a fer referans ek mon *Legal Aid*, ki sa i pou sifi pou fer sa. Akòz i pou annan rezon sekirite osi ki nou pou bezwen dan sa abilite.

So, avek sa mon krwar mon'n kouver sa bann pti pwen Mr Speaker, e mersi pou sa.

MR SPEAKER

Mersi Minis. Bon nou a pran vot lo *the general merit of the Bill*. Manm ki an faver lev lanmen silvouple. Byen, Manm ki kont? Mersi.

Vot lo *general merit of the Inquest into Death Bill, 2021, 26* Manm in vot pour, 0 kont e 3 abstansyon. So, nou'n aprouv sa *Bill* lo *general merit*. E Madanm Clerk i a fer *Formal Second Reading*.

MADAM CLERK

Mersi Mr Speaker. *A Bill for an Act to provide for the circumstances under which an inquest into death may be held; to set out the purposes of an inquest; to identify the circumstances under which a post-mortem examination may be conducted and to provide for powers of forensic pathologists; and to provide for matters connected therewith or*

incidental thereto. Mersi Mr Speaker.

MR SPEAKER

Mersi. Bon nou pare pou pas dan Staz Komite e Onorab Hoareau ou menm ou ki pou *lead the way* pou Bills Committee?

HON JOHN HOAREAU

Mersi Mr Speaker. Mr Speaker, nou premye lamannman i ganny trouve lo *Clause 2(1)* dan definisyon oubyen lenterpretasyon. *“body” means a dead person, and includes any part of a person, whether or not the identity of the person concerned is known when the body part is discovered or is later determined. So, nou’n add the word ‘body’ la.*

MR SPEAKER

You want to address? Ok. Agreed. Ok. Agreed Onorab Hoareau, kontinyen.

HON JOHN HOAREAU

Ok, nou al lo cause of death. I annan en space ki ganny inserted apre cause of death la akoz i poste. Nou al lo pathologist.

MR SPEAKER

Mr Knights. *Excuse me. Mr Knights if you want to respond*

just raise your hand, otherwise I will just accept that you agree. Thank you. Onorab Hoareau wi.

HON JOHN HOAREAU

Nou al lo *pathologist. “pathologist” means a medical practitioner who has specialised training. Not special training. Place of custody ...*

MR SPEAKER

One second please Onorab. Onorab Henrie.

HON GERVAIS HENRIE

Mr Speaker, *because in his - dan son entervansyon Leader Lopozisyon in port latansyon ki ti napa definisyon forensic pathologist. So, should there be the definition of forensic pathologist in the definition since it is referred to in the body of the Act. Thank you.*

MR SPEAKER

Yes, will panel respond to that? Yes Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

We have provided the definition of forensic pathologist. We are saying “forensic pathologist” means the person appointed under section 4. And in terms of the skills set, that will be

something that the Minister will decide on.

Because there's special training that, there are different type of forensic pathologies as well as different kind of training that they go through.

MR SPEAKER

Ok.

HON JOHN HOAREAU

Ok, we move to the next definition which is "place of custody" means any place in which any person may lawfully be held, confined, detained. Nou'n add 'imprisoned or committed.'

MR SPEAKER

This is added. Ok. Ok Onorab.

HON JOHN HOAREAU

Ok. Lo subsection 2. Onorab Georges ti anvî fer en pti lentervansyon lo 2 (a).

MR SPEAKER

Ou pou eksplik Onorab Georges. Wi.

HON BERNARD GEORGES

Mr Chair wi, avek ou permisyon. Annefe i egzaktman menm pwen ki avan. Etandonnen ki nou'n met 'imprisoned ek detained ek committed' anler, mon ti pe

demande si nou pa bezwen fer menm zafer isi la anba? Mon krwar Mr Knights i dir mwan yes.

MR SPEAKER

So, pou azout 'imprisoned' la.

HON BERNARD GEORGES

Detained, imprisoned or committed.

MR SPEAKER

Ok, carry on Onorab.

HON JOHN HOAREAU

Ok, seksyon. Clause 3. (3)(4) ankor Onorab Georges ti annan serten komanter pou fer lo la.

MR SPEAKER

Yes Onorab.

HON BERNARD GEORGES

Mersi Mr Chair. Avek ou permisyon, dan Clause 3. (4). Nou vwar "Where the Chief Justice deems it necessary, a Judge may hold an inquest into a person's death instead of a Magistrate." Apre i kontinyen "and the Judge shall have all the powers of a judicial officer."

Mon pe demande well, the Judge has that powers already. Alor nou pa bezwen repete. E Mr Knights you agree? Yes, thank you.

MR SPEAKER

Ok, thank you.

HON JOHN HOAREAU

Does that mean ki i annan en full stop after Magistrate? Ok, thank you.

Prezan nou ariv lo sa fine ki dan lentervansyon nou ti'n demann pou increase lo 5 (2).

MR SPEAKER

One second. Yes, Onorab Pillay.

HON SEBASTIEN PILLAY

Thank you. Thank you Mr Chairman. Mr Chairman, mon oule draw latansyon Komite to Reporting of death occurring in official custody and obligation to report death anba part 2. Anba part 2, 5(1) ler nou regarde i met "as soon as reasonably practicable." Nou'n annan en deba lo la taler. Petet en query very quickly ki nou bezwen etabli, what is reasonably practicable dan langaz bann dimoun ki la?

Because then nou dan sityasyon kot si ou regard - si en lanmor in ariv dan custody, sa dimoun i bezwen fer en report of the death within 24 hours of the person becoming aware of that death.

Whereas anler 'who becomes aware of a death which is, or appears to be, a death qualifying for an inquest shall, as soon as reasonably practicable, make a report of the death to the Commissioner of Police.'

MR SPEAKER

Ok.

HON SEBASTIEN PILLAY

Mon ti a kontan panel i eksplik sa please.

MR SPEAKER

Wi, Onorab Henrie ou le fer en lentervansyon?

HON GERVAIS HENRIE

Mr Speaker lo sa menm pwen 5(1) mon annan en problemn avek sa zafer 'a death qualifying for an inquest.' Ki mannyer mon konnen mwan, sa lanmor i qualify for an inquest?

Akoz dan sa Lalwa i pa dir mon poudir la, la lalis lanmor pou qualify. Si ou'n vwar sa boug in pann dan en pye dibwa, si sepaman ki bor ou'n vwar li.

So mon panse i annan en wording ki mon'n vwar dan en lot Lalwa ki dir, "a person who has reason to believe that a person has died an unnatural

death, shall as soon as possible report.”

So mon vwar en lanmor mon pa konnen si sa lanmor i *qualify for any inquest or not*. Mon zis vwar en lanmor mon raporte. Mersi.

MR SPEAKER

Yes panel.

HON SEBASTIEN PILLAY

You see the two point is link sa enn ki mon'n fer ek sa enn ki Onorab pe fer. Si nou al anba lo preski dernyen paz avan nou get Schedule 2 i pou annan bann death qualifying for an inquest.

E i pou dir death in Seychelles person who's identity not known ; any death in Seychelles that was unnatural or violent. Any death in Seychelles that resulted or suspected to have resulted.

So partly kestyon Onorab Henrie i ganny reponn. But where his question e sa ki mon pe dir, becomes pertinent se ki, ou'n fini etabli ki i annan rezon for an inquest.

So what is reasonably practicable in reporting prezan? And that's where Onorab Hoareau ti pe koz lo six months. Mon krwar se la ki nou pe koz lo, nou bezwen annan en dele

letan ki sa rapor i ganny fer pou sa *inquest* konmanse.

Se sa ki nou ti pe vin lo la Minis. Mon konpran ou largiman *mitigating circumstances* me ou'n fini pas sa la.

Akoz ou'n fini etabli poudir *the death was unnatural or violent*, or ou'n fini etabli poudir i en *death* ki *qualify for an inquest*. In fini *meet* sa *threshold* la anba.

So mwan mon krwar ki sa i bezwen kapab pe ganny fer *within fourteen days at least*.

MR SPEAKER

Thank you. Panel.

MINISTER ERROL FONSEKA

Mr Speaker mwan mannyer mon pe enterpret sa i diferan. *The reporting here* i pa *creating en report in the first instance*, a premye lenstans la. I en lobligasyon ki o moman ou vwar en dimoun mor ou bezwen raporte.

Sa dezyenm bout, i pe koz lo si en dimoun i dan ou *custody*, savedir ou ansarz li, i kapab dan en kaso, i kapab menm pe vwayaze sorti *remand* pe al Ankour.

En sityasyon ki arive ki ler ou ansarz li. E dan sa ka koumsa sa *report* ki ou pe mete i en *report to your superior to the*

Commission of Police. I pa en report ek sa sirkonstans akoz sa boug i dan ou care. E ou bezwen fer sa report. E sa report you got to submit, savedir sa i en written report. Pa en report of inquest. Zis en report ki sa dimoun in mor e ki sirkonstans in mor ek ou, akoz i ti dan ou custody. So this is part 2 la. I hope Mr Knights will qualify.

MR SPEAKER

Mr Knights *yes.*

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

I think Honourable Pillay is addressing the Clause 5 (1) yes. So they were when they were drafting that there was some discussion about certain circumstances whereby an accident may occur a person is in trauma or distress. I mean he may not even be in a position even report that immediately.

So we had placed this. But if it is you can simply remove "as soon as reasonably practicable, right?"

But the issue here is that there is still no timelines. So if you want you put a time within the death shall be reported. So we have suggested "as soon as reasonably practicable" meaning that an average person being in a similar situation,

what he or she have done that particular situation in terms of make in the report, the timeline.

MR SPEAKER

Minis wi.

MINISTER ERROL FONSEKA

Mr Speaker mwan mon prefere sa 'as soon as is practicable.' Akoz ou moman ou met en *timeline*, si sa dimoun ti kapab fer li deswit, i pou pran son *timeline* apre ou pe donn li.

I bezwen zistifye akoz i pa'n fer li vitman. I pa kapab dir ou 'as soon as practicable', mon ava pran tou letan, non li i bezwen fer i bezwen *prove* ki in eseye. In eseye taye marse al *whatever* pou fer sa rapor ek Lapolis.

I pa kapab dir wi mon ti pe vini apre en dimoun in kriy mon, non napa leskiz la. Ou bezwen demonstre *what was practicable*, akoz i pou ganny kestyonnen sa par Lapolis. Mersi Mr Speaker.

MR SPEAKER

Mon ti ava zis *point out* ki i annan sirkonstans ki menm 14 zour pa pou rezonnab. Akoz par egzanp ka ki'n arive dan lefase dimoun ki'n mor lo en bato an deor ki napa

kominikasyon avek lakot, avek zofisye e si in ariv 30 zour.

Me selman mon pa konnen si ka ekstrenm, *sorry* Onorab Georges mon krwar mon'n enteronp ou. *Yes please*. Mersi mon'n fer mon pwen.

HON BERNARD GEORGES

Mersi Mr Speaker. Mon ti anvi wi mon ti anvi adres sa de pwen ki'n leve. Mon krwar wi ou annan rezon Mr Speaker e mon krwar ki '*as soon as reasonably practicable*' i ase larz e i ase restren pou kouvertou bann sityasyon.

Enn bann *inquest* ki mon ti fer en fwa, Ti en msye ki ti dan son *statement* i ti dir e mon konnen i en pti pe *funny* me solman *that's what it was*, e i ti dir dan son *statement*,

"Sanmdi le 12 Mars ler mon ti pe sorti kot mon metres, kot mon ti'n pas apre midi, e mon ti pe retourn kot mon madanm marye pou mwan al dinen avek li, mon ti vwar en dimoun ki ti'n mor dan kwen semen."

E sa ki i ti dir, imedyatman apre se, "mon ti donk al raport sa lensidan kot Kordgard."

And that's exactly what kisisa ki 5 (1) i obliz nou. Konman okenn dimoun ki vwar en dimoun ki'n mor nou

lobligasyon se al raporte. E nou bezwen fer li dan fason *as soon as he reasonably practicable*.

Si sa msye olye al Kordgard avan al kot son madanm, pou li al dinen avek li i ti'n deside al kot son madanm dinen, dormi e son lannmen bomaten dir, "*oh by the way* yer swar ler mon ti pe desann mon ti vwar en dimoun mor dan kwen semen." I ti pou'n komet en lofans akoz i pa ti pou'n fer li *as soon as he reasonably practicable*.

E apre i annan ou lensidan Mr Speaker ki dan lot ekstrenm. Donk mon krwar sa i *cater* pou tou sa bann sityasyon.

Dezyenm keksoz, ki *arise* se kestyon Onorab Henrie. Se ki mannyer ou pou konnen ki ler ou vwar en dimoun set en *death qualifying for an inquest*? Ou pa pou konnen.

Me sa i pa la poudir ou ki ou lobligasyon. Ou lobligasyon se pou raport okenn lanmor ki ou vwar, sa ou pa bezwen Lalwa pou fer sa. Sa ki sa pe fer se poudir si ou'n vwar en lanmor, e ou pa'n raporte, ou kapab komet lofans epi pli tar si Gard i konnen ki ou ti'n vwar sa lanmor, ou ti'n pas obor me ou pa'n raporte, *that it was constitutes the offence*.

Alor mon krwar san ki nou al dan en lenterpretasyon, par egzant poudir ki *ignorance of the law is no defence* eksetera, alor ou sipoze konnen *what is the law*. *What is the death qualifying for an inquest* ki person pa konnen.

Parey lamazorite dimoun pa konnen 99poursan Lalwa i zot dir. Me ou sipoze *still* annan en prezonpsyon ki ou konnen. Akoz Lalwa i swiv en pti pe lasosyete. Alor ou konnen otomatikman ler en keksoz i byen, ler en keksoz i mal, ou konnen otomatikman ki sa ki ou devwar ki sa ki pa ou devwar.

Alor mon krwar ki malgre ki lafason ki sa in ganny ekrir i kapab les ou konpran, ki i annan en lobligasyon ki ou pa pou kapab satisfere. *The other side of the coins* se si ou kapab dir avek sa gard ki vin kot ou son lanmen bomaten,” me mon pa ti konnen, mon pa ti konnen ki mon ti annan en devwar anba Lalwa pou mon vin raporte. Eskiz mwan.”

Person pa pou anmenn ou Ankour. Akoz ou pou annan en rezon akoz ki ou pa'n deklare. *So I think* - anfen mwan personelman mon ti ava Gard li ki mannyer i ete la. Akoz mon krwar i kouber bann eleman ki zanmen annan en

Lalwa nou pou kapab fer li osi kler pou satisfere tou dimoun - a mwens ki nou fer li *massively long* e nou sey kouber tou bann posibilite.

Personally Mr Speaker mon'n deza koz bokou tro lontan. Mon ti ava sizere ki nou Gard li egzaktman ki mannyer i ete. Mersi.

MR SPEAKER

Wi Onorab Pillay.

HON SEBASTIEN PILLAY

Mersi Mr Speaker. Mr Speaker, ou ou'n fer en largiman ki montre akoz lenterpretasyon sa *Clause* pe kree sa problem.

Vwar ler nou get 6. *Clause 6 make it's clear that we are talking here about somebody detained and there is somebody who is on a position of authority that has to make that report within 24 hours.*

But look at the wording a Clause 5 (1);- Clause 5 (1) is talking about that report been made to the Commissioner of Police. It's not talking about that report been made to the Police. Mon pe al Labank Santral. Non!

So it is putting an obligation it's as if there is an investigation going on that is being reported to a higher

authority. And that's my issue. The example which Honourable Georges has given, does not fall here because it's a different context.

If you look at the wording of it consider a wording of it, it's as if it's creating a situation whereby the person who has seen the deaths and expect it to be part of an inquest, it's somebody knowledgeable about deaths, that qualify for an inquest. And it's somebody knowledgeable that it supposed to be authority to make a report to the Commissioner.

And that's why I am saying that what this Clause intends to do might not be what we want it to do. So that's why we have an issue here Mr Chairman. I am sorry that's ...

MR SPEAKER

Mersi.

HON GERVAIS HENRIE

Mr Speaker i ariv en pe rar. Me solman mon dakor avek Onorab Leader Lopozisyon lo sa pwen. Lalwa mon pa konpran aköz bann dimoun legal zot pa zis ekrir sa ki konmsi - write your intention. Make it clear. Toultan the find the fancy way of saying something. E i konplik bann dimoun parey mwan.

Mwan pou mon letan mon lir 5 (1), mon lir 5 (1) nenport ki endividi dan sosyete ki vwar en boug in mor, i al kot Lapolis i raporte. This is how I read it.

Be manner in ekrir i fer li fancy, aköz mon bezwen al raport ek Komisyoner Lapolis. En death ki qualify for an inquest.

Be letan mon gete mon pa konnen si in qualify ouswa non. Sanmenm sa mon ti pe lir mon pa konnen kot ki Lalwa sa. Mon a relir ankor manner i dir, "any person who has reason to believe that a person has died an unnatural death, shall as soon as possible report accordingly to a member of a Police."

Mon zis al Kordgard nenport gard ki mon vwar mon dir, pa neserman Komisyoner Lapolis ki ladan i dir mwan. Mwan mon zis vwar en lanmor mon pa konnen si i qualify for an inquest.

So it's plain, it's straight forward. This is how I read it e koumsa la mon vwar li i fancy and complicated pou mwan. Mersi.

MR SPEAKER

Ok so ou'n tir focus lo sa timing la, ou pe al lo to the Police lo Commissioner. So Onorab

sorry. Mr Knights *yo ok with that ? Ok so that point is taken.*

HON BERNARD GEORGES

So what is the result text Mr Speaker?

MR SPEAKER

Yes propose.

HON BERNARD GEORGES

Non, non. Ki nou pe fer la nou tir - ?

MR SPEAKER

Non dernyen pozisyon Onorab Henrie se tou senpleman report to the Police instead of Commissioner of Police.

HON BERNARD GEORGES

Wi me osi i pa anvi sa death qualifying of an inquest. I anvi zis en death.

MR SPEAKER

Wi sa. Yes Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker what I want to make clear is that not every single deaths need to be reported to the Commissioner of Police. If a person has died of unnatural death then that would not have to be reported.

So it is just in those circumstances that what we have set out in the schedule. This was the general intention to capture those circumstances for the death to be reported directly to the police. So-

MR SPEAKER

Yes Onorab Pillay.

HON SEBASTIEN PILLAY

So you see Mr Chairman. This answers the whole question. The Clause the way is worded doesn't capture the intent of what Mr Knights is actually saying now.

And that's why this whole timing becomes an issue. But when you drop it and make it we come to the point that was raised by Onorab Henrie. You are just reporting it to the police.

Now the timing is forced. Because as soon as you see the death you go and reporting to the police. So this is what we need to capture. We need to get the wording to capture that intent. Not a report that has to be made to the Commissioner of Police.

Ki mannyer en everyday person pou ganny akse avek Komisyoner Lapolis? Ou pou al knock lo son laport kot Kordgard pou nou dir be mon oule vwar Komisyoner ? Be zot

pou les ou antre pou vwar Komisyoner?

MR SPEAKER

Ok Commissioner is settled. Mon krwar sa i la. It's the other point 'qualifying for an inquest' mon krwar ki ankore an diskisyon.

Onorab Henrie ou ti annan oule repet to wording ki ou bann Manm konsidere.

HON GERVAIS HENRIE

Wi sa wording, i dir "any person who has reason to believe that a person has died an unnatural death shall as soon as possible report accordingly to a member of a police."

MR SPEAKER

Mr Knights?

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

So Mr Speaker so we will have instances as you can see here, a person who may died on a vessel for instance. The person may has died of an natural death but we still want you to report that death that to the police. So this is where there is a little challenge - using the term unnatural as well.

Because unnatural that may occur at sea or a plane, but

those circumstances you still want to investigate that death in any events.

So this is why we have opted to use the death qualify for an inquest. So unless you want to have unnatural death or deaths qualifying for an inquest both in the same line to capture what you are saying.

MR SPEAKER

I would say for that matter unnatural death make occur in prison too? But you will need to report it to the police. Sorry Onorab Pillay. Wi.

HON SEBASTIEN PILLAY

I think if we consider if we drop the Commissioner of Police it will be solved. Because the intent is that you may not know the death is, but when you report it, it could be that this was the death that happended because of foul play. Or it was a death on a vessel. So the meaning of it, is carried inside the law. So then that can be captured. It's the report of it that has to be happen in real time.

Parey Onorab Georges pe dir, ou pa pe retourn kot ou metres pou al kot ou madanm, pou kot ou vwar li in arive ou raport li la.

I think if we drop Commissioner of Police it will satisfy what we are looking for.

MR SPEAKER

Ok, is that agreed Minis?

MINISTER ERROL FONSEKA

*Yes Mr Speaker mon krwar zis nou tir Commissioner of - leave Police, kit sa leres manner i ete. Akoz ou bezwen konpran osi ki sa i pou pa zis bann sityasyon ki annan *foul play*. I kapab aksidan dan *health and safety*. Ou pe pase ou vwar dimoun i sorti lo en leskalye i tonm ater, i annan en *Health* - i bezwen ganny en *inquest* petet i pe travay pou en lakonpanyen. So i pa zis bann zafer *crime*.*

So si nou kit li parey tir sa Commissioner of, I think that would be satisfactory. Mersi Mr Speaker.

MR SPEAKER

Ok agreed. Onorab Georges.

HON BERNARD GEORGES

*Yes mersi Mr Chair. Mr Chair dan sa ka eski nou devret dir olye *make a report*, akoz *that's formal*, nou devret zis *report the death to the police with a small 'p'*? Eski nou dakor avek sa? Mersi.*

MR SPEAKER

Thank you. Agreed. Onorab Hoareau next one.

HON JOHN HOAREAU

*Ok nou al lo 5 (2). 5 (2) sizesyon se pou lev sa *fine* instead of 10 thousand pou met li 25 thousand.*

MR SPEAKER

*Panel sa i pwen *substantial*. So mon pe rod zot reaksyon. Yes Mr Knights.*

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker if the National Assembly agrees to R25 thousand we will suggest that the word is change it to a fine of Level 2 on the Standard Scale this was an oversight on my part because the Bill was drafted for sometime, before the Standards Scale of Criminal Offences Bill was presented to the Assembly.

MR SPEAKER

*Thank you. Onorab Georges eski ou pou met en *wording* la an konsiderasyon sa ki Mr Knights in dir?*

HON BERNARD GEORGES

Yes Mr Chair. In fact i ti pou pwen ki mon ti pe al souleve.

“ ... and is liable on conviction to a fine of Level 2 on the standard scale. Yes is that the phrase Mr Knights? Anyway nou ava vwar li dan bann lezot Lalwa ki nou’n servi. A fine of level on the standards scale wi.

A fine of Level 2 Mr Knights? On the standard scale wi aköz the Level 1 is 0 to 10, right?

Or to imprisonment for a term not exceeding how many months? What is the level that goes with Level 2? 1 year? Mersi.

So it would read ... “Liable on conviction to a fine of Level 2 on the standard scale or to imprisonment for a term not exceeding 1 year or to both. “

MR SPEAKER

Agreed? Thank you. Onorab Hoareau. Ou kapab kontinyen.

HON JOHN HOAREAU

Ok. Nou al lo Clause 6. 6 (3) second paragraph, says second line also it says “report of the death within 24 hours upon the person becoming aware.” So la in met “coming aware” nou le met li ‘becoming aware.’ Nou al lo Clause 7.

MR SPEAKER

One second Onorab Henrie.

HON GERVAIS HENRIE

Zis en kestyon vitman. Mr Chair eski alor nou zis take it ki la pou 6 si sa dimoun dan Lotorite pa raport within sa timeframe, son pinisyon i otomatikman taken care of dan 2 anler, ki nou fek sanze pou fer vin 25mil? Do we just take it or eski i bezwen annan en ki son pinisyon si i pa raporte?

MR SPEAKER

Yes.

MINISTER ERROL FONSEKA

Mr Speaker lo sa ka i annan de keksoz la, first of all sa report again it’s a written report. Pa vedir ou pa raport li toudswit. So verbally ou bezwen put in your logbook to other sa pa pe mete la in practice this is how it would happen.

E si ou fail pou fer sa, this is a disciplinary negligence. So sa i ankadre ladan. Me selman par aköz in met 24 hours ti ou pa pou dir naryen straight away. 24 hours is to really write your report out and submit it.

And the other thing is sa ‘becoming aware’, i pe dir ou pa neseserman bann kantmenm i dan ou custody, i pa ou lizye pa lo li toultan. I kapab ou pa vwar

apre ou detekte pli tar. O moman ki ou *become aware of it*. Mersi Mr Speaker.

MR SPEAKER

Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker just to note Clause 5 (3), what we have made clear is that these procedures that are settled here does not derogate for any other obligation to report a death.

This is just a general framework in relation to inquest to deaths ; - those that qualify for an inquest. But if another law provides that you have to report a death then you still have to report to that in accordance with that law.

So just in case there's any gap as well this also covers it within the law of Seychelles.

MR SPEAKER

Onorab Pillay.

HON SEBASTIEN PILLAY

In that respect, for instance let say we consider the point about a police officer, right whose that person is in it's custody.

Does the Police Force Act have a specific Clause to deal with, context whereby the

deaths has occurred in custody, and the death has not been reported, in which case it becomes dereliction of duty and therefore that officer is liable?

Because the point being made that in the first instance of above it's a civilian and you have made clear that, you fail to do this, that's the consequence.

But in this case you're saying it's another law what we want to confirm is whether you do have that provision in another law. It becomes a disciplinary offence yes not to have reported it. But it is compounded by the fact that this is the death that is relative to an inquest, and you have offences under this Act. So becomes an offence under this Act.

So how do you make this offence punishable under this Act. This is my - because it's not punishable here now.

If he fails to report within 24 hours what is the consequence? Where can you tell us the consequence would be or in failing to report within 24 hours.

MR SPEAKER

Thank you Onorab Pillay. Mr Knights or panel.

MINISTER ERROL FONSEKA

Mr Speaker *this comes in a Police Act. It comes everything ki ou omit in your work of duty.*

Si dan Lafors Lapolis, i pa sa ki ou fer i sa ki ou pa fer osi. Ou annan bann *duties* ki ou bezwen swiv. Ou pa kapab dir ou pa'n fer sa alor ou pa vini. Non, non sa ki ou pa fer. I *also* ou responsabilite pou ansarz en dimoun, i tou sa bann keksoz ki ou bezwen fer.

So it's fall under disciplinary action. Egzakteman konbyen, ki bann aksyon ki ganny pran *that will follow after investigation.* Disciplinary Board will sit down and decide egzakteman ki bann sirkonstans, ki i pa'n kapab fer sa deswit.

E parey mon ti pe dir, i pa en kestryon o moman i vwar i bezwen fer li si i pa fer *it's a big charge.* Mersi Mr Speaker.

MR SPEAKER

Ok. Can we let that rest?
Yes Onorab Pillay.

HON SEBASTIEN PILLAY

Can we make representation avek ou Minis ki. *Because currently under Police Force Act, under section 19, you've got interdiction to police officer. Savedir where any police officer is accused of any offence against any law, in this*

case i pou en lofans anba enn Lalwa, i pou annan en aksyon ki ou bezwen pran anba Police Force Act.

Eski nou kapab demann ek ou pou fer sir ki ou *harmonise the creation of an offence, si en dereliction of duty* i arive kot en dimoun i mor dan detansyon Lapolis e sa pa ganny raporte?

Akoz mon pa vwar en *fine* anba *Police Force Act* currently ler mon pe gete la *as it stands.*

So will ask you to check your Act so that you consequentially amend those provisions that take disciplinary action in relation to a dereliction of duty, that relates to a possible subject of an inquest.

MINISTER ERROL FONSEKA

Mr Speaker, annou separ de keksoz la. *Failing en duty* i en keksoz ki petet son finisyon pou plis ki sa *Level 2.*

Me selman ou'n *lead to* en lot sityasyon la. Ou pe dir petet li i responsab pou sa lanmor. Dan sa ka i vin en *criminal case.* I vin en gro *criminal case.* Ou pa pe *sorry* mon'n mon krwar - *ok right.*

HON SEBASTIEN PILLAY

Mon pwen - *my point is this, maybe* Mr Knights can address this. *Under the Police*

Force Act, once you establish that the police officer has not reported the death for example let say the guys in Central Police Station in holding right?

And the police officer on duty fails to report that death within 24 hours. Now this become a dereliction of duty. Because it becomes the dereliction of duty, you don't have to interdict the officer and you do the interdiction under the Police Force Act.

The question which was raised is that when a person - a layperson for an instance who on a vessel sees somebody who's dead does not report it he pays a fine of 25 thousand if he does not have a reasonable excuse.

In the case of your police officer what we wanted to know, what will happen in relation to that being an offence under this Act.

And I think I don't want to confuse the Honourable Minister, but perhaps allow the expert from Attorney General to clarify. Thank you.

MR SPEAKER

Yes Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Thank you for your question Honourable Pillay. The Police Act was a very old law it's a 1959 Act. And there is a number of gaps within this Act, I know that the Attorney General has given taking to draft a new Police Force Bill.

And hopefully some of those gaps will be cover. Now in relation to the question posed it is not only the Police Force you have to consider. You also have to consider prison services, mental health institutions facilities as well.

For me I see that has more a less you derogate ... of duties basically. And the disciplinary or the person appointing you will then have to take the appropriate action against that individual who may not have fulfilled that duty.

I am not sure that you want to impose the criminal offence in this section against one of those officers.

MR SPEAKER

Ok, yes Onorab Henrie.

HON GERVAIS HENRIE

Mr Chair. Wi san ki nou prolonz deba, Minis mwan ki'n lev sa kestyon orizinalman e onorab Pillay i konpran ki mon pe dir. Akoz nou bezwen konpran konteks leparse.

E dan prezantasyon mwan mon'n dir sa Lalwa pe anpes labi pouwwar. Parski nou bezwen osi fer bann dimoun dan pozisyon Lotorite responsab e asire poudir zot donn lenformasyon *in a timely fashion*.

E dan bann *consequences amendment* ki ou kapab reflexir lo la, se pou mete sa provizyon pou *remind* zot, poudir si zot *fail* pou fer sa *within a* dele letan, i annan konsekans. Akoz ler ou get *manner* nou'n fer la, sivilyen li i deswit nou'n met son pinisyon. E *funnily enough* dan Lalwa *inquest South Africa 1959 it's the same situation. Civilian the permission is there. People in authority permission is not there.*

Nou prezan nou pe dir dan setyenm Lasanble dezormen *it has to be the same for everybody*.

So even it's just a Clause saying 'disciplinary action according to whatever law will be sa,' this is what Lasanble setyenm Lasanble pe dir la, ki tou dimoun i ganny trete parey. Mersi.

MR SPEAKER

Panel.

MINISTER ERROL FONSEKA

Yes sizesyon i bon Mr Speaker, napa problem ek sa. Mersi.

MR SPEAKER

So nou pa pe sanz nanryen la. Minis i ava *take* sa *into account ok*. Byen nou ava kontinyen. Onorab Hoareau.

HON JOHN HOAREAU

Ok, Mr Speaker. Nou al lo 7 (2) e mon ti ava kontan ki onorab Georges i propoz sa *wording* pou fer ki *the punishment is R25 thousand*, pou sey *propose* sa *about the scales of fine*.

MR SPEAKER

Ok, *the same wording*. Onorab Georges.

HON BERNARD GEORGES

Mersi. Yes Mr Chair *the wording will be the same as 5 (2). To find of Level 2 o the standard scale or to imprisonment for exceeding 1 year or to both.*

MR SPEAKER

Thank you that's done Onorab Hoareau. Yes Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Just for a clarification of this, the only thing that is being changed here ok ? Thank you.

MR SPEAKER

Good. Nou ava move on.

HON JOHN HOAREAU

Sorry will move on to I think let me see, ok to 17 (1)E part 5 - 17 (1)E again we got the issue of authorise with an 's' not a 'z'.

Nou al lo (2) 17 non sorry 18 (2), 18 (2)B, 18 (2) B propose to include 'that' in the circumstances. That is not necessarily ok.

MR SPEAKER

18 (2) B. Yes Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker we would prefer 'that'. If it is that you want to amend this provision that you simply delete the word 'necessary'.

MR SPEAKER

Onorab Pillay ou pa ti entervenir lo la ou?

HON SEBASTIEN PILLAY

Mon ti annan en pwen Mr Chairman, sa pwen in ganny servi par Minis pou zistifye enklizyon Clause 29 ok.

Mon pa konnen si nou kapab pran li la, akoz according to the Minister the exemption which the President have power to give under the Act comes from the fact that the inquest may relate to national security.

Now we are all supposed to be legislators and we understand the meaning of the words 'national security.'

Minister I do not agree with your argument, because the Clause which referring to Clause 29 is very comprehensive. In actually there is no mention of national security in the exemption. It's just say the President can give an exemption. So can we clarify this?

MR SPEAKER

Yes Mr Knights would you like to address that?

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Thank you Mr Speaker as the Minister pointed out rather draw the Assembly's attention to Clause 18(2)B gives the Magistrate some leeway more or less to decide that in public interest, public health or in the interest of national security an inquest may not be held.

So we were also looking to extend this power to the

President. But I also wish to point out section 351 of the Criminal Procedure Code where the death of a member of SPDF is actually exempt from an inquest into death.

So what we are now saying is that we are expanding the inquest into death into military person as well in certain circumstances. And in some situations the President who is also the Commander in Chief, would have that flexibility to determine whether or not an inquest should be conducted in the interest of national security or a public interest.

There is several situation that may arise that you may not want to have an inquest into a death.

HON SEBASTIEN PILLAY

Thank you Mr Chairman but you see this is were we have an issue, because, your intent was to basically tackle the impasse that was created by DCPC under one of those Articles the 300 right?

But you're actually opening the door and closing the door at the same time. We all know the President wears three hats, he wears the hat of the Head of the Executive, the Head of State and the Commander Chief of the Defence Force, right?

So but why you didn't put it there 'in the interest of national security' if he was to make that exemption he has to make it under national security? He cannot be given a free rein in which to make that exemption.

Currently this is what it is. The magistrate can make an exemption based on national security, why isn't the power given to the Head of State also curtailed in that extent? Because as the point was made here, no body is above the law.

MR SPEAKER

Yes Onorab Georges.

HON BERNARD GEORGES

Thank you Mr Speaker. Mr Speaker I don't see it in the same way. I think well first of all if the President makes the wrong call, he is amenable to judicial review. You can run to the Court and say he made the wrong decision you want to review it. So he is not above the law. That's number one.

Number two - I think the Presidential power and it's not - and we must not think in terms of the President who is sitting in State House today. It is any President who will sit in State House at any time, has, must the power-

Let me give you an example. We are a tourist destination. Assuming the Head of State of another country comes here and dies because he suffers a heart attack or whatever. Or he dies under suspicious circumstances while diving or something like that and they want to fly body away, but the Magistrate is saying no-no-no, we need an inquest right here. You need to have somebody who has the power to override that and to say no-no let the body be flown away and the inquest to be held in his own country or whatever if there are sufficient assurances given.

I think that is the narrow remit of the Presidential power. That's the way I see it. I don't see anything wrong with giving the President that power which is reviewable by the Court anyway.

MR SPEAKER

Thank you. Wi Onorab Pillay.

HON SEBASTIEN PILLAY

Yeah Mr Chairman mon konpran. I understand this argument. It's quite a possible argument, but you have to also look at the order side of it. You

have already qualified where he is going to use that power.

That qualification should be in the law because there is only a certain list of things in which President can - i kapab exercise the exemption of that power. What you do not want, it's to have somebody to have the power to stop any inquest, which is the case now !

Because the way the power is given he can stop any inquest. I am not talking about the current President, let's forget about that, we are talking about whoever holds this power i kapab aret okenn inquest whether it's a President today or President 20 years down the line i pou kapab aret sa inquest.

The point am saying is we should qualify that power e dir poudir i ava fer sa dan lenter nasyonal oubyen dan lenter sekirite nasyonal, akoz napa lezot landrwar kot nou kapab kalifye sa pouvwar.

That's the - I hope you understand where I am coming from. That's the only problem mon annan ek sa.

MR SPEAKER

Yes Onorab Georges.

HON BERNARD GEORGES

Mon konpran Mr Speaker. But the moment ki nou pou dir

the President can do it in an national interest it's a carte blanche. Whatever the President does it in an national interest, so he is going to always justify it in an national interest.

So if we want to limit his power we have to do it specifically. We have to clear intentional words. Just giving it a vague phrase doesn't advance us. That's the problem. We might as well just leave it as the wide power reviewable by the Court.

MR SPEAKER

Onorab Henrie.

HON GERVAIS HENRIE

Mr Chair mon osi mon annan difikilte avek sa *Clause* la. Mon krwar si nou donn Mazistra mon annan sa problemm avek sa bout '*in the interest of national security.*' Mon krwar la nou pe fer li al tro lwen. Si nou ti aret li zis *public interest and public health* pou Mazistra sa i ok. Prezidan li i kapab anba *national security*.

Prezan en lot zafer ki pa me solman i Lasanble pou nou i bon, aköz pou annan revizyon konstitisyonnèl dan setyenm Lasanble avan nou ale 2025.

Paske letan ou get bann pouvwar Prezidan dan sapit i vin sapit 4 ouswa sapit 6 non,

non 4. Sapit 4 pouvwar Prezidan mon krwar i annan pei ki definir sa zafer *National Security* dan zot Konstitisyon. Pou *what is national security* nou pa kapab servi li konman en palto fann deryer. Tou keksoz nou met anba *national security*.

Ozordi nou kapab annan en bon Prezidan, be 10an nou pou annan en bon Prezidan?

So somehow nou konman Lasanble Nasyonal sa i en zafer *national security*, nou bezwen *careful* lo la, asire ki en landrwa *somewhere either* dan Konstitisyon i ganny defini *what is national security* ki sa Prezidan pa zis vini dir a *national security, national security*, tou keksoz *national security!*

So sa i en lot deba. Me la ladan pou Mazistra mon krwar nou ti ava aret li *the public interest and public health national security* kit li avek Prezidan. Mersi.

MR SPEAKER

I vin pli konplike. *Panel.*

MINISTER ERROL FONSEKA

Mr Speaker propozisyon Mr Marie mon krwar nou kapab al avek. Mersi.

MR SPEAKER

So what does that mean, nou pe sanz sa seksyon la e nou pe sanz sa lot seksyon?

HON GERVAIS HENRIE

Mr Chair pou sa enn la i zis vin in the public interest and public health. Fullstop. Larestan nou tire.

MR SPEAKER

It is not necessarily in the public interest, and public health. Onorab Georges oule etidye sa wording?

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker I would suggest that the Assembly that the powers are a bit wider than that. And not can just find simply to public health and public interest. It should also extend to national security, because you – there is a lot of circumstances, I can't think of all of them that you may want to stop an inquest ; prevent an a inquest from going forward.

MR SPEAKER

Ok kot nou ete. Onorab Pillay.

HON SEBASTIEN PILLAY

Mr Chairman you see the issue ki nou bezwen konpran i

se ki avek the Magistrate am going to conduct the inquest, up to now nothing is stopping me from conducting the inquest. But I get a something in written from the President's office ki dir ek mwan koumsa, ki i annan en lord ki pe al sorti dan Gazet e mon pe al exempt witness ABC from this inquest.

Akoz sa i dan lentere nasyonal. La mwan prezan mon dir mon pa pou fer sa enn inquest dan lentere nasyonal.

So i normal ki sa pouvwar i la. Mwan mon dir sa aköz this what has happened.

Nou problemn i stand from lekel ki kapab fer sa inquest arete? Son inquest i kapab aret lo ki baz. I pou arete lo baz ki si bann witness oubyen dimoun ki sipoze ganny investigated i ganny exempted e kote sa bann dimoun i ganny exempted? Zot ganny exempted par en sel pouvwar. Pouvwar ki ganny donner avek sa dimoun ki an se moman Sef Deta.

Mon pwen i se ki nou bezwen kalifye sa pouvwar. Aköz as it stand la sa pouvwar i tro larz. When you read it, it's not stoping the inquest no. Far from it. The inquest can proceed li.

But the question would be how he inquest proceed si tou bann witness pe ganny

exempted? I am going to the extreme. Me selman that what's the power can do.

So mwan mon pe propoze pou nou get around sa impasse. Let's do a way completely with 29. Mazistra i deza annan sa determinasyon ki i kapab fer.

So leave it to the independent arbitrator to make the determination. E tir sa pouvwar dan lanmen Prezidan pou li decide li exempt tel dimoun or tel parti from en inquest.

MR SPEAKER

Ok avan panel i adres sa. Onorab Hoareau ou lo sa pwen ou?

HON JOHN HOAREAU

Mr Speaker mon panse ki si nou al en pti pe dan sa laliny ki Onorab Henrie avek Onorab LOTO pe fer sorti, me si i annan en serten fason ki nou kapab phrase sa paragraf, pou fer ki serten lenformasyon i reste klarifye. I pa vin lo en lenformasyon piblik.

Si dizon bann lenformasyon ki vin anba - i annan pou fer avek lenter national security i ganny klasifye. Mersi.

MR SPEAKER

Well mon ava les avek panel pou reponn. Minis wi.

MINISTER ERROL FONSEKA

Mr Speaker, ou bezwen get sa dan en lot fason. Ou pa kapab annan donn en lord en group militer par egzanp ou al fer en louvraz ki met son lekor an danze, lekor son bann konpatriyot an danze e i pe al fer sa louvraz pou pei, i pe al fer sa louvraz pou pei li.

E son lenstriksyon i ganny donnen dapre bann lord legal, e dan en sirkonstans ki personn pa konnen k ii pe fer. Akoz en louvraz ki serye.

Zour in ale in fer son louvraz la ler i retournen ou pou dir li ou konmans pann li. i annan sans ki ou pe pran li la ou oublie ki ou ti bezwen li avan pou li l fer sa louvraz, ler i vini la ou konmans ziz li dan en lot fason. E ou met son lekor an danze par leka ki ou keksoz i ganny devwale.

Dan bann sirkonstans koumsa i pou difisil, pou dimoun fer sa kalite louvraz. E i pou arive dan en pei bann sityasyon koumsa kot nou ete. Zot bezwen kalkil a bann sirkonstans nou pe asize safely dan Lasanble la. Nou pe koze. Me sa boug li ler i pe fer son louvraz dan milye lanmer dan en sityasyon ki kapab vin

danzere, i pa pe kalkil sa sityasyon i pe kalkil pou li retourn isi.

So zot, zot bezwen konpran ou bezwen donn li akoz li i pa pe al laba zis lo li menm. I pe al pou fer louvraz pou pei. E nou bezwen pran sa an konsiderasyon. Mon pa oule *drag* sa sityasyon tro bokou. Me selman i annan en konsern grav ki zot bezwen pran sa an konsiderasyon.

So sa sityasyon *national security* i devret reste menm si ou parey Onorab Pillay in dir *spell it out*, sa napa problemm avek sa. Me selman i bezwen reste. Mersi Mr Speaker.

MR SPEAKER

Mersi. So Minis ou pe propoze se ki *national security* i reste dan sa seksyon, eski ou pe osi dir ki propozisyon Onorab Pillay lo *section 29* li osi i reste ki manner i ete ?

Simon konpran byen sa ki ou'n dir *this will mean leave it as it is*.

MINISTER ERROL FONSEKA

Mr Speaker mon krwar Onorab Pillay pe dir *spesify* li la.

MR SPEAKER

Non i zis *proposition* is *remove it*. Atann en pti moman,

les ou ava kontinyen. Onorab Henrie.

HON GERVAIS HENRIE

Mr Speaker mon rekonnèt *I recognise the importance of national security. What I am saying is that for a Magistrate it's too much of a power to give him to consider not holding an inquest on national security ground.*

This ground should be reserved for the President only. That's what am saying.

So what we can do is amend 29 and put national security there, remove national security up here in 18.

So 18 the Magistrate can only decide on public interest and health ground. But then the Magistrate can make a request to the President on national security so that's only reserved for the President. That's what am saying.

And later no will qualify what is national security in our Constitution if needs be. Thank you to stop abuse of power. Thank you.

MR SPEAKER

Ok.

MINISTER ERROL FONSEKA

Mr Speaker *happy* ek sa.

MR SPEAKER

So Onorab Georges ou pe sezi sa propozisyon Onorab Henrie?

HON BERNARD GEORGES

Wi Mr Speaker mon pe sezi son propozisyon, me ou vwar i annan nou bezwen regard en pti tou laspe la. Akoz ou vwar Onorab Hoareau in ganny en pwen ki ou kapab fer serten *inquest in camera* par egzantp, pou pa devwal lenformasyon i la deza *Clause 23*. Sa i permet alor mon pa kapab konsevwar en sityasyon kot si i annan en keksoz ki dan lentere nasyonal *obviously* sa dimoun ki pe fer sa i ava pran bann prekasyon pou fer sir ki lentere nasyonal i ganny sofgarde.

E parey tou bann Lakour partou dan tou lemonn i dir *this will be close to the public*. So sa premye pwen. Donk mon pa kapab konsevwar en sityasyon kot nou pa pou kapab prezerv lentere nasyonal oubyen sekirite nasyonal san sanz sa. Akoz nou annan deza sa bann zouti.

E mon pa anvi non pli limit pouvwar Prezidan zis dan pou sekirite nasyonal. Akoz i annan kekfwa lezot rezon i pa pou anvi.

If there is an echic issue par egzantp, ki pa en national security issue, me i annan en rayot kont en le nesesite par egzantp en dimoun oubyen en dimoun e ki ou bezwen fer en lanket. That's not a national security issue. Me i annan probableman pou pa an flannm plis keksoz Prezidan i ava anvi dir nou.

Oubyen Prezidan i annan pouvwar ban en *whole class of person*, parey Prezidan avan ti fer, Lalwa avan ti dir *SPDF*. Akoz zot annan zot prop fason, ou pa kapab anvoy en dimoun dan lager apre fer en *inquest* lo sak lekor ki'n mor, sak solda ki'n mor pou konnen dan ki sirkonstans in mor. *It's not feasible.*

Alor i pou sa rezon ki ou kapab *exempt* en *class* an antye. Labi pouvwar mon *full dakor* e mon 100poursan an faver propozisyon Onorab Henrie, ki nou bezwen prezerv nou lekor kont labi pouvwar. *Starting at a very top State House. Full dakor.*

Me an menm tan nou pa kapab anmar lanmen en pei pou li travay dan en konteks legal ki i annan. E sa konteks legal i pa dan abiziv lafason kot nou bezwen *curtail* sa bann pouvwar ki egziste.

Alor mon en pti pe retisan Mr Speaker, Mr Chair pou mwan *go along* akoz i tar akoz nou anvi fini avek sa. E kekwfa *water li down* en pe tro.

Mon krwar ki i merit bokou plis latansyon. E mwan personnelman mon napa okenn problemm avek Lalwa manner i ete la. Akoz mon krwar bann *safeguards* i egziste.

Pa tou dimoun ki vin Mazistra. Ou annan en serten formasyon, ou annan serten laptitid, ou annan ou pran desizyon. Mazistra i anvoy dimoun prizon 5an. So zot annan pouvwar.

Zot kapab donn domaz kont en dimoun R350 mil. Zot annan bann gran responsabilite. E Prezidan i la konman enn ant sa 3 sapo pou li prezerv lentere nasyonal ek sekirite nasyonal. Mon krwar nou bezwen *concede* ki *after all* sa ki nou pe koz lo la la set en *inquest*, set en dimoun ki'n mor dan en sityasyon pa normal. *That's all the remit of this Act.*

Se eski nou pou al *enquired* dan lafason ki en dimoun in mor. Ki kantite *attend* sa pou annan kont sekirite nasyonal? Konpran Mr Speaker mon krwar ou ki nou pe *we over loading the issue* pou mwan se pou sa rezon mon en pti pe retisan pou mwan

anmenn en amannman avek sa bann Lalwa. Mersi.

MR SPEAKER

Alright nou bezwen rod en manner rezourd sa. Onorab Henrie.

HON GERVAIS HENRIE

One final point pou mon agree avek Onorab Georges. Mr Speaker, akoz lanou pe koz spesifikman lo pouvwar Mazistra pou anpes en *inquest* ganny fer.

Lartik ki Onorab Georges in dir nou dan 23. 23 i koz lo *public security*. I pa refer lo *national security*, so si nou tir *national security* e zis met *public security*, so *it's on public interest, public health and public security*. *Because I have a problem with national security. I think it's carte blanche for and think for a Magistrate to give him that kind or her that kind of power it's a bit too much for me. Thank you.*

MR SPEAKER

Onorab Pillay.

HON SEBASTIEN PILLAY

Mr Chairman mwan mon pou reste lo en largiman. E Onorab Georges in *basically* tonm dakor ek mon largiman

without dir i dakor ek mon largiman lafason ki in koze.

Mon pou eksplike aköz. Senpleman Onorab Georges in dir koumsa poudir, lafason ki en *inquest* i ganny fer pa tou dimoun ki kapab vin en Mazistra e ou pe rely lo sa Mazistra pou li egzers son konpetans. E mon napa problem ek sa. *Fine.*

Be si ou'n al ver en *inquest*, akfer ki ou bezwen donn Prezidan en pouvwar pou li *exempt* - pa sa *inquest*, *this what* – (mon pa oule nou konfiz Lasanble) Nou pa pe koz lo *inquest*, nou pe koz lo en endividi *from* sa *inquest*.

Akoz ou pou *exempt* li *from* sa? *What is the point* ki ou pou annan en *inquest* and then ganny pouwar pou annan en *exemption*? Les sa *inquest whatever will come out will come out.*

Akoz i deza annan *safeguard* pou dir i ava *hold* sa *inquest* anba 23 *in camera* dan bann sirkonstans. *So why did that power?*

E mon konmans per lafason ki Minis pe koze, nou loperasyon, tasyon nou loperasyon kot mon tanto. Mon bezwen demande Minis. Konpran mon en pti pe per la. Aköz ti dir ti napa ankor sa bann zafer loperasyon, la i

annan a loperasyon. Mon pa konnen kote loperasyon pe ganny fer en. Serye sa, tasyon !

So mwan pou mwan Mr Speaker *all kidding aside* mon pa vwar aköz anba en Lalwa ki i anann pou fer avek *inquest*. Wi sa dimoun in fini mor, me *that's the whole point isn't it? Why should be there a power given to the Head of State?*

Akoz sa pouvwar pa ganny donner Sef Egzekitiv la, i ganny donner *to the Head of State*, ki kapab *exempt* en endividi or *class individual from* en *inquest*.

Kan sa bann pouvwar i deza annan anba *Criminal Procedure Code* pa in fini fer kler ou pa kapab vin *investigate* anba *Defence Force* lanmor en zofisye *Defence Force*.

So mwan pou mon se sa ki mon pe *wonder*. Deza nou pe kree tro bokou *layers*. *So my view we drop section 23, but amendment* ki mon pa'n donn ou *notice and I can't move this amendment* ozordi, aköz mon ti bezwen ekout sa ki Minis i annan pou dir lo la Mr Chairman.

MR SPEAKER

Panel okenn lezot komanter? Yes Onorab Georges ou'n pare wi.

HON BERNARD GEORGES

Mr Chair dan lentera pou nou bouze, mon pe propoze nou ava vin lo 29 taler si Onorab Pillay i dakor, me lo sa enn ki nou la, *what is it ? 18(2)B or not (2)B in the circumstances mon pe propoze, i lir "in the circumstances that it is not Magistrate may design not to hold in the circumstances it is not in the public interest or in the interest of public health or public security to do so."* Can we leave with that? Pou lemoman?

MR SPEAKER

Panel, panel Minis eski i satisfes ou swa? Yes Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker just want the Honourable Henrie to also appreciate that the terms national security it's a term that you use in Legislation. I am not quite familiar with the term public security being used. And I am sure that they may also be case law already defined and what national security is and there may be on that specific word.

I know you're uncomfortable with it, but it's an established term use in legislated text. But at the end the day the Assembly have to

decide on how it wants to move forward.

MR SPEAKER

Onorab Henrie wi.

HON GERVAIS HENRIE

But I agree with Honorable Georges because we just replacing, because public security is used in Clause 23. It is used. So we are just replacing it because we think that it's kind of water down the power of the Magistrate a little, but then we are willing to introduce an amendment to 29 when we get there to introduce the national security, but reserve it for the President only. Good.

MR SPEAKER

Ok nou'n settle 18 la pou la. Will deal with the other one when we get to it, agreed? No objection ok. Yes Onorab Georges.

HON BERNARD GEORGES

Yes Mr Chair. What is the difference between the public interest or in the interest of public security? That's the issue.

MR SPEAKER

No-non-non, public, security

HON BERNARD GEORGES

... non be nou annan tou le de.

MR SPEAKER

... or national security.

HON BERNARD GEORGES

Non-non-non. Right now as we read it, whether it's in the public interest or the interest of public health or public security. If am a Judge and I am asked to look at this, I am gonna say well what is the difference between public interest Mr Georges and public security? Isn't it one and the same?

MR SPEAKER

Yeah dan le sans ki public interest i kouver.

HON BERNARD GEORGES

I kouver tou keksoz. I kouver public health, i kouver public security eksetera. Why not just say it is in the public interest to do so? And delete everything else? Give the Magistrate wide powers?

MR SPEAKER

Onorab Henrie.

HON GERVAIS HENRIE

I am just wondering but the interest public interest for me is more welfare of the people. But when we talk about public

security, it covers institution ;- for example the army, can claim the public security so we can't just give all information and public security concerns more institution and Government bodies.

But whereas public interest for me is more welfare of the public. So I see a difference in it but that's how I see it.

MR SPEAKER

Onorab Georges would you agree ki Lalwa souvan i annan en over abundance of meaning ? Ki en keksoz i kapab kouver, and is it a case where we can accept that this is so.

HON BERNARD GEORGES

Well no, yes of course the law sometimes have to overstate the case. But in this case I see one part tripping up another part. That's the problem.

You see the moment you say the public interest that's a wide concept. And it covers public health, public security pretty much anything.

The only problem with putting the public interest here, is that we're back to square one. We are giving too much power to the Magistrate, because Magistrate can say it's in the public interest so I am gonna hold an inquest.

And the whole idea of those who have intervened is to narrow the scope of the power of the Magistrate.

So the only way to do that is not to have a generic term like 'public interest', but to have a series of terms as we have done in 23. In the interest of justice, public order, public security etcetera. And as we do in every derogation to our Constitution that it must be in the public etcetera, etcetera. So we're back to square one I am afraid.

MR SPEAKER

Zis mon ava point out pou Onorab Henrie ki kantmenm ou'n fer sa lenterpretasyon ou, when a Judge look at this he may very well choose to interpate public interest to cover everything. Not only persons.

Me selman institutions including national security. So zis mon met sa devan ou. Ok we will have to vote on this. Panel and if any further thoughts or- ? In that case.

MINISTER ERROL FONSEKA

Negative Mr Speaker.

MR SPEAKER

Ok so in that case can I propose that it stays the way it is? E les en revizyon pou en future amendment si i nesaser.

Ok agreed? Thank you we can move on.

HON BERNARD GEORGES

Ok as the scribe, so basically sa ki nou dir se "in the circumstances that it is not in the public interest or in the interest of public health or national security to do so."

MR SPEAKER

Wi. As I propose because if you put just public interest it would still cover all of these thing.

HON BERNARD GEORGES

It would. It would but in fairness to those who want a limitation it would not achieve that.

MR SPEAKER

Thank you.

HON BERNARD GEORGES

Thank you.

MR SPEAKER

Ok we can move on. Mon krwar nou'n ganny en lagreman lo la. Onorab Hoareau what's your next point.

HON JOHN HOAREAU

Ok we going to 19. 19 (2) third line we remove (b) remove (b).

MR SPEAKER

Panel no objection. Ale continue Onorab Hoareau.

HON JOHN HOAREAU

We going to 24 (2) we add "in that matter at the end of the" paragraph.

MR SPEAKER

Ok 'criminal proceedings in that matter.' Panel, ok? Carry on Onorab Hoareau.

HON JOHN HOAREAU

Yes, we go on to schedule 1.

MR SPEAKER

Yes si ou'n pas lo tousala nou arive lo 29 ki nou'n fer en diskisyon lo la. Propozisyon se ki propozisyon Onorab Leader Lopozisyon se ki zis ou remove.

Me in annan en kantite largiman lot kote that it should not be removed. Would this be a matter for a vote? Yes Onorab Georges.

HON BERNARD GEORGES

Avan nou al lo la Mr Chair kekfwa panel i kapab dir nou akoz Onorab Pillay in lev en pwen, ki mon ti ava kontan rezourd. 'Exempt any person or a class of person from an inquest.'

Mwan mon'n lir li 'as being exempt other that person who when dead will not have an inquest over their death.'

Me Onorab Pillay i vwar li dan en lot fason, I vwar ki 'this can exempt any person eye witness somebody else from attending an inquest.'

E mon krwar that the first thing ki nou bezwen tonm dakor lo la. Epi nou ava al lo lot pwen.

MR SPEAKER

Thank you. Panel. Onorab Pillay

HON SEBASTIEN PILLAY

Yes Mr Chairman you see the panel is trying to satisfy the condition ki ganny kree anba mon krwar Penal Code or Criminal Procedure Code, which relates to the SPDF.

And here we are talking about a member of Defence Force. E Minis li menm li dan son koze in koz lo en manm Defence Force ki dan loperasyon ki sa-

The way is wording is talking about the inquest as a process. E dan sa process i annan bann dimoun ki bann witness. I annan bann dimoun ki pou partisip dan sa process.

The way is worded la egzansyon i kapab ganny donnen pou sa bann dimoun

pou partisip dan sa *inquest* ; - pa neserman *the subject of the inquest*. And that's why I feel ki i bezwen annan en klarifikasyon, *what exactly the intent is* avek sa *Clause* pou donn sa egzansyon.

Akoz si nou get oparavan nou donn Prezidan pouvwat as Sef Deta an sa ki konsern lofans ki kapab afekte en *inquest*. You see you can't - sa Lalwa i sitan *this is* ou lentansyon i sirtan bon avek sa Lalwa, me ou pe met en *clause* ki kapab fer li *irrelevant at the end of the day*. Mersi.

MR SPEAKER

Ok. Me panel kekfwat i kapab zis klarifye nou lo lekel sa de enterpretasyon ki enportan pou zot. Mr Knights *yes*.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker *the intention here was to exempt deceased persons, deceased persons that in want of a better term from having an inquest. That was the general intention here. And we just give the few example and it's not just the with SPDF, but we were thinking a bit broadly.*

And the Honourable Georges also given a good example whereby you may have

a specific person who you may not want an inquest to be conducted on his or her body.

So I don't know if there is a proposal to reword the Clause and if reworded it would satisfy the Honourable Leader of the Opposition.

MR SPEAKER

Onorab Georges.

HON BERNARD GEORGES

Mr Chair *that being the case I would like to propose the first amendment and that is in the second line to insert the words "being subject to" between 'from' and 'and.'* So it reads *"exempts any person or class of person from being subject to an inquest under this Act."*

Ok and I think that will might if that will be acceptable it captures the intention that Mr Knights has proposed. And we now have to only consider whether to keep this para at all or whether to frame it differently.

MR SPEAKER

First of all let's hear from Mr Knights about this wording.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

It's agreeable Mr Speaker.

MR SPEAKER

Agreeable, tre byen. Any further arguments on whether to keep-? Mon krwar Onorab Pillay sa i sanz basis ki ou ti pe ague lo la. Do you want to make further points?

HON SEBASTIEN PILLAY

Yes Mr Speaker mon krwar sa i mon sa in fer nou ariv lo en pwen kot nou pa pe donn okenn dimoun okenn pouvwar pou limit prosis en inquest. Which was what I was looking for initially e ki lafason ki i ti ganny worded ti pe fer li koumsa.

So mwan mon ok ek sa mon si nou pe dir subject to an inquest, i fer sans, akoz se sa ki the subject of an inquest in that context.

MR SPEAKER

Ok so that has resolved at least one contention. Onorab Georges.

HON BERNARD GEORGES

Me pour to get around the next issue which is the power of the President, may I suggest that we write the President the President may by order published in the Gazette

specifying reasons exempt any person.

So we force the President to give reasons that might go somewhere towards alleviating the problem. If the President says well might pose a problem, but it's a proposal that I've make which may or may not find acceptance.

HON SEBASTIEN PILLAY

Mr Chair.

MR SPEAKER

Yes Onorab Pillay ?

HON SEBASTIEN PILLAY

Onorab Georges is trying to build a bridge. Specifying reason would means that will give you grounds for a judicial review in relation to his - to what he is doing. Otherwise ou pou bezwen fer judicial review dan vag. I think it more palatable than letting it open. Because we need that Law nou bezwen sa Lalwa ki la. Sa Lalwa i enportan akoz ou bezwen li dan sironstans ki i annan bann inquest ki bezwen ganny fer.

So ou pa pou kapab kontinyen dan sa sityasyon kot ou bezwen al anba Criminal Pcedure Code pou fer inquest. So i pou vin pli fasil pou tou dimoun la. I think it something

that we can accept. Going forward i ava fer lavi pli facil.

MR SPEAKER

Panel will you accept will you respond to the proposal made by Onorab Georges. Or would Onorab Georges like to read the whole Clause again with the 2 amendments?

HON BERNARD GEORGES

I don't - I must confess that I don't like the phrase 'giving reasons', I think we can do better than that but the time is late and it's been a long day. But this is the idea.

"The President may by order published in the Gazette with sufficient reasons" or something like that "exempt any person or a class of person from being subject to an inquest under this Act, by order published in the Gazette specifying reasons therefore exempt any person or class of person from being subject to an inquest under this Act."

MR SPEAKER

Specifying reason therefore. Ok panel.

MINISTER ERROL FONSEKA

Mr Speaker that's all right. Thank you.

MR SPEAKER

Ok. Accepted. Tre byen. Onorab Hoareau what's your next point please?

HON JOHN HOAREAU

Ok we move on to the last item which is schedule 1, Honorable Georges would like to say something about point 9 under schedule 1.

MR SPEAKER

Point 9 yes.

HON BERNARD GEORGES

Yes thank you Mr Chair. Mr Chair dan lalis death qualifying inquest anba item 9 i annan any death on board Seychelles registered vessel.

Me mon vwar kid an Clause 17(1)E to restriction of the Magistrate to hold an inquest, i annan sa 'death on board of vessel Seychelles registered vessel or Seychelles registered aircraft.'

Me i annan en lot which is the death of outside Seychelles eksetera on a vessel of referred to paragraph D with the Authority of the Attorney General.

Me mon krwar ki sa pa dan lalis I was only why it wasn't there, whether there was a specific reason or is just an omission. Or do we feel that it is

already covered under 9? Well it's not covered under 9 because this is any vessel which is not necessarily a Seychelles registered vessel. Maybe we can be helped by Mr Knights there. You see the point Mr Knights?

MR SPEAKER

Yes Mr Knights.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Honorable Georges is the AG's intention here was that in circumstances for instance if you have a cruise ship coming to Seychelles and there may be that on board that cruise ship or airplane or any vessel where the first port of call is Seychelles. Then in certain circumstances he may request that the inquest is conducted.

So if you have a situation whereby there is a sufficient ... thinking that the body may be taken to other jurisdiction maybe where the vessel is registered. And the inquest will be done there, then he may not proceed with the inquest.

Or if there is a situation whereby the person who have died on the vessel as a Seychellois then he may look to have the inquest undertaken.

I am not sure if it needs to be placed there but of course it can be inserted because- But here is with is a qualification here you can see the AG will be the one who authorises the inquest as opposed to just going ahead with the inquest.

Because this may be a situation whereby you have two foreign Government Foreign Affairs, communicated with another state in relation to this and how did do you deal with the matter? We did not want to tie Government's hand in relation to the circumstances.

MR SPEAKER

Ok. Onorab Pillay.

HON SEBASTIEN PILLAY

Yeah there is only one quick query on this, but did you take it to consideration the issue of flag state and registration and flags of convenience. There might may be vessels that registered under Seychelles flag they carry Seychelles flag, we are the flag state.

So are you saying that we are going to take jurisdiction over these vessels as well, even if the incident say happens in the international waters or somewhere else in another country?

Have you considered ramifications of those two elements? Thank you.

MR SPEAKER

Thank you.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Yes please. So is if Seychelles was the first port of call the vessel was in distress and you come to Seychelles, then they may decide to do their inquest there dependent on the circumstances.

MR SPEAKER

Yes Onorab Pillay.

HON SEBASTIEN PILLAY

But then shouldn't you be saying that in relation to a vessel that happen in Seychelles territorial waters, as oppose to vessel registrered or Seychelles registered aircraft. I'm trying to understand your meaning here because there is a subtlety involved with this whole issue of flag state and flag state control and regulation in relation to vessels.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Mr Speaker I believe that this would be captured on the B provided that death would have

occurred in Seychelles then you would have jurisdiction to go forward.

MR SPEAKER

Ok so that is covered. Onorab Georges.

HON BERNARD GEORGES

Mersi Mr Chair. Mr Chair the only point that I was making was - in fact schedule 1 is a only an ed memwar that's all it is. The only reference to sechedule 1 is in the definition of death qualifying for an inquest will send you back to schedule 1.

So but then a number of those are also referred to in the text. Including 17 (1)E, so 17 (1)E subject to the Attorn General Authority is a death qualifying for an inquest but it's not listed in section 2.

And for the sake of completeness I would think that it should. That's my view.

ASST. PRINCIPAL STATE COUNSEL STEFAN KNIGHTS

Agreed Mr Speaker.

MR SPEAKER

It's agreed. So you will insert a new section here? Ok so that concludes this amendments.

HON JOHN HOAREAU

Yes Mr Speaker *that was the final one. Thank you very much.*

MR SPEAKER

Thank you from others Members any amendment or clarifications? Ok if not we can conclude there. E nou ava pas dan Staz Lasanble pou terminen.

Bon mon ava apel *Leader Biznes Gouvernman pou fer Motion for Third Reading of the Bill.*

HON BERNARD GEORGES

Mersi Mr Speaker. Mr Speaker anba *Order 76 (1)* mon move ki *the Inquest to Death Bill 2021 as amended* i ganny lir en Trwazyenm Fwa. Mersi.

MR SPEAKER

Nou ava ganny segonnman silvouple. Onorab Arissol.

HON SANDY ARISSOL

Mersi Mr Speaker. Mosyon i ganny segonde *as amended*. Mersi bokou.

MR SPEAKER

Mersi. Nou ava pran vot lo Mosyon *for Third Reading*, Manm ki an faver lev lanmen silvouple?

Byen mon krwar tou Manm in vote, napa Manm ki kont? Byen lo vot lo *Formal Third Reading of The Inquest into Death Bill, 2021 as amended* 30 Manm in vot pour 0 kont 0 abstansyon.

Alor *Bill* in aprouve par Lasanble e Madanm Clerk ou a fer *Third Reading* silvouple.

MADAM CLERK

Mersi Mr Speaker. *This Act may be cited as the Inquest into Death Act, 2021.* Mersi Mr Speaker.

MR SPEAKER

Mersi. Mersi bann Manm. Alor *Bill* in pase par Lasanble. Mersi bann Manm pou en long lazournen travay e mersi Minis e delegasyon Dr Fock-Tave, e Mr Stefan Knights pou partisip avek nou e nou ava swet zot bonn kontinyasyon.

Bon nou aret nou travay la pou lasemenn e nou ava zwenn Mardi prosen 9er. *Adjourn.*

(ADJOURNMENT)

