

**NATIONAL ASSEMBLY OF  
SEYCHELLES**

*Wednesday 25<sup>th</sup> May, 2022*

*The Assembly met at 9.03am*

*National Anthem*

*Moment of Reflection*

*Mr Speaker is the Chair*

**MR SPEAKER**

Bonzour tou Manm Onorab. Bonzour nou *staff* e bonzour nou piblik a lekout. Byenveni pou nou travay, pou ozordi nou pe kontinyen avek *Bill Fair Trading Commission*. Madanm raporter i ava apel Minis e son delegasyon silvouple.

Bonzour Minis Naadir Hassan, Minis pou Finans *National Planning and Trade*. E bonzour osi ou bann zofisy Mr Ronald Cafrine, *PS* pou *Trade Department* Mr Francis Lebon *CEO Fair Trading Commission* Mrs Nathalie Edmond *Deputy Chief Executive Officer Fair Trading Commission* e nou'n kapab ganny prezantan *AG's Office* pli tar dan bomaten.

Minis nou ariv lo pwen pou ou fer ou repons lo deba ki

nou ti terminen yer apre midi. Minis.

**MINISTER NAADIR HASSAN**

Mersi Mr Speaker. Bonzour Mr Speaker, tou bann Manm Onorab. E tou manm piblik a lekout, bonzour. Mr Speaker, premyerman mon ti a kontan *acknowledge* sipor an gran mazorite ki bann Manm Lasanble in donner pou sa *Bill*. Sa *Bill* li menm li i en Lalwa, ki pou anmenn en kantite benefis pou pep Seselwa.

*In terms of* annan plis konpetisyon dan marse, proteksyon konsonmater. E sa pou mwan ki Lasanble an antye in inifye pou donn sipor sa *Bill*, mon krwar i en gran lankourazman, pou nou *Fair Trading Commission* li menm, dan son linisyativ pour li, amenn plis benefis pou konsonmater.

Bomaten mon ti a kontan pran bann *issues* ki'n leve. Mon a pran bann *issues* zeneral premye. I annan bokou bann pwen ki bann Manm in mansyonnen ki'n repet son lekor, e osi mon a pran enn de pwen spesifik, ki serten Onorab in mansyonnen.

E si i annan okenn *item* spesifik ki'n ganny mansyonnen ki mon pa adrese,

CEO i ava adrese ler nou al dan *Bills Committee*.

Premye *issue* ki mon krwar bokou bann Manm in koz lo la se, ledikasyon lo sa Lalwa. E sa mon krwar i en keksoz ki nou tou nou agree, ki i annan bann bon provizyon dan sa Lalwa. Me enn, nou bezwen pran letan pou edik;- enn konsonmater *about* son bann drwa. E ki manner i servi sa Lalwa, pou li protez son lekor.

Me osi en pwen ki'n leve, se responsabilite ki konsonmater i annan li menm. E ki manner li i *empower* son lekor, i enform son lekor ki i *get the best deal*. So en kantite pouwar ankor i reste dan lanmen konsonmater. Me osi bann biznes ki sa Lalwa pou enpakte lo li, son responsabilite ki li i annan atraver bann konsonmater, sa osi i enportan.

E diskisyon ki nou'n fer avek Komisyon se ki zot pou gannnen bann resours pou fer sa bann ledikasyon. E osi, i pou enportan ki i annan en dele letan, avan sa Lalwa i komans *bite*. *Again* pou donn *FTC* sa letan pou la al edik diferan biznes.

So tou sa bann *proposal* ki'n ganny eksprimen yer dan diskisyon sa i bann keksoz ki definitivman, lo plan *Fair Trading Commission*.

Lo kote ki bann spesifik *changes* ki'n ganny fer dan sa Lalwa ki donn *FTC* ledan. Mon krwar keksoz pli enportan, se *setting up of the Tribunal* li menm – *ok?* E pli gran konplent ki ti annan se kantite letan, ki pran pou ganny en desizyon, pou ganny en *ruling*. E ki manner sa bann *ruling* i *binding* lo bann dimoun.

E mon krwar bokou, bokou leksperyans *FTC* ki gannnen, lo sa dernyen bann lannen ki'n *operate* in baze pou li bouz dan sa direksyon pou li *set up* sa Tribunal. So, annan en Mazistra ki son louvraz plen tan, se adres bann *case* pou *Fair Trading*, mon krwar sa i enn bann keksoz pli enportan ki'n sanze dan sa Lalwa.

En lot keksoz osi ki'n sanze se dan sa Lalwa i annan sa abilite, *for administrative fines*, ki bann aksyon ki kapab, ganny pran vit par Komisyon. Me i osi annan *compounding of offences*. Sa i trwa parmi bann, lezot plizyer lezot mezir ki annan.

E mon santi ki sa trwa pou vremen donn ledan *Fair Trading Commission* pou pran aksyon, e pran aksyon vit. En trwazyenm *issue* ki'n bokou Manm in mansyonnen yer dan diskisyon se kartel. *Issue cartel*, Lalwa

annefe Seksyon 55 dan sa *Bill*. I adres *issue cartel*. Ok?

Me Lalwa i la e parey nou'n diskite en kantite yer, se ki mannyer nou *enforce* Lalwa. E la mon krwar kot, nou bezwen kontinyelman *build* kapasite *FTC* pou fer lenvestigasyon. Ki kapab trouve, devan en Tribinal or devan Lakour, ki i annan kartel *behavior*.

Bokou letan, ki nou'n vwar se ki ler nou koz lo *cartel behavior* i bann *anecdotal evidence*, ki pa pou *stand* devan en Lakour.

So mon krwar la, bann *clause*, bann seksyon dan Lalwa in ganny *strengthen*, *next step* nou bezwen *build investigating capacity* dan *SRC* ek pou li osi kapab lyez ek diferan lezot regilater or Lazans pou kapab *deal* ek sa *issue cartel*. In mansyonnen parey dan sekter *retail*.

E mon konnen poudir i annan, i annan serten *behavior* ki donn ou lendikasyon ki sa se bann *behavior cartel*. Par egzantp, zis serten brand serten marsandiz ki ganny mete dan bann laboutik. Sa i en konplent ki'n vin bokou. Me sa i bann keksoz ki mwan personnelman mon pou *take it up with FTC* ki zot ganny sa resours pou zot kapab *investigate*. E si sa bann

*practice* i ganny prouve pou zot prosekite.

Katriyenm pwen se lo kote *enforcement*. E *obviously* sa bann pwen ki mon'n mansyonnen lo kote kwa ki'n donn *FTC* plis ledan, sa osi pou ed li pou adres sa *issue enforcement*, ki *FTC* i *investigate*. E i annan bann *tools* dan Lalwa, ki ed li pou pran aksyon.

Me *enforcement* li osi i pa senpleman pou vin zis en louvraz *FTC*, e sa kot nou pou bezwen *improve*, se ki mannyer bann diferan lazans pa travay *in silos*. Me zot travay an kolaborasyon avek kanmarad pou pran *enforcement*. Akoz *FTC* i bezwen travay ek *Customs*, i bezwen travay ek *SLA* i bezwen travay ek *Public Health*. Ek diferan Lazans, pour li *ensure* ki ler pou li pran aksyon ou *investigate*, i annan sa *efficiency*.

So sa i en keksoz osi ki, mon pou ensiste ki i annan sa *multi-agency approach* pou lo kote *enforcement* or bann diferan Lalwa.

En lot *issue*, ki'n leve sa *issue safety and standards*. *Again* i annan plizyer legzanp lo ki'n ganny mansyonnen. E par egzantp si i annan bann bwat, bann *tin* ki'n kraze or i annan *expiry date or labeling* i mal - ou

konnen, *again* mon krwar i enportan ki en *multi-agency approach* i ganny pran. I pa zis *FTC*. Nou'n mansyonnen *at the point of entry Customs* i zwe son rol. Me *Customs* lo li menm osi pa pou kapab adres tou *issue*.

Akoz i enposib pou ou verifye, tou marsandiz ki pe arive Sesel. So i annan ki pou pase. E sa ki pase *Licensing, Public Health* i fer son bann vizit. Li osi i annan pouvwat pou pran aksyon, *FTC* i annan. So ler tou sa Lazans i travay ansanm, sa i *improve efficiency*.

E i donn plis resours pou adres en problem. Mon pa bezwen pran tou resours, e *duplicate* louvraz. Tou Lazans travay ansanm, i redwir *need* pou met *least staffing* dan en *single agency*. So sa i enn bann pwen mon ti a kontan leve lo kote bann *safety and standards*.

Me en lot se ki bokou bann *sector specific technical standard* sa pou bezwen ganny *issue* par bann *appropriate* Lazans. I annan ki pou ganny *issued*, anba *Health and Safetyb - Public Health Authority*.

Si i annan ki tonm lo kote *electronics*, e ki relye kekfwat avek bann *wiring*, bann keksoz koumsa, *PUC* pou bezwen *update* son bann standar. I pou

annan bann ki lo kote *telecoms*, sa *DICT* pou bezwen *issue* bann *technical standards* ki li *STC* li menm li i napa sa lekspertiz, pou fer.

Me i pou bezwen led bann lezot Lazans pou *issue* sa bann *technical standards*. Me li ava ede pou *enforce*. La mon bouz en pe lo bann pwen spesifik.

Ti annan en komanter lo bann *unlicensed business*. Pou lemoman sa i definitivman ilegal. Me selman nou bezwen pran en lapros balanse. Akoz nou le nou dimoun i leve, i debourye. I ganny en lavi. E lapros ki nou devret pran se ki manner nou travay ek sa bann dimoun. Fer monte zot standar ki zot *meet* bann *health and safety standard*. So sa i en louvraz ki pou bezwen ganny fer avek *Public Health Authority*.

Ki nou pa vini dir ou non, pa fer, pa fer. Me nou travay ek ou. E si ou kapab *meet* bann standar *health and safety*, then ou a ganny en *license*. So mon krwar en lapros, kolaborativ, en lapros konstruktiv, *should be the right approach* dan sa *issue*.

Ti annan en Onorab, ki ti mansyonn bann *issue taxation* ki enpakte lo plizoumwon lo pri lavi. Ou konnen i annan en balans ki nou bezwen fer. E sa i *dilemma*, ki en Minis Finans, i fer fas avek. Se ki tou depans ki

ou bezwen fer, i annan en landrwa ou bezwen anmas sa larzan.

Ou pa kapab fer depans, me napa reveni pa antre. *Ok*. So mon krwar nou bezwen, ler nou fer en diskisyon dan Lasanble, nou ganny sa konprenezon, sa balans ki nou fer li dan en fason ki realistik. *Ok?*

So si lo en kote, pe dir Gouvernman ed plis lo *welfare*, fer monte saler. Fer plis lakaz, fer plis semen, met plis lalimyer dan distrik, tousala i depans.

E ler i annan depans, i parey kot en lakour, ou bezwen annan reveni ki pe antre. Me at *the same time* ou pa kapab dir ogmant depans, me ou dir redwir reveni. Ou Bidze pa balanse. E lala kot ou ariv dan det.

E si nou servi en legzanp, annan nou get ki pe arive *Sri Lanka* ozordi. I en tipik legzanp kot ler ou napa bann Polisi Bidzeter responsab, ou *end up* dan problem. So, nou tou nou ti a kontan *tax* i desann, *but unfortunately* nou bezwen anmas *tax*, pou nou fer depans.

Lo kote *online shopping*, i annan en seksyon dan Lalwa. seksyon 82, lo *distance selling*, ki fer bann provizyon, lo kote proteksyon *for distance selling* ki kouven *online shopping*.

Ti annan en kestyon lo, par egzanp bann *counterfeit pharmaceuticals*. Sa *again* se en louvraz pou fer *Public Health Authority* avek *Customs*, pou adres sa *issue*. Lo kote *telecoms* i annan bann komanter ki'n ganny pase lo kote *telecoms*.

E ki *CEO* in dir mwan se ki i annan en plan ki sa *sector regulator, which is DICT*, pou li *issue* bann *technical regulation*, ki pou *regulate* sa bann konsern ki'n leve yer.

Lo kote *advertising*, ti annan en kestyon lo *advertising*. E sa *Bill* li menm li, i *deal* avek plizoumwen *misleading advertising*. *Ok?* Me kestyon ki leve yer se ki, *advertising* parey lo lalkol, lo sigaret lo bann prodwir ki nou dir i annan bann lefe advers, lo lasante, lo lakominote.

E sa mon krwar i bezwen, en *policy direction*, poudir i pa pou tonm dan Lalwa. Me si nou pran en *policy direction*, nou poudir be nou pou *ban advertising* lalkol, *or* sigaret, *then* sa i avenir ki nou devret swiv pou fer li.

Lo kote, *point of entry inspection*, sa mon'n, mon'n adres sa *issue*. Parey mon pe dir wi, *Customs* i bezwen ranforsi son control, *at the point of entry*, me li lo li menm i pa pou kapab adres tou *issue*. Akoz *Customs*

pa verifye, *each and every item* ki pe antre dan pei. *So the multi-agency approach is the right way.*

Lot keston ki ti releve se lo *cash machine*. E parey mon ti anonse dan *budget speech* pou fer *requirement* ki tou *retail shops* i annan *cash machines* ek *POS*. Sa i en louvraz ki *Licensing* pe fer aktyelman. E ki pou vin an efe avan lafen lannen. Avek en peryod tranzitwar, pour serten bann kategori *retail* ki zot annan, *as a minimum* en *cash machine* e en *point of sale*. Me sa pa pou tonm neserman anba *FTC* me anba *Licensing Authority* anba *Condition of a Retail License*.

En lot *issue* ki ti mansyonnen se *VAT*. Wi mon a plizyer de fwa, ou vwar poudir serten biznes i *advertise* son pri i dir ou *excluding VAT*.

Me mwan mon krwar poudir *as* en konsonmater tou ou pri i sipoze sa pri ki ganny *advertise*, se sa pri ki pe al peye. Savedir i sipoze ou pri *inclusive of VAT*. Sa i en propozisyon ki mon met devan Komisyon *in terms of advertising* ki i kapab fer.

Lo kote, *language requirement for GOP*. Sa i en *issue* ki Imigrasyon ek Lanplwa i bezwen adrese, ki bann standar ler en dimoun, par

egzanp pe vin travay dan en laboutik, pe vin travay dan en *take away* - mon pa konnen. Ki bann *minimum requirement*, kalifikasyon, ki annan langaz ki i koze. Sa i pa pou tonm anba *FTC*, me anba sa de Minister.

Kestyon lo kote lasirans, ki'n leve sa i pa pou tonm anba *FTC* parey nou konnen. I pou tonm anba *The Financial Consumer Protection*, ki tonm anba *FSA*.

Ti annan enn de komanter ki *Leader* Lopozisyon ti'n pase. *Regarding* lenterferans dan Zidisyer. Mon pa tro agree avek son pwennvi, ki i annan lenterferans. Mon krwar, sa *Bill* i klerman *state* ziridiksyon bann diferan Lazans. E mon pa tro vwar ki bor lenterferans dan Zidisyer i vini.

Lo *issue*, *RRP* e *CEO* i kapab konfirman taler - *RRP* i en keksoz ki legal. I pa *biding*, *as* son non i sizere. I en *Recommended - Recommended Retail Price*. I pa dir ou vann a sa pri, i rekomande, ki ou kapab annan sa pri. So, la mon pa tro agree ek sa komanter ki'n ganny fer.

Ti annan enn lo seksyon, *regarding* bann *exemption clause*. Wi ti annan lo *application of the Act* ki donn Minis pouvwar pou *exempt*. Zis pou klarifye sa pwen - sa pwen

se ki si i annan en sekter ki - e sa nou pe koz en sekter, ouswa en lendistri, ki nou le *exempt* li *from this Act*.

E i pou annan son spesifik *requirement*, i donn Minis avek pouvwar pou li fer sa. E les mwan eksplike *practically*, kan sa i kapab. Si demen nou dir, ki sekter *telecom*, pou *exempted from this Act*, akoz i pou annan son *Act* spesifik ouswa, son *framework* spesifik, *then* sa *exemption* i vini. E sa i kapab ganny adrese dan sa fason. *Ok?*

Lo kote *Member disclosure*, konsern ki *Leader* Lopozisyon ti mansyonnen, sa i ganny adrese dan seksyon 28 *Ok?* E ti annan en lot konsern, vizavi *public* ek *private hearing*. Sa i ganny adrese, dan seksyon 45.

Mr Speaker mon krwar mon'n kouver mazorite pwen ki bann Manm in leve. Me avek ou permisyon Mr Speaker, mon ti a kontan adres en pwen ki'n ganny *link* avek diskisyon lo sa *Bill*. E sa pwen se *cost of living* ki, yer Onorab Uranie ti komans mansyonnen. E ki mannyer sa *Bill* i annan lefe lo la.

Mr Speaker, ozordi nou tou nou bezwen *acknowledge* ki pli gran konsern Sesel, e dan lemondn antye, pou tou dimoun

ki get nouvel mon krwar, i kler ki logmantasyon pri komodite i pli gran konsern ki annan.

E nou tou nou konnen akoz. Mon pa bezwen al dan rezon. I pa Gouvernman aktyel ki'n fer pri monte. Sa i kler. Mon krwar nou dan en *delusion* si nou pou krwar poudir pri mondyalman pa'n monte. Mon kapab anvoy zot plizyer bann lartik, ki eksplike, ki pri in monte. Akoz in monte, e ki nivo in monte.

So mon konnen i fasil pou blanm Gouvernman pou tou keksoz. Me la realite i diferan. So, ler mon tann serten Onorab, pe koz lo Seselwa ki pe soufer - i mwan osi mon santi. E sa i keksoz ki kit mwan *awake at night*. Sa i plis diskisyon ozordi dan Minister, e dan Gouvernman, se ki mannyer nou pou redwir sa lenpak lo pri lavi ki pe monte?

Sa i en konsern primordyal. E mon konforte ki Onorab ozordi apre mon mazine apre le 26 Oktob. Li osi *Le Saint Esprit* in desann, in ekler li pou vwar ki Seselwa ti pe soufer lo pri lavi. E -

*(Interruption)*

**MR SPEAKER**

Silvouple! Silvouple!

*(Interruption)*

**MINISTER NAADIR HASSAN**

Mr Speaker mon ti pe adres.

**MR SPEAKER**

*Stop! Stop!* Mon a ekout Minis silvouple.

*(Interruption)*

**MR SPEAKER**

Onorab Pillay arete. Onorab Pillay arête!

**MINISTER NAADIR HASSAN**

Mr Speaker mon ti pe adres, en komantr ki Onorab Uranie ti pase.

**MR SPEAKER**

Ou permet - ou kapab.

**MINISTER NAADIR HASSAN**

E mon konforte ozordi ki, zot in vwar sa lalimyer ki Seselwa ti pe soufer. E i annan en problem, *cost of living* Sesel. Me napa en baton mazik pou adres sa problem. E Gouvernman, e mon konforte avek Mosyon, ki Onorab William pe anmennen, pou demann Gouvernman, ki i kapab fer, pou adres sa problem. E Gouvernman pe fer plizyer keksoz pou adres sa problem.

Me mwan mon ti a kontan, envit Parti Lopozisyon dan en fason konstriktiv, pou donn propozisyon ki mannyer nou kapab adres sa problem.

***(APPLAUSE)***

**MR SPEAKER**

Akoz Mr Speaker, koze, koze i fasil, kritik i fasil. E mwan mon ti a kontan zwenn ek zot, pou zot donn mwan zot bann propozisyon.

*(Interruption)*

**MR SPEAKER**

Minis. Minis. Aret enn pti kou silvouple. Onorab Pillay i fer, trwazyenm fwa ou enteronp Lasanble avek komantr. Alor mon pe dir ou fodre ou arete. Mersi. Minis ou a kontinyen.

**MINISTER NAADIR HASSAN**

Wi Mr Speaker. E wi nou Gouvernman dan sa bann semenn ki pe vini. Pou annan bann mezir ki pou ganny anonse, pou ed kous nou popilasyon ki pli vilnerab. I annan bann mezir ki'n deza ganny pran nou bann *weights welfare*.

Aprè 10an in mont par 32poursan. Nou annan PUC ki pe donn *rebate*, lo bann *Bill* pou bann dimoun mwen fortinen, e



nou pou annan bann lezot mezir. Me i enportan, pou nou ganny en konversasyon balanse. Ou konnen pou Gouvernman - e mon'n mansyonnen, se ki tou ou depans ki Gouvernman i fer, i baze lo son abilite finansyer.

E sa i en keksoz ki enportan e mon anvi *emphasize* lo la. Si nou sityasyon ekonomik, nou sityasyon bidzeter pa ti'n stabilize. E nou tou nou konnen, *end of 2020*, ki bor nou ti ete. Mon pa pou pas ladan plizyer fwa mon'n *explain*, nou pei ti annan en det ki pa ti soutenab. Bidze 20poursan defisit, e nou ti pou napa larzan pou ed dimoun.

Akoz bann Polisi responsab ki'n ganny pran par Gouvernman, pou re-anmenn nou Bidze dan soustenabilite, pou re-anmenn nou det dan soustenabilite. Ozordi nou pou dan en pozisyon pou dimoun ki pli vilnerab.

Me si nou pa ti'n pran sa bann Polisi parey mon dir nou ti pou *Sri Lanka* ozordi. Ler nou pran bann Polisi, dan letan difisil, i ti pou popilis, nou ti pou dan en problemn.

E ozordi kantmenm nou dan en problemn, nou annan diferan defi, me nou pou dan en sityasyon. Akoz nou performans ekonomik ek

bidzeter pour nou ed nou pep ki pli vilnerab. E sa i aköz bann bon Polisi ki sa Gouvernman in met an plas.

**(APPLAUSE)**

**MINISTER NAADIR HASSAN**

Ankor mon anmenn en lapel, avek Lopozişyon, pou zwenn ek nou, en lapel ki mon'n fer a plizyer fwa. Si zot annan, propozişyon ki konstriktiv, met devan nou a diskite, nou ava evalye, e nou a pran desizyon. Me pou zis kritike, e pou fer krwar ki zot vreman, vreman annan lentere bann dimoun ki pli vilnerab, sa pour mwan, i dezonnnet. Mersi Mr Speaker.

**MR SPEAKER**

Mersi Minis. Bon avek sa nou ariv ler pou vot lo *Bill* pour *general merit*. Manm ki an faver, lev lanmen silvouple.

*(Interruption)*

**MR SPEAKER**

*Order!* Onorab Uranie.

*(Interruption)*

**MR SPEAKER**

Bann Manm! En moman silvouple, Madanm Clerk. Manm, mon devret demande si annan okenn Manm ki vot kont.

Selman mon vwar tou dimoun in vote alor, mon pa'n - Mersi.

Bon lo *general merit Fair Trading Bill, 2022*, 27 Manm in vot pour, 0 kont e 0 abstansyon. *Bill* in pase lo *general merit*. E Madanm Clerk a fer *Formal Second Reading*.

### **MADAM CLERK**

Mersi Mr Speaker. Bonzour Mr Speaker. Bonzour tou bann Manm, bann dimoun ki a lekout. *A Bill for an Act to consolidate and revise the Law relating to Fair Trading, competition and consumer protection and to repeal The Fair Trading Commission Act, The Fair Competition Act and The Consumer Protection Act and to provide for matters connected therewith or incidental thereto.*

Mersi Mr Speaker.

### **MR SPEAKER**

Mersi Madanm Clerk. *Bill* in lir lo *Second Reading*. Mon pe demann bann Manm Lasanble ankor enn fwa, pou gard lord dan Lasanble. E mon pa kapab aksepte ki annan enteripsyon kontinyel, Manm ki koze *off-mic* ki kriye. Si pour sa, mon pe dir sa Manm pou bezwen kit Lasanble. Mersi.

Mon profit sa pti *interval* pou dir bonzour e byenveni *Attorney General* Frank Ally ki'n

zwenn nou pou konsiderasyon sa *Bill*. E mon krwar son, partisipasyon dan Staz Komite i ava ed nou. Nou a prezan pas dan Staz Komite, pou amannman e klarifikasyon lo *Bill*.

Lo kote *Bills Committee*, mon dir bann Manm si, otan ki posib sey *keep in step* avek bann amannman *Bills Committee*, anmezir nou desann dan *Bill* pou klarifikasyon. Koumsa nou pa bezwen retourn an aryer, tanzantan.

Alor lo kote *Bills Committee* lekel ki pou diriz nou? Onorab Henrie.

### **HON GERVAIS HENRIE**

Mersi Mr Chair. Bonzour tou dimoun. Mr Chair nou annan pa mal bann pti lamannman isi, laba.

Premye pwen dan kot mon ava tir latansyon *panel*. Dan *arrangements of sections* lo paz 3. Nou'n note ki pwen 15 *Quorum of the Tribunal*, i diferan avek sa ki *clause* 15 lo paz 27. I - wi akoz i koz lo *composition*. So i annan en diferans. Savedir nou a rektifye sa. Mersi.

Bann premye, lamannman Mr Chair, i pou vin dan seksyon *Interpretation*. E alors si bann Manm i *go* dapre

lord alfabetik. Premye lamannman pou vin dan definisyon “safe”. E dan “safe”, dan *subclause (e)*, kot i lir “*reliance on the accuracy of any measurements, calculation or*”, nou le azout mo “*other*” dan nou dan “*Interpretation*”. E nou pe swiv li alfabetikman.

So nou dan “safe”. Definisyon “safe”. “*Safe*” go *according to, yes alphabetically. Yes. “Safe” subclause (e). Savedir i lir “reliance on the accuracy of any measurements, calculation or”, nou le azout “other” nou le retir “are they” pou li dir “other reading made by or by means of goods”.*

Mr Chair i annan en entervenman.

### **MR SPEAKER**

*Yes, panel i in step* avek nou. Parey labitid si zot bezwen, kestonnen lev lanmen, silvouple sansan nou a kontinyen. Yes Onorab Georges.

### **HON BERNARD GEORGES**

Mersi Mr Speaker. Mr Speaker i annan - avek ou permisyon mon a retoun enn pti pe an aryer, lo definisyon *price*, e sa se en keksoz, ki nou pou bezwen rezourd *at the start*.

Mon’n fer serten propozisyon lo sa mo ‘*good.*’ In

*fact*, mwan mon prefer, *goods in the plural. Instead of a good.* Akoz par mon formasyon, napa en keksoz ki ou kapab apel ‘*a good.*’ Toultan ou apel li ‘*goods*’ *even if*, i dan sengilye.

E mon’n fer propozisyon, pou sanz ‘*a good*’ or ‘*service*’ partou kot i arete. Pou met ‘*goods or a service.*’ Akoz, pou mwan sa i *reads better*, dapre mwan formasyon. Me mon bezwen admet ki semenn pase mon pe ekout Prezidan Biden, e i ti pe koze. E i ti koz, i ti dir “*a good*”, dan menm konteks.

Alor i pa oule dir ki akoz mon pe propoze, se *that’s what it should be*. Me mon ti a kontan, ki *very early on* nou tonm dakor si nou pou apel li “*goods*”, oubyen si nou pou kontinyen avek “*a good*”. Tanzantan, ler i en *item* spesifik.

Parey mon dir, mon’n fer propozisyon e mon’n konnen dan *track version*, dan bokou landrwa, ‘*a good*’ or ‘*service*’ in ganny sanze, ‘*to be goods*’ or ‘*a service.*’ Donk *panel* i ava ed nou *from the very start*. Mersi.

### **MR SPEAKER**

*Panel* i a dir si i dakor avek sa propozisyon, ki i reste “*goods*” partou. Yes AG?

**THE ATTORNEY GENERAL**  
**MR FRANK ALLY**

Mersi Mr Chairman. Mr Chairman, nou santi poudir a good. Akoz si ou pou servi sa mo, ou pou demande. *What is the price of the good?* Ou poudir, *will you ask the word, the question what is the price of the goods?* Ou pou konfiz sa dimoun ki ou pe demann sa kestyon.

Mon krwar i, *it quite settled*, mon konpran ki Onorab Georges. Anfet ler nou ti pe *go over the law*. Nou osi nou ti anvi petet servi, *plural* akoz i sonn pli byen. Akoz toultan nou dir, *'the goods'*. Me selman parfwa, i arive kot en dimoun pou demann ou, *what is the price of that good?* *So unless goods then, becomes the noun.* Be, *it's a bit like verbs that doesn't take an "s". That doesn't take plural.*

Parey *equipment*, par egzanzp. Nou pa dir *'equipments.'* Me selman nou dir *'equipment.'* *So the same.* Me selman mon krwar i, *whilst equipment* i sonn enn pti - i mal sonnen dan zorey dimoun ler, dimoun i dir *'equipments.'* Ouswa *'furnitures'*, akoz zot pa pran "s".

Me *"good" i think, does take, can do, can be used without, the "s".* Mersi.

**MR SPEAKER**

Mersi. Eski mon ti a kapab met en pti kontribisyon lengwistik? Dan lengwistik an zeneral, an Angle, *goods always remain as goods.* E i parey, *furniture*, i parey *equipment*.

Si ou bezwen *refer to one thing.* *You say what is the price of this item, what is the price of this product.* I annan, lezot term. Sa i son lengwistik. Mon pa pe enterfer dan *legal* soz, mannyer i mete. Me selman this is en pwen ki mon ti a kontan. Onorab Georges.

**HON BERNARD GEORGES**

Mr Chair mersi bokou pou ou klarifikasyon. Koman en, ansyen *teacher* Angle. I pez for. Mon ti anvi zis - e sa se pwen, Deputy Speaker, pa pou mwan. Dan son definisyon *goods.* I ti *define as goods in the plural rather, parey goods e non-pa "a good."*

So kekfwa, sa i kapab lenfliyans nou. Mersi.

**MR SPEAKER**

Mersi. Onorab Pillay.

**HON BERNARD GEORGES**

E la, e la mon pandan ki mon annan laparol. Mon fek resevwar en mesaz ki dir, *"a good" is grammatically correct.* *So, for what's it's worth.* Mersi.

**MR SPEAKER**

Onorab Pillay, ou annan en pwen pou fer lo la?

**HON SEBASTIEN PILLAY**

Mersi Mr Speaker. Mon pe sey ganny en konpran lekel ki Lasanble, ant *panel* oubyen nou? So, si nou, nou santi i en *goods*, i revin ‘*goods*’, e ‘*goods*’ i *parlance* i ganny servi.

*Then* nou met ‘*goods*’ and *we move on*. Nou pa kapab ale vini, *panel* i le met “*a good*”. Nou, nou le met “*goods*”. Tou dimoun in agree poudir tou dimoun i agree poudir lafason ki ou dir li se ‘*good*.’ Partou larestan landrwa dan sa Lalwa, zot in servi “*goods*.” A leksepsyon dan sa landrwa.

So si nou krwar i devret koumsa, *because we are spending time, on semantic or linguistic*, Kan nou devret pe bouze avek sa. Mwan *for what it’s worth*, mon krwar sa ki ou pe dir i fer sans. I “*goods*” or “*a service*.”

Aprè si ou al aste en *item*, ou poudir konbyen sa telefonn, konbyen sa lot. *That’s usually how it is*. Partou i ganny dekrir koumsa. So petet eski nou kapab pran en desizyon. Nou *move on*? Mersi.

**MR SPEAKER**

Wi. *Panel*, kot zot etc.

**THE ATTORNEY GENERAL MR FRANK ALLY**

Bon Mr Chairman mersi. Mon krwar *if the Assembly feels that it should be “goods” or “a service”*, then we have no issue with it.

**MR SPEAKER**

*Thank you.*

**THE ATTORNEY GENERAL MR FRANK ALLY**

Parey *Leader* Lopozisyon in dir, i pou - Son lenterpretasyon, pa pou vreman ganny afekte. Mersi.

**MR SPEAKER**

Mersi. Onorab Henrie *back to you*.

**HON GERVAIS HENRIE**

Mersi Mr Chair. Savedir pou benefis, Lasanble nou pe fer en sanzman dan, *interpretation* kot “*price*”, nou pou dir “*includes any charge or fee, by whatever name called, payable in connection with the provision of goods or service*.”

**HON BERNARD GEORGES**

“*A service*”

*(off-mic)*

**HON GERVAIS HENRIE**

“A service”. Ok, very good. So Mr Chair savedir nou pou, bouze aprezan. Nou reste dan seksyon Enterpretasyon. Nou kontinyen, *alphabetically*, e nou al lo, “substance”.

Lo premye laliny, “means any natural or artificial”, nou le azout mo “material” e retir “substance”. Larestan i reste parey. Nou kontinyen dan Enterpretasyon, e nou kot definisyon “supply”. “Supply” i annan de definisyon. I annan *subclause (a)*, apre *subclause (b)*. Nou pou al dan *subclause (b)*.

Dan dezyenm laliny, savedir mon pou komans avek sa fraz, sa bout fraz ki dir “grant or confer”, nou le azout mo “the” avan “service”. So i pou vin “grant or confer the service or to offer to provide”.

Mr Chair nou kontinyen, dan seksyon Enterpretasyon. E dernyen dan definisyon, “unit price”. I ava lir koumsa, *means the price of a standard amount of any goods, as*, nou le azout mo “to” e retir “of”. So, i ava lir koumsa “amount of any goods, as to weight or volume”. I paret panel, *is in agreement*.

**MR SPEAKER**

Thank you.

**HON GERVAIS HENRIE**

Prezan nou kontinyen nou al dan *application of this Act*. Savedir *clause 3*. E nou pou al dan *subclause 3. 3(3)* dan premye laliny “This Act shall bind the Republic to the extent” nou le azout mo “that”. So i ava lir koumsa, “to the extent that the Republic”.

Lot touzour lo ‘*application of this Act*’ nou pe al dan *subclause 8*. Savedir lo paz 19. La i annan enn de pti mon ki nou le azoute. I lir koumsa “Where it is alleged in any proceedings under this Act a person is a consumer in relation to particular goods or” nou le azout, “a service, it shall be presumed, unless the contrary is proved that the person is a consumer in relation to”, nou le azout mo, “those” e retir “that”, azout “s” avek “good”, pou li lir “goods, or azout mo “that service”.

So i lir koumsa “Where it is alleged in any proceedings under this Act that a person is a consumer in relation to a particular goods or a service, it shall be presumed, unless the contrary is proved, that the person is a consumer in relation to those goods or that service”.

**MR SPEAKER**

Thank you.

**HON GERVAIS HENRIE**

Dan lot seksyon ki swiv. *Exemption from application of this Act, Clause 4(3). 4(3) dan dernyen laliny i annan mo “exempt”, nou le azout “ed” avek pou li lir “shall be exempted”. Ou ganny mwan. Dan Clause 4, dernyen 4(3), “ed” dan mo “exempt”.*

Mr Chair nou pou bouz dan *Part II*. I annan en -

**MR SPEAKER**

*Sorry yes. Mon pe konsantre lo Bill, mon pa'n vwar ou lanmen Onorab Pillay.*

**HON SEBASTIEN PILLAY**

Mon annan en konsern vizavi *clause 4. The grant of exemption. Clause 4 is worded pou dir ki Minis “may, by order, on the application of a regulatory authority, exempt any sector or industry or any class of suppliers or any class of goods or services or transactions” from laplikasyon sa Lalwa.*

So Minis i kapab donn en egzansyon. E dan son 4(2) i dir Minis an konsiltasyon ek Komisyon, i fer sa atraver en notis, ki donn sa egzansyon. So, i fer en lord, notis.

So premye keston ki mon annan, se aköz dan 4(1) nou pa

dir, *the Minister on consultation with the Commission? Clause 1 nou pa dir, aköz clause 2 i dir sa, mon pa vwar Clause 1, i dir sa. Prezan kot mon main konsern i vini, se lefe ki eski Minis, i ganny drwa. Eski sa Clause i byen, an relasyon avek provizyon ki kree sa Tribinal, ki anba ziridiksyon Lakour? Mon ti a kontan ganny en leksplikasyon lo la silvouple.*

So laplikasyon sa Tribinal, i anba ziridiksyon Lakour. So eski an relasyon ek sa Lalwa. Minis i annan drwa, *exempt en supplier* pou aparet devan sa Tribinal.

Mon pe konpran li koumsa mwan, *unless* mwan ki pe mal lir li mon pe konpran li koumsa. Eski *panel* i kapab kalifye pou nou?

**MR SPEAKER**

*Thank you. Minis i a pran laparol.*

**MINISTER NAADIR HASSAN**

Mersi Mr Chair. Mersi Onorab, pou sa keston. Partikilyerman lo 4(1) ek 4(2), mannyer mwan mon lir li. Se 4(1), i dir ou *“The Minister may, by an order, on the application of a regulatory authority, exempt”*. Ok.

4(2), i swiv 4(1) ki pe dir ou *“The Minister in consultation*

*with the Commission, may by notice published in the Gazette". Savedir otomatikman, the Minister receives en application from en regulatory authority. E 4(2) i pe dir ou, "in consultation with the Commission issue an order".*

So, otomatikman Komisyon i pe ganny konsilte li. Ou bezwen lir. Mwan mon pou mwan ler ou get li san. Mon pa en Avoka, me *as a layman*, mon pe lir 1 ek 2 ansanm. Mon pa konnen si kekwfa AG, ou kontan avek mon lenterpretasyon.

**MR SPEAKER**

AG. Yes.

**THE ATTORNEY GENERAL**  
**MR FRANK ALLY**

Mon krwar. Mersi Mr Chairman. Mr Chairman, mon krwar ki petet *Leader Lopozisyon - Onorab Leader Lopozisyon bezwen*, pran konsiderasyon, se ki i bezwen premyerman annan en laplikasyon par en *regulatory authority*.

So annou pran en legzanp en, i annan en *authority* ki *regulate*, par egzanp *financial consumer protection*. E prezan i anv *exempt* sa sekter. I fer en laplikasyon ek Minis. I kapab dir ek Minis, be gete i annan en

sekter ki nou, nou kapab *provide* son bann rekour. E alor mon le ki ou, tir li anba sa Lalwa.

So dan sa ka okenn sekter, okenn lendistri, okenn *class of suppliers, class of goods and services*, oubyen tranzaksyon, i kapab ganny *exempted, from application of* sa Lalwa.

So e prezan, sa i kapab baze lo, en Lalwa osi ekrir. Okenn Trete enternasyonal. E la Minis an konsiltasyon, parey Minis in dir an konsiltasyon avek Komisyon. I a pibliy sa notis, i a *grant* sa *exemption*. Mersi.

E sa pou fer sir, i pibliye pou fer sir i annan latransparans, pou fer sir ki tou dimoun i konnen, poudir be sa sekter, si ou annan en *issue* avek sa *class of supplier, class of goods and services*, then ou pa pou anmenn ou *case*, devan sa Tribinal, par egzanp. Oubyen sa Lalwa pa pou *apply*.

Me i pa vedir ki ou napa en rekour. Ou annan en rekour. Si i annan okenn *issue*, Lakour i la pou donn ou rekour. Mersi.

**MR SPEAKER**

Yes Onorab.

**HON SEBASTIEN PILLAY**



Mersi Mr Speaker. Mon konpran sa ki ou pe dir. Me selman si sa Lalwa, i pli modern. E i pli konpreansiv ki Lalwa. *As we stand* la, i pou pli konpreansiv - i pou pli modern ki lezot Lalwa ki nou annan.

Petet zis *Financial Consumer Protection Act*, be ki nou'n annan konsern avek. Osi *as well*. Mon pa krwar *Financial Consumer Protection Act*, i fer provizyon pou annan en Tribinal. So si li i pa fer provizyon, pou annan en Tribinal.

E ou pe dir mwan, poudir sa i koumsa, ou pou al laba anba sa Lalwa. Mon kestyon pou ou se lefe, ki sa Tribinal i anba ziridiksyon Sef Ziz, eski Minis i annan drwa dir par egzanp - sa *group of supplier* pa pou kapab, si annan en konsern avek zot, si i annan en *issue* ki'n ganny *raised*, pou ganny *exempt*, pou pas devan sa Tribinal.

Se sa ki mon pe regarde aköz i premye ki mon rankontre, mon enterakte avek sa Lalwa, dan sa fason. So mon ti a kontan satisfere mon lekor ki nou pa pe kree en sityasyon, kot en egzanpsyon i ganny donnen lo baz ki, ou le protez sa enn sekter, oubyen ou le protez sa *group supplier*.

Se sa ki mon pe rode. Mersi Mr Chairman.

### **MR SPEAKER**

*Thank you.* Minis.

### **MINISTER NAADIR HASSAN**

Mersi Mr Chair. Mersi Onorab pou sa klarifikasyon. Mon larepons pou sa i senp. Desizyon pou *exempt* en sekter, en lendistri, en *class of goods and services, is ultimately, en policy decision.* Ok?

E en Minis, *as the political head of en lenstitisyon is ultimately responsible for policy making.* *That's the responsibility of a Minister,* anba Konstitisyon.

So, mwan mon ler mwan mon regarde *this is, within the remit of manda en Minis.* Aköz i *the policymaker.* E sa ki ou pe koz lo la ou, se egzekisyon en Polisi. So ler i pou al Tribinal, si pou al Tribinal, si i pou ganny *exempted,* si i pou annan en *particular regulator.* *That is a Policy direction.* Ki mannyer i egzite, apre i swiv sa *policy direction.*

*This is the way* ki mwan mon vwar. E sa pou mwan sa *Clause* i donn, fleksibilite ki mannyer nou adres diferan sekter. Mersi.

### **MR SPEAKER**

Mersi Onorab Georges.

**HON BERNARD GEORGES**

Mersi Mr Chair. Mr Chair mon krwar i byen ki Onorab *Leader* Lopozisyon i *raise* en konsern. Akoz i en konsern ki i annan.

E mon krwar ki Minis in eksplik byen ki sa se en desizyon *Policy*. Be mon ti ava kontan reasir Onorab *Leader* Lopozisyon e bann Manm Lasanble.

Ki mon pa krwar ki pou annan okenn problem. E mon ava eksplike akoz. Premyerman, i annan *oversight* par Komisyon.

Se komisyon pou bezwen angaz avek Minis dan sa desizyon.

Dezyenmman, pou annan latransparans pou piblik. Akoz sa *order* pou bezwen ganny pibliye dan *Gazette*. So tou dimoun pou vwar.

E trwazyenmman i annan 2 lezot posibilite pou anpes sa arive. Enn se dan nou pouvwar Lasanble. Akoz sa egzansyon pou ganny fer par en *S.I. Order or a notice* dan *Gazette*.

E nou, nou annan pouvwar *quash*, si nou krwar ki i mal ganny fer.

E katriyenmman, piblik an zeneral ki *dissatisfied* avek sa egzansyon, i kapab al devan

Lakour e demann en *judicial review* sa desizyon Minis.

E donk mon krwar i annan sifizaman sofgard pou fer sir ki sa pouvwar pa ganny abize. Mersi.

**MR SPEAKER**

Mersi. Nou pou bezwen move on lo la. Mon krwar lesplikasyon Minis i fer sans, i kler. Onorab Pillay ou ava fer en dernyen pwen apre Lasanble a dir si nou pou aksepte oubyen non.

**HON SEBASTIEN PILLAY**

Mersi Mr Speaker. Be la kot mon tyonbo ou la. Ou konnen? Ou'n vin lo sa pwen ki mon ti anvi ou vin lo la. Pouvwar *to quash*. Mon annan enn pe vini la mwan. Nou pou war ki manner ou reakte avek.

Akoz pouvwar *to quash* ou Minis in dir ou poudir sa pou en desizyon politik. Eski ou koman mazorite dan Lasanble ou pou al kont en desizyon politik, ki ou Gouvernman pou mwan?

Mon pa pe *impute* lo ou, konpran mwan? I en *legitimate argument* ki mon pe met lo latab. Pou fer dimoun konpran poudir mazorite dan Lasanble ki pou annan *the final decision* si sa *S.I.* oubyen sa notis ki pou pase.

*Now*, natirelman si nou Lopozisyon nou santi nou sa

S.I. pa devret pase, nou pou vin *quash* li. Be Minis in dir ou sa i en Polisi Gouvernman.

E *from what i have seen so far* mazorite i le siport tou Polisi Gouvernman.

*That is why* mon annan en konsern lezitim ki mon pa ti ava kontan en *supplier* oubyen en group *supplier* i ganny *exempt* baze lo en Polisi politik ki Gouvernman i annan.

Be mon napa pouvwar pou sanz sa. So vwala kot nou *stand*.

### **MR SPEAKER**

Mersi. Mersi Onorab Georges. Desizyon Lasanble mazorite oubyen minorite i zot desizyon. Zot prerogativ.

So, zot ava fer li ler i arive. Mon krwar si Manm an zeneral napa lobzeksyon ki nou kontinyen. Nou ava kontinyen silvouple avek sa.

Onorab Henrie.

### **HON GERVAIS HENRIE**

Mersi Mr Chair. Pou benefis tou dimoun nou'n ariv lo *part 2* aprezan. *Administration of the Act*.

E dan *clause 6*, '*functions of Commission*.' Nou le azout en mo '*the*' avan '*Commission*'.

Dan tit la, '*functions of the Commissions*'.

Touzour dan *clause 6* Mr Chair. Nou pou bouz *subclause 6(2) (l)*. Ok nou pou retourn *6 (2) (e)* dan premye laliny i annan da mo '*contraventiond*' e nou le azout 's' apre dan premye laliny mo '*contravention*' nou pe azour 's' avek. nou pe tir 's'. Ok nou pe tir 's'.

Nou prezan desann *6(2) (l)*. dan trwazyenm laliny nou met en comma apre mo '*and*'. I vin '*that arise out of policies and, ...*

E dan *6 (2) (o)* i annan. I lir koumsa '*deal with any matter referred to it by the Tribunal, Minister, and any other regulator.*' Sa i sa 3 pti lamannman Mr Chair dan *Clause 6*.

Lot lamannman kot nou pou ale.

### **MR SPEAKER**

Onorab Henrie enn de fwa letan ou'n sot seksyon ou'n osi donn nonm paz. Si i ede sa. I fer nou al pli vit lo la.

### **HON GERVAIS HENRIE**

Ok, savedir la nou pe al. Wi. Mersi Mr Chair. Nou pe al dan *clause 7* ki lo paz 22. E son tit i *Chief 'Executive Officer and Deputy Chief Executive Officer*'.

E nou pou al dan *clause 7 (5)*.

### **MR SPEAKER**

En moman wi. Yes Onorab Pillay.

**HON SEBASTIEN PILLAY**

*Yes. 7(1) ‘The President shall appoint a Chief Executive Officer and Deputy Chief Executive Officer for a term of 5 years, on such terms and conditions as may be determined by the President’.*

Now, mon konnen Prezidan i Sef Egzekitiv. Napa problem ek sa. Be li ki pou determin kondisyon en CEO?

*How does that work in reality?* Prezidan i *only present*, nou annan en Prezidan ki le ...

**MR SPEAKER**

Minister ou ti ava kontan adres sa? Wi Minister.

**MINISTER NAADIR HASSAN**

Mersi Mr Chair. Mersi Onorab. Onorab in mars parey toultan in deza marse dan lepase. Mazorite Lalwa i dir, ‘*The President shall appoint on such terms and conditions as may be determined by the President’.*

I pa *something* ki'n ganny envante dan sa Lalwa. Prezidan, plizyer Prezidan anba zot ladministrasyon ti annan menm pouvwar pou fer li.

E napa naryen ki'n sanze. *It is the prerogative of the Head of the Executive.*

**MR SPEAKER**

Yes Onorab Pillay.

**HON SEBASTIEN PILLAY**

Ok Mr Speaker. Mon pran sa largiman so zot le fer parey lepase ti fer. Napa problem.

Be mon konnen keksoz ti sanze. E *usually* ti entrodwir en *buffer* ant sa ki Prezidan i apwente e rekomandasyon.

Savedir pou fer sir ki dimoun i kapab *apply* pou sa bann *post* oubyen i annan en *advertisement* pou sa bann *post*.

E sete sa nide ler LDS ti dan mazorite dan Lasanble. Ki dayer ti ganny siporte par Gouvernman US. Savedir bann *post* ti annan bann *advertisement* ki ganny fer pou zot ganny apwente.

La nou pa pe war la. Mansyon *advertisement*. E mon war ou'n *very quick* lo draw. Parey en *cowboy* ki annan 2 fizi ou'n degaze ou'n anvi tire.

Ou bliye poudir dan Lalwa se ou koman Minis ki ganny mansyonnen koman *interface* avek Komisyon.

Mon ti ava espekte ki Prezidan lo rekomandasyon Minis *from suitably qualified candidates*, i apwent en *Deputy Chief CEO*, en *Deputy Chief*

*Executive Officer and a Deputy CEO.*

Mon pa ti ava espekite ou en dimoun ki krwar dan latransparans pou vin dir mwan poudir nou Gouvernman US ti fer parey, alor nou fer parey.

So, mon propozisyon i senp, eski nou kapab annan en *buffer* ant Prezidan apwente. E koumsa ler nou pe koz lo kondisyon mon pa krwar se Prezidan ki determin sa bann pozisyon.

Prezidan i *rely* lo en lot antite pou determin sa bann kondisyon.

Akoz si nou regard sa Lalwa i annan en keksoz enteresan ki mon pou montre zot taler, ki pou mwan i montre pou dir nou bezwen rod en fason pou donn sa lotorite en pe plis lendependans *from* sa lenterferans politik. Sa mon pwen Mr Speaker.

### **MR SPEAKER**

Mersi wi. Selman la ankor Onorab Pillay ou'n ariv lo en posibilite en *amendment* ki pa'n ganny met dan Lalwa.

So amwen ki Lasanble i krwar poudir i en *simple amendment*, nou a zis kapab *move on*.

Onorab Cosgrow ti annan, ti'n lev lanmen. Mon pa konnen si ou ankor lo menm pwen.

### **HON WALLACE COSGROW**

Mersi Mr Speaker. Mr Speaker mon tant pou dakor avek sa ki *Leader* Lopozisyon in dir.

Mon santi i devret annan en *buffer between* Prezidan avek lapwentman sa Sef Egzekitiv.

E parey in ganny dir dan lepase in toultan annan sa largiman, akoz ki Prezidan i politiz sa lapwentman dan en sans.

Me solman mon annan en lot pwen ankor mon le fer sorti. I an relasyon avek sa zafer 5an.

Akoz si nou pe *go to* lepase. *Then* normalman 3an *was the acceptable term*. E dan mazorite ka pou bann *Chief Executive*. E akoz dan sa enn nou'n deside met 5an? Mersi Mr Speaker.

### **MR SPEAKER**

Mersi. Minis, *panel*. Yes Minis.

### **MINISTER NAADIR HASSAN**

Mersi Mr Chair. Mersi Onorab pou ou kestyon. Mon ava adres kestyon Onorab *Leader* Lopozisyon e Onorab Cosgrow *at the same*.

Lo kote pratik *ok*, lo kote pratik ou'n koz lo *advertising*

*the post.* I annan plizyer legzanp ki mon kapab donn ou. E ki pe vini osi ki pou *advertise* diferan *post CEO*.

So, an pratik napa naryen ki anpes *advertising the post*. E *recommended candidate is proposed to the President*.

Me pwen ki mon pe sey fer se Prezidan i *Head of the Executive*. E i son prerogativ pou apwent bann dimoun ki pe *head* bann diferan fonksyon egzekitiv.

Lo pwen ki Onorab Cosgrow in mansyonnen lo term letan. Larepons se ler diskisyon in ganny fer se ki i annan en eleman leksperyans, *knowledge that needs to be build up over time*.

E nou'n war li rezonnab dan fonksyon Komisyon *Fair Trading*, ki en peryod letan i 5an rather than 3an.

I senpleman *due to the* - pou ou kapab *build up* sa leksperyans, sa lekspertiz ki limite. Me osi i pran letan pou *build*, i senpleman sa rezon ki in met li 5an. Mersi.

### **MR SPEAKER**

Mersi. Onorab Loze.

### **HON JOHAN LOZE**

Mersi Mr Speaker. Mon ti zis anvi kontribye ki presedans

Lasanble ki'n ganny etabli depi 6enm Lasanble.

Nou ti pe konmans *move away from* sa zafer trenn laprezidans. E la mon pa pe koz Prezidan la. mon pe koz laprezidans.

Lafason ki nou ti'n aksepte pou travay, se ki enn nou ti pe *buffer* laprezidans.

Dezyenm nou ti met li *above the fray*. E sa ti laprezidans. Pa ti neserman Prezidan.

E tou largiman ver sa direksyon in ganny anmennen par parti *SNP/ LDS* zot menm.

*In fact, it was a standing joke* dan *Bills Committee*. E Onorab Georges i pou konfirman.

A sak fwa nou ti war sa mo '*shall be by the President*,' nou tou nou ti riye aköz nou ti konnen nou bezwen tire.

Parske si nou pa ti tire ler i ariv lo *Assembly floor* Onorab Ferrari ti pou ganny *apoplexy*.

Nou tou nou ti konnen sa dan *Bills Committee*. *It was a given practice*. E i ti'n *accepted as best practice* pou nou depi tou sa letan ki i ti meyer pou elev laprezidans.

Aret mel li dan tousala. Be la mon santi nou pe fer en pti pe en regresyon. Be selman se sa direksyon ki Gouvernman i le ale, *fine*.

**MR SPEAKER**

Mersi. Onorab Loze in siport mon pwen. Sa pwen ti'n devret ganny fer koman en amendment. E pas dan *Bills Committee*. Nou pa kapab-

E sa bann lamannman ki zot pe mete i *quite substantial* lo soz. Onorab Henrie.

**HON GERVAIS HENRIE**

Mersi Mr Chair. Lo menm pwen. i en pwen ki mwan personnelman mon ti leve dan *Bills Committee*.

Me pou benefis Lasanble e piblik an zeneral. Mon krwar son kompleksite *around* sa *clause* i se ki dan Sesel ozordi i napa en standar.

Akoz sak sa bann antite, e mon ti donn legzanp si nou pou al dan Lalwa, par egzanp *Infrastructure Agency* i en standar.

La *FTC* nou pou war e standar. *Planning Authority* nou pou war en standar. E *SBC* nou pou war en standar.

Donk vwala en loportinite kot nou koman Lasanble, nou merit antre dan en diskisyon lo sa size.

Kwa ki nou le pou al avek largiman Onorab Loze. Standar pou laprezidans. Parske i vin en kestyon Polisi lekel parti ki la ki anvi fer. Be koman en parti si

nou ti kapab annan en pwennvi bipartizan lo sa size.

Nou *entame* en diskisyon pli tar kot nou fer serten propozisyon. Zisteman letan anmenn sa mon pa'n anvi fer okenn, propoz okenn lamannman. Akoz i annan diferan standar Mr Chair.

Me touzour lo sa *Clause* mon sel konsern mon ki mon annan, se sa zafer 5an, mon ti ava kontan vwar en term limit. Akoz ler nou pe koz *Fair Trading* i en *area* kot i annan risk pou sa *CEO* ganny tante avek gro biznes pou vir lizye lo zot.

So, ou la konbyen letan ? Mon krwar i merit annan en moman kot i ale e fer lespas pou en lot dimoun pou anpese ki nou ekspoz li avek sa bann risk ganny tante avek okenn lenfliyans. Mersi.

**MR SPEAKER**

Mersi. Mon ava pran dernyen pwen Onorab Pillay. Apre Minis i ava adrese. Me selman mon pe dir ankor, *for one of an amendment on the floor* nou pou bezwen *carry on*.

Yes Onorab Pillay?

**HON SEBASTIEN PILLAY**

Mersi Mr Speaker. Mr Speaker premyerman - premyerman se swe ou atraver demann ou si ou le nou, nou *move* en Mosyon

pou demann ou pou *allow* sa lamannman.

Mon le met devan ou ki i pa premye Lalwa ki vin devan Lasanble. E mon'n asize la e plizyer repriz mon'n remark *panel*, Gouvernman vini, propoz lamannman lo *floor*, ki pa'n zanmen pas atraver okenn prosedir lamannman. Akoz nou'n dekouver ki i mank en keksoz dan Lalwa e ki ou'n *allow*. Mon le met sa devan ou. e sa i en pratik ki nou'n fer. I en presedans ki ou ou'n kree.

Prezan si mon vin lo ou pwen ki Onorab Henrie in *raise*. Ou konnen nou annan en serten sityasyon ozordi ki enteresan dan pei an relasyon avek apwentman bann dimoun.

Par egzanp si nou pran *Human Rights Commission* ozordi, *Human Right Commission* son *Commissioner* e bann lezot dimoun i ganny apwente an konsiltasyon avek Speaker Lasanble Nasyonal.

Me *Human Rights Commission* ozordi ler pou ganny apwente, Speaker Lasanble Nasyonal i *Leader* en parti politik.

So Prezidan li menm li i sorti dan sa parti politik. So pou annan efektivman dan *next appointment of the Human Right Commission* ki pou ganny fer par *current* Speaker Lasanble e

Prezidan, ki pou ganny fer par tou lede sorti dan en parti politik e pou efektivman politiz sa lapwentman.

Ler nou regard ek *SBC* par egzanp - *SBC* kot nou ti annan gran deba lo la. *SBC* i annan provizyon pou Speaker Lasanble Nasyonal e lezot dimoun apwent bann manm.

E nou ti fer provizyon ki son *CEO*, son *post* ti ganny *advertise*. E ki mannyer *SCAA* i propoz lapwentman son *post*.

E ankor enn fwa ek *SBC* nou pou vwar en sityasyon kot nou pou politiz en lapwentman, kot Speaker i *Leader* son parti politik.

Me kot nou annan en *issue* la ki enteresan anba sa Lalwa? Ler nou regard *removal of sa CEO*. *Usually* i annan en *reporting line* kot sa lorganizasyon i *report to*.

Par egzanp an relasyon avek bann Tribinal, i annan en *reporting line*. I annan en striktir ki'n ganny etabli ant Minis avek Sef Ziz.

Me an se ki konsern *CEO* ek *Deputy CEO* napa. Akoz si ou retourn pli ba zis i dir ou Prezidan i kapab *terminate* apwentman sa 2 dimoun lo *convict of an offence, undischarged insolvent, mentally or physically incapable, engaging in activity*



*that may undermine the integrity of the Commission.*

Be lekel ki pou raport ek Prezidan sa? Lekel ki pou dir Prezidan sa? Napa okenn dimoun dan milye.

So, mon konsern i sa. Mon konsern se ki mon konpran ki Gouvernman i le fer. Gouvernman i le kre en antite ki annan en zirisdiksyon. E pa pe met li anba en *reporting line* ki *constrain li*. Mon konpran sa.

Me dan sey fer sa nou'n osi kre en keksoz ki kre *anomaly*. Akoz *there is no one to report on the CEO*.

*So that is why* nou pe propoze ki, mwan, mon krwar ki i bezwen annan en konsiltasyon avek en antite an relasyon avek lapwentman sa dimoun ki pou *head* sa Konmisyon. Ou konpran?

Ozordi nou annan en dimoun ki annan leksperyans ladan. Nou sanse. Nou annan en dimoun ki annan en dimoun ki annan leksperyans dan sa domenn, ki'n swiv sa domenn. Ki kapab son apwentman i transfer direk lo la. So napa *issue*.

Be *going forward* nou pou annan en *issue*. Nou konpran sa. E se pou sa rezon ki nou bezwen fer sir poudir nou koman Lasanble nou *ringfence* Lalwa.

Mon pa konnen ki mannyer Minis i santi nou kapab fer sa. E ki mannyer sa *reporting line* pou ganny etabli.

Mon pa krwar ou pou permet mwan move en lamannman Mr Speaker, akoz mon napa 48erdtan.

### **MR SPEAKER**

Non, mon al plis lo la. Nou ava permet Minis adres.

### **HON SEBASTIEN PILLAY**

So vwala kot nou ete.

### **MINISTER NAADIR HASSAN**

Mersi Mr Chair. Mersi sa 2 Onorab pou zot entervansyon. Lo premye, lo term 5an mon konpran konsern ki Onorab in met devan *regarding*, si ler ou *spend* tro bokou letan dan en *post*. Ki kalite konfli lentere ki kapab, ki mannyer ou lendepondans i ganny afekte.

Me selman kekfwat mon ti ava eksplik rezondet akoz. Akoz sa i en keksoz ki'n ganny diskite lo nou kote.

Se *given* ki Sesel i en pti pei e ou pa le met bann rizidite *in terms of* apwentman ki ou annan en *small pool of skilled experienced people* dan sa domenn.

E si ou met term limit demen ou war ou dan en sityasyon ki ou riske dan en

problenm - pa ganny en dimoun ki *fit in* avek sa rol.

Me i en balans. Mon antyerman konpran sa konsern ki ou'n met devan. I en konsern ki reel. E lo kote en term limit.

So, mon en pe dan tou lede kote nou bezwen gete ki mannyer nou balans sa 2 konsern. Konsern ki si ou met term limit, then ou annan sa rizidite pou ou kapab *extend let's say* en trwazyenm term. Or en dezyenm term.

Me sa en kestyon ki kekfwa Lasanble i ava bezwen gete ki mannyer i fer sa balans e gid nou.

Lo pwen Onorab *Leader Lopoziyon*, si mon pe konpran ou byen Onorab, eski enklizyon *of the President in consultation with the Minister shall appoint?*

*Is that what* ou pe propoze?

### **MR SPEAKER**

Yes Onorab Pillay.

### **HON SEBASTIEN PILLAY**

Yes. Mon pe propoze efektivman sanmenm. *So that* nou Lasanble nou ava annan *oversight* lo en dimoun. Ou konpran?

E prezan *in consultation with the Minister from suitably qualified candidates. From suitably qualified candidates.*

### **MR SPEAKER**

*Yes Minister.*

### **MINISTER NAADIR HASSAN**

Mersi Mr Chair. Onorab mon napa lobzeksyon enklizyon *in consultation*. Me mon pa war li nesese pou met *suitably qualified* akoz seksyon 7, 5. Non -*sorry*.

7 (2) wi, 7 (2) i deza donn ou *what is a suitably*. In fini met sa an plas pou ou 7(2). So, mon pa war li nesese pou repet li ankor anler. Akoz in mete la.

Me mon napa lobzeksyon pou *include "the President in consultation with the Minister"*. Mersi.

### **MR SPEAKER**

Mersi. Eski lo kote *LDS* i annan okenn lobzeksyon? Eski nou bezwen pran vot lo sa?

### **HON BERNARD GEORGES**

Non Mr Chair. Nou dakor *"in consultation with the Minister."* Napa okenn problenm. *In any event* mon ti pe al dir si mon ti'n pran laparol. *In practice this is exactly what happens.*

Prezidan pa reve. I *call* Minis i dir lekel ki ou ti ava kontan e zot travay koumsa.

Mon mazen. *But out of an abundance of caution.*

Annou mete, pou pa annan *polemic*. Mersi.

**MR SPEAKER**

Mersi. Mon a reponn prezan *Leader* Lopozisyon lo kan mon pou kapab aksepte en propozisyon pou en amannman.

Pou mwan i senp. Nou bezwen progrese lo sa *Bill*. Si en amannman i leve ki i evidan ki i annan keksoz mal avek sa *Bill*, e ki *panel* i war poudir *there is a lapse, there is a gap*.

E lezot Manm Lasanble i osi i war. *Then obviously* nou bezwen soz lo la.

Sa ki mwan mon pe evite se en *protracted debate* lo en pwen ki ti'n devret ganny mete koman en amannman.

Si ou propoz en keksoz e Minis i dakor. Lezot Manmi dakor, nou aksepte li, i napa problemn. Nou *move on. Ok*.

So, la par egzanp nou'n aksepte li nou *move on. Let's go forward* Onorab Henrie. *Yes*.

**HON SEBASTIEN PILLAY**

Mon le zis dir mon rekonforte par ou prononsman. E mon osi santi mon bokou pli alez par lefe ki petet prezan mon pa santi poudir ou ankoler avek nou lo sa kote latab.

E ki nou kapab fer bann propozisyon. So nou pou ede

nou osi pou fer sa Lalwa vin bokou pli for. Mersi bokou Mr Speaker.

**MR SPEAKER**

Ou konnen dan en amannman i kapab annan 2 pozisyon. Si en pwen ki'n fini kalkile, ki'n fini ganny konsidere deza, nou pa pou antre dan en deba la dan Lasanble ki pou prolonz sa.

Me si tousala i dezakor. *All size agree? Yes, we can.* Onorab Henrie please.

**HON GERVAIS HENRIE**

Mersi Mr Chair. Nou ankor lo *clause 7*. Nou pou bouz lo *clause 7 (2), 7 (2) (b)* lo paz 23. Ki li '*is undischarged*' nou le azout '*an*'. '*Is an undischarged insolvent*'. Savedir i pou lir.

Next, nou pou bouz lo *clause 11*.

**HON SEBASTIEN PILLAY**

*(Off-Mic)*

**MR SPEAKER**

*Yes* Onorab Pillay. Mersi.

**HON SEBASTIEN PILLAY**

Mersi Mr Chairmen. Mon le ganny pozisyon *AG* lo. Mon konpran larestan *clause ABC* anba 7 (5). Kot i dir si in ganny arete, i ganny *convicted over* en lofans - *Insolvent* byensir.

Aprè *mentally* or *physically*. Me sa (d) la, eski sa dimoun i annan drwa al reprezantasyon ler Prezidan in *terminate* son lapwentman?

Eski i pou pas atraver prosedir normal pou li al *PSAB* or *whatever, what is the, how*, ki manner i pou kapab?

Akoz la nou pe donn en dimoun en fonksyon vreman enportan. So mon pa war okenn *safeguard*.

Sey eksplik mwan petet ki nou pou fer dan sa ka.

**MR SPEAKER**

AG keston in ganny mete pou ou.

**THE ATTORNEY GENERAL**  
**MR FRANK ALLY**

Mersi Mr Speaker, Mr Chairman. Mr Chairman *Chief Executive Officer* oubyen son Depite zot pou bann *public officers*.

E *Public Officers Act* i dir ou poudir. *Well, PSO will apply*. Parske *PSO* i *apply across the Board* to bann *public officers*.

So, an rezilta sa, i annan en prosedir anba *public Officers*, anba *PSO*.

Me de tout fason si pou reponn ou keston. Si en, vi ki *Chief Executive Officer* pou en *public officer*.

Anba Konstitisyon i pou kapab *lodge* en konplent son *termination* kot *PSAB*. Mersi.

**MR SPEAKER**

*Thank you*. Onorab Henrie *back to you*.

**HON GERVAIS HENRIE**

Mersi Mr Chair. Donk nou pe *move* lo *clause 11. Investigators*, sa i lo paz 24. Dan *clause 11, 11 (3) (b) small (ii)*, nou le azout ‘s’ avek sa mo ‘*request*’.

*11 (3) (b) (ii)* nou le azout ‘s’ ek ‘*request*’.

Lot nou al lo *clause 12 ‘relations with other regulatory authorities*.

*12 (b) (ii)* lo paz 25. Non, annou inyor. Lot nou pou al lo paz 26 Mr Chair.

**MR SPEAKER**

Lekel ki pe adrese la *LGB* oubyen.

**HON GERVAIS HENRIE**

Mr Chair dan *clause 12 (b) (ii)* nou pe retir sa mo ‘to’ devan ‘*unsure*’. Si i vin zis ‘*ensure compliance with this Act*’.

E dan *clause 13 guidelines by Commission 13 (2)*. Nou le retir en mo ‘*the*’ pou li lir ‘*the Commission may review an issue revised version of its guidelines*’.

*Next* nou pou bouz lo *chapter 2*.

**MR SPEAKER**

*Hold on a second*. Onorab Pillay i annan en pwen. Yes Onorab Pillay.

**HON SEBASTIEN PILLAY**

Mersi Mr Speaker mon annan en dernyen pwen lo sa seksyon an ski konsern Komisyon.

Mon vwar lentansyon se pou kre en Komisyon ki annan pouvwar pou li *regulate* son prop fonksyon, son bann prop kondisyon.

*Now* lot antite ki annan preski menm konfigirasyon se Oditer Zeneral. E apre mon pa vwar menm konfigirasyon avek *Human Rights Commission* ki sipoze annan menm konfigirasyon.

Now mon kestyon se, eski dan sa sironstans *Department Public Administrations*, son bann *circulars*, pou *apply to the Commission as it relates to son recruitment or to lezot keksoz* ki annan desizyon pou li pran.

Akoz in annan konsern ant bann diferan antite *whether* sa bann sirkiler i *apply* pou zot.

So, mon ti ava kontan ganny klarifikasyon si nou pe dir poudir sa Komisyon pou annan tou pouvwar pou li *regulate* son bann fonksyon.

**MR SPEAKER**

*Thank you. Panel. AG. Minis.*

**THE ATTORNEY GENERAL MR FRANK ALLY**

Mersi Mr Chairman. Mr Chairman mon krwar i kler anba Lalwa si nou get *Interpretation and General Cause Provisions Act*, kwa ki *public service*?

E Komisyon i pou *part of the public service*. Mon krwar sa i, sa i en keksoz ki mon krwar bokou fwa mon war i manke dan kwa ki *consist of public service*.

Tou antite ki i *budget dependent*. Savedir larzan i sorti dan *Consolidated Fund* i *part of the public service*.

Si ou en antite, ou en *Public Authority* anba Konstitisyon, me ou pa ganny *funded* dan *Consolidate Fund*, ou pa pou vin *part of the public service*.

Me la ou pou *part*. Mon krwar sa i *the answer to the question*. E si nou diriz avek sa an tet, petet i annan serten keksoz ki pa pou poze.

Akoz i pou *so obvious* ki nou pa pou bezwen demann, i pa pou ganny *raised*. Mersi.

**MR SPEAKER**

*So, this is take care of. Onorab Pillay.*

**HON SEBASTIEN PILLAY**

Mersi Mr Speaker. Mr Speaker mon komans per. Akoz i paret pou dir i annan bann sistenm ki desin bann laliny dan Gouvernman konmela.

*Eski ou pe dir mwan Human Rights Commission ki budget dependent i part of the public service?*

*Eski ou pe dir mwan Oditer Zeneral is part of the public service? In which case i subject to public service Orders. In which case i subject to ki recruitment i pou fer? Ki kantite Oditer i pou recruit?*

*Be nou Oditer Zeneral fek dir enternasyonalman pou dir i pa part of the public service. E sa i enn bann rezon akoz in ganny awarded as one of the most independent supreme body institutions.*

*Eski ozordi Gouvernman pe dir nou e lot keksoz? Mon konpran ou anvi eksplik mwan Lalwa. Mon napa problem ek sa mwan.*

*So si ou, ou kre kondisyon ki fer laplikasyon. Ok mwan. Mwan mon pe zis demann en konsern lezitim, akoz in annan konsern eksprimen par bann antite ki ler nou'n zwenn zot*

*koman Lasanble. Zot in dir nou sa.*

*So si ozordi Human Rights Commission is part of the public service dan ou thinking?*

*Thank you very much mon byen kontan. Se sa lafason ki sa Ladministrasyon i war keksoz.*

*E piblik Seselwa i a tande i ava konpran deor.*

**MR SPEAKER**

*Thank you. Minis.*

**MINISTER NAADIR HASSAN**

Mersi Mr Chair. Onorab mon krwar kekfwa i annan 2 keksoz ki pe ganny konfize. La nou pe koz lo, *let's say* nou pe koz lo *staffing ok.*

*Ki eski ler nou pe koz lo sa lotonomi pou dir ki en antite parey Human Rights Commission, e lezot, zot excluded from the budget process? Si ou dir ou annan full lotonomi. Full endepandan, full lotonomi, recruit kantite ki ou le. Pey sa ki ou le, be ki bor sa Bidze pou sorti?*

*Kekfwa ou kapab gid mwan, ki bor sa resours bidzeter ler ki i annan en kontrent sa. En Bidze ler ou prepare there is a constrain.*

*Akoz i binded by paramet ki an plas pou Bidze en lannen. Me si ou pe dir, si mon'n konpran ou largiman byen, ki*

ler nou pe koz lo lotonomi, lo sa, zot devret annan *full* abilite, kot kontrol i vini *in terms of* bidzeter.

**MR SPEAKER**

Onorab Georges.

**HON BERNARD GEORGES**

Mersi Mr Chair. Mr Chair mon krwar ki i en konfizyon ki kapab rezourd ase fasilman. *Attorney General* i annan parfetman rezon, ler ou *budget dependent* ou vin en *public office*.

E sa napa, e ou vin *public office* pou rezon ki *Leader* Lopozisyon in demande - setadir kote ou ale si i annan en problem demen. *Attorney Zeneral* i en *public officer* li. Si demen enn son *staff* i ganny met deor, zot pou al kot *PSAB*, akoz zot *budget dependent*.

Sa ki enportan e mon krwar fodre pa nou bliye, se ki malgre ki serten antite i bann *public offices*, i annan serten ki endepandan. E nou napa okenn a) premyerman nou, nou napa okenn drwa *oversight* lo zot.

E dezyenmman nou pa kapab *call* sa ki zot fer an keston.

Nou pa kapab anmenn *Attorney Zeneral* demen isi demann li akoz in donn tel *advice* avek Gouvernman.

Nou pa kapab demann li akoz ou'n pourswiv en dimoun e in swazir pa pou pourswiv en lot. Nou pa kapab apel *CAA*.

Nou pa kapab apel *Human Rights Commission*. Nou pa kapab apel *Ombudsman*. Nou pa kapab apel Zidisyer. Nou pa kapab apel *SBC*.

E mon repete ankor akoz tou sa bann antite zot *constitutionally independent*. I pa oule sir ki zot pa en *public office*.

Me zot annan en lendepandans konstitisyonnèl ki met zot apar. Setadir dan kategori *public offices* i annan serten ki *subject to oversight*. I annan serten ki pa *subject to oversight*.

Akoz konstitisyonnèlman zot in ganny donn zot lendepandans. Mon krwar se sa refleksyon ki nou bezwen fer. Mersi.

**MR SPEAKER**

Yes Onorab.

**HON SEBASTIEN PILLAY**

Mr Speaker mon kontan Onorab Georges in sey vin rek calibre son Gouvernman.

Ou konnen akoz pou mon se sa ki en problem. Si ou dir mon *Interpretation and Job Provisions Act* i dir ou poudir si

ou *budget dependent* ou en *public office*.

E ou *subject to* tou sa ki *public office* i dir. *Ok. Now* i enteresan sa. Mwan mon konnen poudir *Attorney Zeneral* li son Lotorite i *enshrine* dan Konstitisyon.

CAA dan Konstitisyon. *Ombudsman* dan Konstitisyon. Me *Human Rights Commission* i pa dan Konstitisyon. Oditer Zeneral par kont i dan Konstitisyon.

So nou bezwen etabli *interface* ki pou egziste ant sa bann Lotorite. Akoz zot pou annan en fonksyon ki pou anmenn zot pou kestyonn aksyon serten antite Gouvernmantal.

I lozik sa pou nou demann sa kestyon. Me selman mwan mon konsernen si sa *thinking* ki annan dan Gouvernman ozordi.

*Then* mon krwar bann antite ki pe ekoute demen i bezwen konpran byen zot rol.

Akoz nou pa ti ava kontan ki Gouvernman i initilman *withhold* sipor pou en lorganizasyon, zis akoz sa lorganizasyon i kapab anmenn en defayans pou Gouvernman.

So se sa ki mon ti pe eksprim mon konsern. Be selman Mr Speaker mon ava, *I will let the matter rest*. Mon war

*AG i very eager* pou li reponn mwan.

So mwan mon ti le zis *raise* sa konsern, akoz mon'n gannyen sa konsern dan lepase avek serten antite. *Regarding* bann *circulars* sorti kot Departman *Public Administration* ki'n dir zot pa kapab *recruit*, oubyen zot pa kapab fer tel keksoz. Mersi Mr Speaker.

### **MR SPEAKER**

*Thank you, AG.*

### **THE ATTORNEY GENERAL** **MR FRANK ALLY**

Mersi Mr Chairman. Mr Chairman mon konpran serten konsern ki Onorab *Leader* Lopozisyon pe *raise*.

*In fact*, mwan mon santi poudir avek promilgasyon Konstitisyon '93, leta in *fail* pou li *update* son Lalwa.

E se sa ki kre sa kalite problem ozordi. Si Leta ti fer sa legzersis pli konpreansif petet. Mon konnen i ti annan bokou *challenge* pou fer sa.

Kot nou ti klarifye what is a *public service* anba Konstitisyon, aliny li avek lezot Lalwa, Organiz par egzant *Public Offices Act*.

*Public Service Orders* ki zis pa en vreman en ganny pibliye.



Mon krwar sa ti ava klarifye bokou keksoz.

Me parey Minis in dir nou osi annan bann *issue* Bidze. So ler *tax payer* i - ler Lasanble. Parske Lasanble ki *hold the purse*. Ler Lasanble i aprouv en *Appropriation Bill*, i donn larzan en antite ki ganny kree oar en Lalwa. E ki egzers serten lendependans.

Me son lendependans tre souvan i *part of* son fonksyon. Parey en Ziz. En Ziz se i egzers lendependans ler i pe zir koman en Ziz. Me son saler i ganny *provided* par en Lalwa ki Lasanble ki pase.

So nou bezwen konpran sa. Me petet pou nou *put an end to this*. Mon pa krwar i afekte rol Komisyon - sa Komisyon.

Parske sa Komisyon li i pou *part of the public service*. I pou *part of the Executive*. Se sa Tribinal. Nou bezwen konpran poudir i annan en Tribinal ki li Konmisyon i annan son louvraz ki ganny fer li. ki pou fer.

Tribinal i pa *subject to the Commission*. Komisyon pou al devan Tribinal koman en parti pou li anmenn en konplent devan Tribinal.

E Tribinal li i pou form parti Zidisyer. E la parske anba Konstitisyon Zidisyer i kapab

form bann *Tribunals* i kapab form parti Zidisyer.

E la Tribinal li dan en fason endependan i pou *adjudicate* okenn konplent ki ganny anmennen devan li par Komisyon. Mersi.

### **MR SPEAKER**

*Thank you. Deputy*, Onorab Henrie ti pe al lo *Chapter II*. Be mon krwar i ava en bon moman pou pran en poz. Nou a retournen 11.10. Mersi.

***(BREAK)***

### **MR SPEAKER**

Byen nou ava rebran kot nou ti'n arete. Komans Sapit 2. Onorab Henrie.

### **HON GERVAIS HENRIE**

Mersi Mr Chair. Ankor enn fwa bonzour tou dimoun. Mr Chair nou kontinyen. Donk nou'n ariv lo Sapit 2 *Fair Trading Tribunal* lo paz 26, clause 14.

*Establishment of Fair Trading Tribunal*. E dan 14 (5) dan dezyenm laliny. 14 (5) dezyenm laliny, nou le azout 'a' avan mo '*part-time*'. Pou li lir '*other members who shall serve on a part time basis*'.

Lot lamannman pou vin dan *clause 15, Composition of the Tribunal for adjudication of any matter*.

Dan 15 (2) dezyenm laliny. Nou le azout mo ‘*in*’ avan ‘*any proceedings*’. Pou li lir ‘*with the Chairperson at any sitting of the Tribunal or in any proceedings on a complaint or matter*’.

E Mr Chair letan ki mon annan *floor*, akoz sa i en pwen ki nou'n diskite lo la dan *Bills Committee*.

Mon pa'n met en amannman an ekrir. Selman mon ti pe anvè ki nou sanze. Ki sa *Chairperson* i oblize, i oblize selekte omwen ouswa an mwayenn 2 manm.

2 manm pou asiz ek li. e non pa *any number* ki i kapab swazir enn. So, mon ti pe propoze par egzanp pou sa *clause* lir 15 (2).

*‘The chairperson shall select at least two members to sit together with the chairperson at any sitting of the Tribunal or in any proceedings on a complaint or matter’.*

### **MR SPEAKER**

Ok. Well parey mon'n dir annou met sa devan *panel* avek Lasanble. Si napa obzeksyon oubyen. Onorab Pillay premye.

### **HON SEBASTIEN PILLAY**

Mersi Mr Chairman. Mon konpran sa lamannman akoz pe ganny propoze. Me selman

mon ti ava kontan ganny en klarifikasyon.

Lefe ki sa Lalwa i dir ki poudir se Sef Ziz ki pou *set* bann lord e prosedir sa Tribinal, eski sa Lalwa li menm i kapab *dictate* en *quorum* sa Tribinal?

Eski nou le al dan sa laliny? Eski nou le dir ki Tribinal i pou annan en *quorum*? Akoz se sa ki mon bezwen etabli.

Akoz si nou dir ziridiksyon Sef Ziz i siprenm an relasyon ek sa laplikasyon sa Lalwa. Akoz nou pa mansyonnen *quorum* dan sa Lalwa.

E mon krwar sa ki Onorab Henrie pe dir, i pe *basically* etabli en *quorum for the Tribunal* ler i pe dir *at least 2* manm.

Nou ti ava kontan ki nou ganny klarifikasyon lo la.

### **MR SPEAKER**

Byen. annou pran lesplikasyon ava. AG apre nou ava pran sa amannman.

### **THE ATTORNEY GENERAL** **MR FRANK ALLY**

Mersi Mr Chairman. Mr Chairman mon krwar i pa en problem pou en Lalwa dir ki pou konpozisyon sa Tribinal. Si nou pou pran par egzanp Tribinal Lafanmir, ki li osi anba ziridiksyon Sef Ziz.

Anba Ziridiksyon Zidisyer *rather*. Or ki form parti Zidisyer. Oubyen *Employment Tribunal* i dir ou ki kantite manm ki pou sit pou en hearing.

E sa enn Lalwa osi pe dir parey. i pe dir ki i kapab ganny ekzerse par *Chairperson*. Setadir *Chairperson* i pou ekout okenn konplent ki ganny mete devan Tribinal.

Me *Chairperson* li i kapab al selekte okenn lakantite Manm ki li i santi nesese pou li ekout en *case*.

Rezon ki nou'n fer li koumsa se ki i annan bann pti ka ki vin devan Tribinal, ki vin devan *FTC Board*.

E tre souvan i arive ki sa bann *case* i kapab ganny *disposed of as a matter of* en pti git letan. I pa *raise much in terms of issues*.

E *therefore* pou ou asiz avek plizyer manm, i pa pratikman nesese. O kontrer par asiz avek plizyer Manm, i kapab fer soufer sa konplenan.

Akoz i difisil pou ou ganny en *quorum*. E evantyeleman *case* i *drag*. Mon pa pou dir ki si en *Chairperson* i asiz li tousel *case* pa pou *drag*.

Me sa posibilite ki i *drag* i bokou plis ler i annan 3 manm. Akoz la ou bezwen al fer sir ki tou le trwa.

E tre souvan i arive, ou bezwen ganny tou le drwa. Si *case* i anvoye. Ou bezwen ganny tou le trwa pou *available* pou ekout *case*. So petet sa ki i reponn en pti pe.

Me parkont ler i annan en *case* ki *Chairperson* i santi poudir i bezwen serten manm. Akoz parey nou'n war kalifikasyon pou vin en Manm i bezwen petet en dimoun ki annan plis spesyalizasyon.

*Then* i kapab, i demande ki bann Manm i asiz ansanm avek li. E la zot kapab pran en desizyon avek bokou plis sipor. Mersi.

### **MR SPEAKER**

Bon AG in donn lesplikasyon lo tou lede pwen. Onorab Georges ou ti'n lev ou lanmen ou ankor.

### **HON BERNARD GEORGES**

Yes. Mersi Mr Chair. Mr Chair mwan mon enn sa bann dimoun ki pa krwar dan Tribinal.

I en zoli figir pou donn avek piblik. ki en Mazistra pe asiz avek 2 *lay assessors*. E nou'n vwar sa de tout tan dan *Rent Board*, apre dan Tribinal Lafanmir, apre dan Tribinal Lanplwa. E osi la prezan la prezan dan Tribinal Komers Zis.

Problenm ki nou vwar souvan se ki sa bann manm la,

e mon bezwen pezh mon mo akòz mon, bokou sa bann manm ki asiz lo sa bann Tribinal i mon bann zanmi.

E mon pa kapab zeneralize. E mon pa anvi zeneralize. Me nou vwar ki dan bokou ka, zot *defer* tou sa ki sa Chair pe fer, sa Mazistra pe fer.

E pa dan tou ka e mon bezwen dir sa. Me dan bokou ka. E mon krwar ki lespri deryer annan en Tribinal avek bann *lay assessors*, se pou reasir sa bann dimoun ki vin devan zot ki i annan dimoun - en pti pe parey ziri. I annan dimoun ki pa neserman bann dimoun legal ki pe ekout sa *case*.

E i tre bon annan de fwa annan en lot pwennvi. Me mon vwar ki *in practice*, dan son pratik annan de fwa bann Tribinal pa mars koumsa.

E dan bokou ka, sa bann manm i zis les *Chairman* vreman fer tou keksoz. *Chairman* i demann tou kestasyon, li ki ekrir zizman eksetera.

*So, at the end of the day* son lespri pa ganny met an pratik. Sa se premye.

Premye pwen me se en pwen zeneral e i pa afekte nou isi. Akòz isi i annan en provizyon kot i sipoze annan en Tribinal.

Me mon'n dir, mon'n dir sa ki mon'n dir akòz mon anvi depart en pti pe avek propozisyon Onorab Henrie.

Mwan mon plito partaz Lopozisyon *panel*. *Sorry* pozisyon *panel* ki dir ki sa *Chairperson* sa Tribinal i kapab swa *sit* li tousel oubyen li i ava deside kan e konbyen bann lezot manm ki pou *sit* avek li.

Premyerman sa i pou fer en *saving*. Etandonnen ki sa bann manm pou ganny peye zis ler zot *sit obviously*. E donk ou pa pou obliz sa arive dan tou ka.

Me ou pou les a diskresyon sa *Chairperson* pou li deside kan i krwar ki akòz en case i ase konpleks. I bezwen en dimoun ki annan pou fer avek tele kominikasyon.

Oubyen i annan en dimoun pou fer avek Kontra fer lakaz eksetera pou *sit* avek li.

Mon partaz en pti pe lespri Onorab Henrie kot i pe dir ki ler ou pou annan en *co-opting*, oubyen pardon pa en *co-opting - co-opting* en lot keksoz.

Ler ou pou annan 2 manm ki pou *sit* avek sa Chair - en manm ki pou *sit* avek sa Chair, foudre annan *at least* 2. E akòz *obviously* pou ki napa en *deadlock*.

Mon ti ava propoze donk ki nou pa obliz sa *Chairperson*

pou li sit avek en dimoun. Les li parey i ete konmela.

Me dir ki ler i pou *sit* avek manm, fer sir ki i annan *at least* 2 manm. Sa mon krwar i en konsesyon ki nou kapab fer san ki nou sanz lespri ki Minis avek *Attorney General* in donn nou deryer konpozisyon sa Tribinal. Mersi.

### **MR SPEAKER**

Onorab Henrie.

### **HON GERVAIS HENRIE**

Mon sezi largiman *LGB* Mr Chair akoz wi nou anvi gard sa fleksibilite e nou konpran ki ennler i annan bann *case* zis Mazistra sa Chairman ki pou asiz tousel.

So si nou ti kit sa *clause* koman '*the Chairperson may select*' e nou dir *at least 2 members*.

Me savedir anytime i kapab asiz li tousel. Me selman zour i pou swazir. I bezwen *at least* swazir 2.

Akoz ankor pou mwan mon get li koman en sekter ki riske. E nou pa anvi zis en dimoun e i annan sa nespes kolizyon ant zot de. Me i ava annan en trwazyenm dimoun la ki ava kapab anpes annan en *deadlock* Parey *LGB* in dir. Mersi.

### **MR SPEAKER**

Wi be selman la sa ki ou pe dir ou pe retourn lo ou propozisyon orizinal, ki AG in dir i pa war neseseite.

So nou pou bezwen rezourd sa. Onorab Pillay wi.

### **HON SEBASTIEN PILLAY**

Mersi Mr Chairman. Ou konnen mwan mon annan en konsern. Savedir *what was the point* alors ki nou pou met en *Tribunal*. E nou dir dan Lalwa ki son konpozisyon *would be* en *Chairperson* avek 7 lezot manm. Si mon'n swiv largiman Onorab Georges ki *Leader* Zafer Gouvernman e ki *main sponsor* sa *Bill*.

Ki li i pa tro krwar dan Tribinal. E si mon pou swiv largiman AG, tou lede i 2 dimoun ki'n frekant Lakour, 2 dimoun ki'n frekant Zidisyer.

E ki zot pwennvi se ki sa Mazistra ler mon pe ekout zot. se li ki annan pouvwar ou ekout sa bann ka akoz se li ki pou donn desizyon lo sa bann ka.

So, *what was the point* ki nou met 7 dimoun? Akfer nou ti bezwen met 7 dimoun? Se sa ki enportan ki prezan ki Minis i eksplik nou akoz dan lentansyon Lalwa nou pe met sa 7 dimoun.

E pou nou konpran akoz i neseseer prezan annan sa bann

dimoun prezan, si *Tribunal* pe fer en *sitting*. Se sa ki nou bezwen etabli.

Akoz sinon *then might as well* nou *repeal* sa *set 3, 3 (b)*. E tir li konpletman e kit zis *Tribinal*. Mersi.

### **MR SPEAKER**

Minis ou lesplikasyon.

### **MINISTER NAADIR HASSAN**

Mersi Mr Chair. Mersi Onorab pou sa keston. Larepons i senp, sa *clause* i *add* fleksibilite. I annan plizyer kalite ka ki pou vin devan *Tribinal*.

So si i vin en ka par egzant ki nou'n servi bokou dan bann legzanp ki nou'n donner, kot i annan en ka kot en *can baked beans* in kraze.

Ou pa bezwen 7 manm lo *Tribinal*. Ou bezwen en dimoun pou fer en *ruling* lo la.

Me i annan ka ki pli kompleks. E ler *Tribinal* i regarde i war poudir be mon bezwen sa, sa lespertiz. I *co-opt* sa bann *members into the panel*. E i dil ek sa bann ka.

E sa i senpleman en *clause* ki i ad fleksibilite. It is *cost effective* aköz ou pe pey sa bann Manm *as and when they are meeting*.

Ki si ou annan en *permanent number of people*

*whether you need them or not*. Ou pe pey zot, i pa *cost effective*.

So pou mon sa i en *clause* ki senp e ki vreman lozik pou annan dan sa Lalwa. Mersi.

### **MR SPEAKER**

AG wi.

### **THE ATTORNEY GENERAL MR FRANK ALLY**

Mersi Mr Chairman. Mr Chairman mon krwar an relasyon avek sa ki Onorab *Deputy Speaker* in raise.

Nou bezwen al anba seksyon 53. Aköz seksyon 53 i pran konsiderasyon ler *Tribinal* i annan plis ki en Manm.

E ou konnen ler, nou bezwen get lenplimantasyon en Lalwa avek en lespri *juridique*. E en *Chairman* ki konsyan ki en desizyon i ganny pran par mazorite.

I pa pou zanmen annan en *even number*. I pou toultan rod en *odd number*. Aköz? Pou fer sir ki pou annan en mazorite. *Otherwise* i pou annan en *tie*.

E dan lenplimantasyon Lalwa, ou pou war ki toultan i pou annan en *odd number* ler en *Tribinal* oubyen en Lakour i *constitute itself*.

*Continual Court* i toultan annan 3. *Court of Appeal* i

toultan annan 3. Tribunal Lafanmir i toultan annan 3.

Ek sa lespri *juridique*. Ou konnen i annan en kantite keksoz ki nou apel *implied*, ki nou *implied* dan en Lalwa. *Implied* dan *good practices* ki i ganny enplimante.

So alor se sa ki 53 i dir, ‘*a decision of the Tribunal shall be by a majority*’, and where the decision was taken with any other member by the member. ‘

So, mon krwar sa petet i ava satisfere en pti pe. Mersi.

### **MR SPEAKER**

*Thank you.* Onorab Henrie mon krwar AG in donn diferan lesplikasyon aköz i pli bon koumsa.

So nou ava aksepte li manner i ete e nou a kontinyen. Ou pa dakor? Non lo ou pwen permet mon Onorab Pillay, lo ou pwen pou ou aköz i annan 7 dimoun.

Si mon kapab fer en pti kontribisyon. Si nou get dan 4. 4 i dir *Chairperson* i kapab swazir en dimoun dapre son konpetans, oubyen son *expertise* pou kapab soz lo la.

Savedir mon ti ava mazen poudir i neser annan en *pool* dimoun pou li kapab tir diferan lekspertiz dapre sa ka. So mon krwar sa

kekfw i reponn en pe ou konsern.

Yes?

### **HON SEBASTIEN PILLAY**

Mr Speaker mon le fer 2 pwen. Premyerman lo sa pwen ki Onorab *Attorney Zeneral* in *raise*. Pou mwan koman en Lezislater mon ti ava kontan konpran, *what do you mean by a majority?*

*A majority of who? Usually a majority of members present and voting or whatever.* Konmsi koman en Lezislater i enportan pou mwan kapab eksplik dimoun ki sa Lalwa pa ganny enplimante lo li. *What we mean by that?*

Mon lenterpretasyon keksoz i se ki sa *co-opting* i ganny fer dan sirkonstans. Aköz i dir ou ‘*the Tribunal may co-opt any person ki annan technical expertise.*’

Be ler mon pe get li mon. sa *Chairperson* ek son 7 dimoun, se zot ki form Tribunal. En manm *Tribunal* pa ganny *co-opted under Tribunal*.

En manm ki ganny selekte pou vin lo e *Tribunal* i en manm sa *Tribunal*. I pa pe ganny *co-opted* li. *Co-option* i ganny fer pou en dimoun ki an deor sa 7.

So nou bezwen konpran sa byen. Akoz *otherwise then* nou pe *mix* le de.

Mon konpran ki largiman ki pe ganny fer. Akoz i annan largiman pe ganny fer from a perspektiv ziridik.

Be selman eski pa nou fer kler ki *quorum* Tribinal Lafanmir? Nou pa fer kler ki *quorum* Tribinal Lanplwa. Eski Lalwa pa eprekonize konbyen dimoun ki pou asiz lo Tribinal Lanplwa?

So, mon konpran petet probleman ek sa enn. Me selman mon pa *subscribe to* largiman ki lalwa i ase kler pou fer nou konpran sa.

E prezan mon ti ava kontan demann Minis en kestyon ou dir mwan koumsa sa dimoun i ganny peye ler i pe sit lo Tribinal.

Si Tribinal pe sit mon pa'n ganny swazir pou al lo Tribinal sa zour. So, mon pa ou ganny peye? Mon pa pou ganny peye? Se sa ki zot pe dir nou.

Me i kler sa. Mon ti ava kontan ganny klarifikasyon lo sa premye pwen. Mersi.

### **MR SPEAKER**

*Thank you. AG oubyen panel.*

### **THE ATTORNEY GENERAL** **MR FRANK ALLY**

Mersi Mr Chairman. Mr Chairman mon krwar *Leader* Lopoziyon, Onorab *Leader* Lopoziyon in raise en *issue* ki *majority of an unknown*.

Non i pa *of an unknown*, akoz mon krwar *Leader* Lopoziyon pa pe pran konsiderasyon Seksyon 15. Nou pa pe koz, nou pa'n dir *quorum*.

E in *fact* en premye amannman ki Onorab *Leader* Deputy Speaker ti fer, se pou sanz *headnotes* of seksyon 15. Nou ti tir *quorum* akoz dan *body of the law i composition of the Tribunal for adjudication of any matter*.

So ou annan ou 8 manm Tribinal, ki enkli *Chairperson* avek son 7 manm. E *but then* i pe *exercise jurisdiction*, i pou *exercise* son *jurisdiction by the Chairperson*.

Me *the Chairperson* i kapab *then select any number of members* pou sit avek li.

I annan en konfizyon ant sibseksyon 4. Sibseksyon 4 i dir '*The Chairperson may co-opt any person who, in the opinion may require the Tribunal during the hearing*'.

Me *when it comes to select*. So i annan enn kot ou *select* ou *members* ki li in ganny apwente anba sa Lalwa.



E apre i annan *co-opt any person* ki dan son lopinyon i annan serten *technical knowledge*.

Rezondet deryer sa, *policy* deryer sa se ki si par egzanz sa 7 manm zot kouver *only* en serten - annou pran en legzanp, mon pe zis pran sa legzanp pa ki i vreman en legzanp pli reflesi.

Si par egzanz demen i annan en dimoun i vin kot Tribinal, e i vin *raise en issue* ki en dimoun in *offer li crypto currency e in pran crypto currency in barter for money for crypto currency*.

E Tribinal i santi poudir napa personn dan mon *panel* ki annan *technical knowledge of what crypto currency is*.

Akoz parey nou konnen i ankor en keksoz ki konfiz bokou dimoun. I annan i dir ou i en *asset*. I annan i dir ou i pa en *asset*.

E i anv *co-opt* ki konn *crypto*. Sa i en legzanp klasik. En legzanp ki kapab ganny servi.

So, mon pa krwar i annan en problem lo la. Si nou, *when it comes to the issue about peye*, fason ki manner Lalwa in ganny fer se ki bann manm pou ganny peye *per sitting*.

Savedir zot ganny apwente. So kree sa 7 manm. E

apre a sak fwa ki zot, zot *hear en case* devan Tribinal, *then* zot ganny peye e la pou annan bann *rates* ki ava ganny determinen *for each sitting* konbyen zot gannye e tou.

*In fact*, lontan bann *Court of Appeal Judges* ti ganny peye *by sitting*. Zot pa ti ganny en saler zot.

Ler zot ti vin Sesel la zot ti ganny peye en larzan *for every day, for every session of the Court of Appeal*. So i en pti pe dan sa laliny. Mersi.

### **MR SPEAKER**

Mersi. Onorab Henrie. Yes Onorab Georges.

### **HON BERNARD GEORGES**

Mersi Mr Chair. Mr Chair mon krwar i annan en keksoz ki reste *pending*. E sa se malgre leksplikasyon *Attorney General* ki *Chairperson* pou toultan fer sir ki i annan en *odd number*.

Mon pa sir ki Lalwa manner i ete *actually provides for that*. E *provides for that*. E mon ti anv zis fer en propozisyon. E sa se en konsern ki'n ganny souleve par *Bills Committee* e par *Deputy Speaker*, Onorab *Deputy Speaker* ozordi.

E pou dir dan 15 (2) pou azoute *at the end 'out of a abundance of caution'* apre

*‘matter’ azoute ‘and where the Chairperson so selects, the Chairperson shall select such number of members as shall ensure that the Tribunal is composed of an odd number’.*

*Just to make this clear. I en substantial amendment alor tou keksoz pou depan lo ou. Mon pa konnen si Onorab Deputy Speaker ti anv pr an sa koman en propozisyon e move li avek ou permisyon Mr Chair.*

**MR SPEAKER**

Wi i kapab *move*. Si *panel* i aksepte. I vin en senp amannman. Pou vi napa, pou vi nou pa bezwen al dan en gran proses deba ladan.

Yes Onorab Pillay.

**HON SEBASTIEN PILLAY**

Wi Mr Speaker mwan mon konpran sa statement ki ou’n fer. Me selman mon pa dakor ek sa *statement* ki ou’n fer.

Panel napa naryen pou li dir nou si i aksepte oubyen non, li. Si nou, nou santi poudir nou bezwen etabli klarite dan Lalwa, *then* sa ki nou demann ek ou akoz *Standing Order* i dir ki nou bezwen annan 48 erdtan pou anmenn sa lamannman.

*72 hours sorry* si mon pa tronpe. Ou ki pou bezwen *relax* prosedir pou vwar. Mon vwar li koman en lamannman

sibstansyel ler mon pe regard li. akoz i pe zis mentenir klarite.

Sa ki *Attorney Zeneral* pe dir nou i sipoze arive an pratik. Sa ki nou koman lezislater pe dir, nou ti ava prefere war li ganny ekrir dan Lalwa, pou ki i kler pou tou dimoun ki pou enterakte ek sa Lalwa.

Be it Tribunal, *be it* piblik, ki sa i ganny mete dan Lalwa pou fer sir ki *landscape* i kler pou tou dimoun.

Se sa ki nou pe dir. E mwan mon krwar sa i en lamannman ki neser ganny fer.

**MR SPEAKER**

Wi be selman *panel* i bezwen annan son *say* pou fer sir -

**HON SEBASTIEN PILLAY**

Non Mr Speaker mon pa dakor ek ou.

**MR SPEAKER**

*Hold-on!*

**HON SEBASTIEN PILLAY**

En *mistake* ki nou pe fer sa. Non.

**MR SPEAKER**

I bezwen annan son *say* pou fer sir ki i pa pe deranz sa Lalwa dan en lot fason, dan en lot soz.

Mon pa pe dir ki panel pou deside. Si *panel* i war sa i

akseptab *then* Lasanble i kapab vote dir *yes*. Si i le. Be selman.

**HON SEBASTIEN PILLAY**

Ok Mr Speaker.

**MR SPEAKER**

Be selman nou pa kapab met en keksoz ki deranz lezot provizyon dan sa Lalwa e sa se zis *panel* ki kapab donn en prononsman lo la.

AG ou kapab adres sa silvouple.

**THE ATTORNEY GENERAL**  
**MR FRANK ALLY**

Mr Chairman, nou napa okenn obzeksyon lo sa propozisyon.

**MR SPEAKER**

Ok. Prezan Lasanble eski i annan okenn lot Manm ki anvi *counter* sa propozisyon ki'n ganny fer oubyen nou aksepte li?

Si napa obzeksyon *ok it is accepted, Thank you*. Onorab Henrie.

**HON GERVAIS HENRIE**

Mr Chair nou kontinyen. Nou annan en pe pou ale so mon ti ava swete nou al en pti pe pli vit.

Nou lo *Clause 15 (3)*. Dan premye laliny apre sa mon '*presided*' nou le azout mo '*over*'. So i ava lir.

*'A sitting of the Tribunal under subsection (2) shall be presided over by the Chairperson'*.

Nou al lo lot paz savedir 28 *Clause 17. Salaries, allowances, etc, of members of Tribunal.*

Dan 17 (2). Dan dezyenm laliny. Wi dan 16 (2) Mr Chair. mon prezant en leskiz 16 (2).

Dan premye laliny apre '*than*' nou le azout '*the*'. So pou li lir '*The Chairperson of the Tribunal shall, not later than the 31<sup>st</sup> day of March in each year*'.

**MR SPEAKER**

Yes Onorab Georges.

**HON BERNARD GEORGES**

Mersi Mr Chair. Mr Chair eskiz mwan. Mon bezwen retourn an naryen en pti kou akoz i annan en pwen ki mon krwar nou pa'n fer.

Si mon kapab demann retourn lo 14 (5). 14 (5) se kot Sef Zis i apwent bann lezot Manm sa Tribinal. E mon krwar ki nou bezwen fer li kler.

Akoz mannyer i ete la i dir '*The Minister shall, in consultation with the Chief Justice, appoint other members who shall serve on a part time basis*'.

Mon krwar nou devret dir '*appoint the other members*'.

Pou fer sir ki se sa 7 ki i apwente. E non pa okenn dimoun an deor sa 7. Mersi.

**MR SPEAKER**

Minis. *Ok* Minis i dir i ok. *Let's move on back to* Onorab Henrie. Ou ti'n ariv lo...

**HON GERVAIS HENRIE**

Mersi Mr Chair. Savedir nou pe al lo *Clause 17. Salaries, allowances, etc.* lo paz 28 - 17 (2).

**MR SPEAKER**

17 (2) ok les li fer son pwen. wi ale. 17 (2) ki ou pe dir lo la Onorab Henrie?

**HON GERVAIS HENRIE**

Non, mon ti krwar Onorab *Leader* Lopozisyon in lev lanmen non?

**MR SPEAKER**

Wi mon krwar i le koz lo 17 (2). Ale ou fer ou pwen.

**HON GERVAIS HENRIE**

*Ok. 17 (2) dan dezyenm laliny apre 'members' nou le azout 'of the Tribunal', pou li lir 'employment of the other members of the Tribunal shall be determined'.*

**MR SPEAKER**

Onorab Henrie. Onorab Pillay ou le fer en pwen lo la. Mersi Mr Chairman. Mr Chairman mwan mon le zis rod en *quick* klarifikasyon avek Minis.

An relasyon avek bann *Board* Gouvernman. Gouvernman pou enskrir en sa ki ou apel *Honorarium* ki bann *Board Members* i ganny peye. *Right?*

E an relasyon ek sa Tribinal la, sa ki mon pe konpran se ki sa konpozisyon ki ti anba *Fair Trading Commission* ki egziste ozordi, in bouz anba Zidisyer pou li kouver *the cost of* sa Tribinal.

Eski nou pe anvizaze ki pou annan en, akoz mon pa konnen ki mannyer i pou marse. Akoz Zidisyer i sipoze annan lendepandans pou li *remunerates*.

Eski i pou annan en *maximum* oubyen. En *maximum* ki pou ganny etabli lo konbyen en Manm sa Tribinal pou gannyen *as en Honorarium*.

Aprè zis an pasan Mr Speaker, mon le zis ranforsi le pwen. E *remind* ou Lartik 85 ek 86 Konstitisyon.

Ki se ki *legislative power is vested in the National Assembly. And not with the member, malgre zot la, be not with the executive.*

So, mon pran lofans sa kestasyon. Si *panel* i dakor avek en lamannman. *I think that should not be a practice* ki nou *purvey* dan Lasanble.

Mon pa krwar sa i lafason ki nou devret ale. Akoz i pou kre en presep. En persepsyon ki nou bezwen demann permisyon Gouvernman pou fer en lamannman lo en Lalwa. Mersi Mr Speaker.

**MR SPEAKER**

Mon pa pou al dan sa pwen. Nou a kontinyen.

**HON GERVAIS HENRIE**

Mersi Mr Chair. Nou lo *Clause 19*.

**MR SPEAKER**

Eskiz mwan in lev en pwen pou klarifikasyon. Likel ki pou adrese? AG oubyen Minis.

**MINISTER NAADIR HASSAN**

Mersi Mr Chair. Seksyon 17, wi seksyon 17 (2). I dir '*shall be determined by the Chief Justice*'.

Me *obviously in practical sense* tou keksoz ki annan pou fer avek reminerasyon larzan. I bezwen diskisyon avek Minister Finans lo alokasyon Bidze.

So ler i pou set sa, i bezwen fer dan bann paramet. Akoz si - E sa i *apply* pou

nenport ki seksyon bann diferan – sa-

Lasanble osi i vini ler i set sa, ler bann *members of secretariat*. I annan en diskisyon ki ganny fer lo size Bidzeter.

So, me Lalwa i kler, se *the Chief Justice* ki *determine*. Me *in practical wise* i bezwen en diskisyon lo finansman sa Bidze. Mersi.

**MR SPEAKER**

*Thank you. Ok*, nou a kontinyen Onorab Henrie.

**HON GERVAIS HENRIE**

Mersi Mr Chair. Savedir nou lo *Clause 19. Appointment of Acting Member*. Dan 19 (1) dan dezyenm laliny zis apre mo '*performing*' nou le azout '*his or her duties*' pou li lir '*a member is absent or temporarily incapable of performing his or her duties*'.

Apre nou al lo *Clause 20* lo paz 29. 20(1)(b) dan premye laliny nou pou azout 's' avek *proceedings*. Pou li lir '*terminate the proceedings*'.

Dan *Clause 22* Mr Chair. wi 20 ankor, touzour 20 (3) dan trwazyenm laliny apre '*Tribunal*' nou le azout '*comprising*'.

Pou li lir '*relation to any proceedings commenced before*

the Tribunal comprising of that member'. Sa i lo 20 (3).

Prezan la nou al lo *clause 22. 22 (1)(a)(i)* dan dezyenm laliny nou pe tir 2 mo, '*for adjudication*'.

So i pou lir '*any complaint of alleged prohibited conduct referred to it by the Commission under section 35(3)*'.

**MR SPEAKER**

Yes Onorab Pillay.

**HON SEBASTIEN PILLAY**

Mersi Mr Chairman. Mr Chairman mon le zis akòz la mon pe *catch up* avek en pwen ki Onorab Georges in fer taler, vizavi Minis apwent en manm. E mon le zis tyek en kou *Clause 19 (1)*. Ok.

I dir ler *Chief Justice* i *satisfied* ki en manm pa la, e i dir ou '*The Chief Justice main consultation with the Minister appoint*'.

Anler mon rapel Onorab Georges ou ti dir poudir se Minis ki apwent bann lezot manm lo Tribinal. Eski sa fwa si la ler i annan, eski nou pou fer en derogasyon ant ler i annan en *absence* ki mannyer apwentman i ganny fer? Avek ler apwentman i ganny fer orizinalman.

Ou konpran ki mon pe dir?

**MR SPEAKER**

Onorab Georges ou pe konsilte sa bann seksyon?

**HON BERNARD GEORGES**

Wi efektifman Mr Chair. Onorab *Leader* Lopozisyon i annan rezon. Ler i apwente se Minis an konsiltasyon avek Sef Ziz.

Me ler pou ranplase, se sef Ziz an konsiltasyon avek Minis. Me mon mazine ki, e la mon pe koz pou *panel*, akòz mon pa konnen ki sa ki dan lespri bann ki'n drafe sa.

Me mon mazine ki ler ou pe *substitute*, Tribinal in fini ganny konpoze alor in tonm anba Sef Ziz.

Alor se pou sa rezon ki se Sef Ziz *at that point* ki bezwen fer li e non pa Minis. *But I am just surmising*. Mersi.

**MR SPEAKER**

*Panel* i annan en pwennvi lo la *please? AG yes*.

**THE ATTORNEY GENERAL**  
**MR FRANK ALLY**

Yes, mon krwar parey ki in ganny dir. Se Sef Zis ki pou apwent *the other Magistrate*. Me sa akòz i tanporer. *Because there is an absence*.

Me selman lapwentman pou ganny fer. Eski *Leader*

Lopozisyon pe koz lo *Chairperson* oubyen bann lezot manm?

**HON SEBASTIEN PILLAY**

*(Off-Mic)*

**THE ATTORNEY GENERAL**  
**MR FRANK ALLY**

Bon bann manm pou ganny apwente parey ou'n dir par Minis an konsiltasyon ek Sef Ziz. E nou'n koz *absence of only the Chairperson*.

Mon pa mazin nou'n ganny *absence of the other members*.

**MR SPEAKER**

*Well the 19 (1) (a) i dir 'a member is absent'. I refer to members.*

**THE ATTORNEY GENERAL**  
**MR FRANK ALLY**

*Again, sa i pou en acting appointment. So Sef Ziz i ava apwent en dimoun to act.*

**MR SPEAKER**

*Ok. Eski Lasanble i satisfè avèk sa? Onorab Pillay.*

**HON SEBASTIEN PILLAY**

Mersi Mr Speaker. Mr Speaker mwan mon pa satisfè ek sa leksplikasyon. Mon konpran ki Onorab Georges pe dir. Akoz ler ou'n konstitye ou'n dir anba *purview* Zidisyer.

Me selman *still* lefe i reste ki se Minis ki annan rol pou apwent bann lezot Manm.

So Sef Ziz i bezwen alert Minis. Mon ti ava konpran pou dir Sef Ziz i alert Minis poudir be gete ou annan en manm pa pe vini swa manm pe ganny retire.

So, mon krwar i *still* reste ki, akoz si ou pou fer en revi ziridik lo sa sityasyon, Minis *is the accounting officer* la anba sa Lalwa.

So, Minis ki bezwen retenir pouvwat pou re apwent en lot manm. Akoz nou bezwen hold Minis *accountable* e responsab pou son aksyon ki i pran anba Egzekitiv.

Dan sa konteks nou pa pe hold Minis responsab. Nou pe hold Sef Ziz responsab pou sa konpozisyon sa Tribinal.

Se sa ki mon krwar i devret, Minis i bezwen apwent en manm apre ki in konsilte ek Sef Ziz dan labsans en manm.

Nou retenir li parey. Si ou konpran mwan.

**MR SPEAKER**

So ou pe dir *turn this around*?

**HON SEBASTIEN PILLAY**

Wi. Akoz pou fer li anliny avèk sa ki Minis ti dir lo komansman.

**MR SPEAKER**

Yes, dan plas *Chief Justice* met *Minister e Chief Justice. In consultation with Chief Justice. Panel yes.*

**THE ATTORNEY GENERAL  
MR FRANK ALLY**

Mersi Mr Chairman. Mr Chairmen mon krwar Onorab *Leader* Lopozisyon in donn en lesplikasyon lo la ki pli plozi e pratik.

Avan ki Tribinal i ganny, ler Tribinal in fini ganny *constituted*. E sa manm ler in ganny apwente. Se si i absan se Sef Ziz ki pou konnen e absan.

E se sa rezon ki sef Ziz prezan i ava konsilte Minis e i ava dir ek Minis be i annan en dimoun ki absan e mon anvi apwent en serten manm pou pandan sa peryod labsans oubyen *incapacity* ziska ler sa *vacancy is filled*.

Me parey avek *Chairperson*, se Sef Ziz ki pou deside lekel en lot dimoun ki *qualify* koman en Mazistra pou li apwente dan sa pozisyon *Chairperson* lo manm.

Petet nou ti pe fer sa sityasyon pli *consistent* apre apwentman. *Rather than* o moman ki *Act* i komans operasyon. Savedir Tribinal i ganny *establish*, oubyen ler ki sa bann Manm i fini zot term.

La prezan Minis i apwente an konsiltasyon avek Sef Ziz. Me si Lasanble i santi poudir i pou pli konsistan ki Minis i apwente an konsiltasyon avek Sef Ziz. *Then we don't have an issue.* Mersi.

**MR SPEAKER**

Onorab Pillay.

**HON SEBASTIEN PILLAY**

Meri Mr Speaker. Mon pou fer mon pwen pli kler. Ekspre mon'n anmenn AG la. Akoz taler ou ti dir ek mwan koumsa poudir *irrespective of* sa 7 manm sa Tribinal i kapab fonksyonnen.

*So, absence of a member should not be an issue.* Sa ki mon pe war premyerman se ki ler nou'n met sa *clause* ansanm. Nou'n met *absence of a member*. Mon krwar nou ti devret kalifye.

Sa *vacancy* i devret vin ler en Manm pa kapab perform son fonksyon *as a member*. Akoz *absence of a member is irrelevant* an relasyon avek sa Tribinal.

Zisteman pou rezon ki Onorab Georges in dir ki sa Mazistra i kapab lo son prop *volition*, i bezwen zis 3 Manm pou sit lo en ka.

Sa ki mon krwar mon pe sey etablir se *oversight* lo sa ki



Zidisyer i fer i pa *purview* Lasanble Nasyonal.

Me *oversight* lo sa ki Gouvernman i fer i *purview* Lasanble Nasyonal. So se sa ki mon le retenir perspektiv pou nou kapab annan oversight lo sa ki ganny fer anba sa Lalwa.

**MR SPEAKER**

Thank you. Onorab Georges.

**HON BERNARD GEORGES**

Mersi Mr Chair. Mr Chair mon krwar ki pli, an mezir ki mon pe reflesir lo la, mon krwar ki tou lede kote i annan rezon.

I kler parey *Attorney* Zeneral i dir ki en fwa ki Tribinal i ganny konstitye se Sef Ziz ki responsab pou sa Tribinal e se li ki pou konnen si i annan en manm ki absan.

E donk se li ki bezwen pran linisyativ. Me sa pa *ipso facto* eksklir lefe ki en fwa ki in fer sa, in rekonnet sa, i pa kapab demann Minis apwent en manm ranplasan.

Alor mon krwar ki la nou kapab fer en distenksyon e mon ti ava propoze ki nou mete dan *19 (1) apre (b)*.

*‘The Chief Justice shall’*. Ok in konsyan ki i annan en manm ki absan. *“The Chief Justice shall direct the Minister in consultation with him to*

*appoint a person to act’*. Ok i bezwen *shall*, i bezwen fors li.

Akoz sansan i riske reste avek zis mwens ki 7 dimoun. *So, the minute ‘the Chief Justice shall direct the Minister in consultation with him or her to appoint a new Member’*. Mersi.

**MR SPEAKER**

Ok. Nou annan en nouvo propozisyon la. AG ou ....

**THE ATTORNEY GENERAL**

**MR FRANK ALLY**

Nou napa obzeksyon. Mon konnen poudir Onorab *Leader* Lopozisyon in fer sorti sa mo *absence*.

Mwan, mon krwar dan sa ka *absence* pou ganny en *purposive interpretation*, vi ki bann manm i *part-time*.

Savedir nou pou bezwen met li par egzantp en dimoun ki parey nou servi dan anba vye *Curatelle Act*. Nou apel li en *absentee*.

Se en *absentee* i ganny *define more or less* en dimoun ki pa dan pei. Ki nou pa pe war li. Nou napa kontak ek li.

**MR SPEAKER**

Ok.

**THE ATTORNEY GENERAL**

**MR FRANK ALLY**

Egzakteman. Oubyen *consistently* parey Onorab Georges i dir pa vini. Me selman i kapab, me *temporarily in capable* i vin pli larz dan lesans ki sa dimoun i kapab malad e i pa pe kapab *perform son duty*.

E i enform ou, i dir ek ou koumsa be gete mwan. Ouswa en dimoun i pe al en *training* i dir ou be mon pa pou la pou 6 mwan.

So, mon kwa sa i nou kapab gard *absence*. Mersi.

**MR SPEAKER**

*Thank you.* Eski Lasanble i aksepte sa dernyen propozisyon? Napa obzeksyon. *Ok in that case it is accepted.* Onorab Henrie.

**HON GERVAIS HENRIE**

Nou ankor lo *clause 22* Mr Speaker. Nou lo *22 (1) (a) (v)*. E la nou le azout ‘a’ devan ‘*grant*’ pou dir ‘*a grant of authorization*’.

Nou bouz lo *22 (2)* dan dernyen laliny. Nou le tir sa mo “*the*” devan ‘*property*’ pou li lir ‘*physical damage to property under section 56*’.

Nou al lo lot seksyon ki *Seal of the Tribunal*. Lo paz 31 *Clause 24(1)*. Dan dezyenm laliny nou le tir ‘a’ devan ‘*proceeding*’ pou azout ‘s’. Pou li

lir ‘*refer a question of law arising in proceedings before it*’.

Dan *24 (2)* dan premye laliny nou pou fer menm zafer. Nou pou tir ‘a’ devan ‘*proceeding*’ e nou pou azout ‘s’ ek ‘*proceeding*’, pou li lir ‘*If a question of law arising in proceedings*’.

Lot *clause* nou al lo *25* touzour lo paz 31. *Indemnity of members of Tribunal*.

**MR SPEAKER**

*One moment please.* Yes Onorab Pillay.

**HON SEBASTIEN PILLAY**

Mr Speaker mwan. Mr Chairman mon pa war kote nou’n mete. Koriz mwan si mon pa korek. Kote nou'n mete ki en manm Tribinal i bezwen deklar son lentere?

Legalman nou obliz li pou deklar son lentere an relasyon avek en. *28 ok alright.*

**MR SPEAKER**

So, sa i pli devan. Ou ava konsider li ler nou ariv dan sa plas. Onorab Henrie.

**HON GERVAIS HENRIE**

Mersi, Mr Chair. Nou lo *Clause 25, Indemnity of members of Tribunal*. Lo *25(a)* nou pou tir serten mo e azout serten mo. So, mon zis lir ‘*shall not be*

*liable for anything done by any', nou pou tir 'one of them' e met 'him or her' in good faith in the performance of, nou pou tir 'their' e met 'his or her' functions under this Act.*

*So i lir, shall not be liable for anything done by 'any' -*

**MR SPEAKER**

Mon krwar ou annan en 'any' 'tro bokou la.

**HON GERVAIS HENRIE**

Nou bezwen tir 'by' avek 'any' non?

**HON BERNARD GEORGES**

*Anyone of them.*

**HON GERVAIS HENRIE**

*Anyone of them.*

*Ok, so i lir nou 'shall not be liable for anything done by him or her in good faith in the performance of his or her functions under this Act.'*

**MR SPEAKER**

Eski mon a zis demande si dan 25 si i pa bezwen *a Member of the Tribunal* la? Sorry, ou ti pe adres sa Onorab Georges.

**HON BERNARD GEORGES**

Mon ti pe al lev sa pwen Mr Chair. *In fact*, mon bezwen pran responsabilite pou sa, akoz mwan ki'n donn move

lenstriksyon avek *Bills Committee*.

*Swa nou ti pou kit members of the Tribunal shall not be liable for anything done by any of them. Or nou ti pou fer li vin sengilye. Etandonnen ki nou'n fer li vin sengilye, nou bezwen met 'a Member of the Tribunal' dan son chapeau. Mersi.*

**MR SPEAKER**

*Thank you. Ok, Onorab Henrie ou a kontinyen.*

**HON GERVAIS HENRIE**

*Yes Mr Chair, mersi. Nou pou al next lamannman. Mon vwar en pti lamannman, anpenn si lizeye i kapab vwar lo clause 29, 5enm laliny kot i komans of the Tribunal or the Chief Executive Officer, nou met en comma la apre. Apre 'officer.'*

**MR SPEAKER**

*Thank you, kontinyen. Panel pe lev lanmen.*

**HON GERVAIS HENRIE**

*Apre nou bouz lo clause 30. Funds of Commission, dan 30(2). E dan sa fraz ki dir, 'The funds of the Commission may be applied to.' Savedir nou pou tir 'for' pou ranplas li par 'to'.*

**MR SPEAKER**

One second, Minis in lev lanmen.

**MINISTER NAADIR HASSAN**

Yes Mr Chairman. Non, zis pou 30(1)(c) kot nou pe koz *'moneys received by the Commission by way of grants.* ' Ou konnen, mon prensip lo la se ki tou larzan ki antre *should then be appropriated from the Consolidated Fund budget and approved by the National Assembly.*

So, mon mazine si nou ti kapab met en *'moneys received by the Commission by way of grants as per the Public Financial Management Act'* ki a donn sa gidans ki mannyer ki larzan ki vini. *It comes to Government, appropriated and approved by the National Assembly.* Mersi.

**MR SPEAKER**

*Thank you.* Onorab Pillay.

**HON SEBASTIEN PILLAY**

Mersi Mr Speaker, mon ti pe *raise* menm pwen, akoz nou pou annan en *issue going around* akoz i annan en fason ki Minister Finans i tret *grants* anba *current* prosedir ki nou pran Bidze. E *grants* i ganny *allocated within* Bidze, apre i ganny *appropriated as such.*

Sa ki pou fer, se ki ler pou fer lodit pou sa Lorganizasyon, son lodit pou vin difisil akoz ou pou annan larzan ki sorti dan *Consolidated Fund* e ou pou annan larzan ki ou'n gannyen, meton par en *grant* avek *EU somewhere*, ki pou pe ed li fer son fonksyon, me ki oditer pa pou kapab *capture* dan son odit si i pe fer en *performance audit* par egzanp.

So, i enportan ki nou met li anba *framework.* Zis mon oule fer sir nou kler ki si, eski *PFM* ki fer sa, oubyen eski Polisi Gouvernman ozordi ki mannyer zot *deal* avek *grants*, kot zot fer li *NNL effects*, si i antre, si i pa antre eksetera?

Akoz nou pa pe koz zis *grants* la - eski nou pou koz osi lo bann. Nou Komisyon i pou annan relasyon ek bann lezot Komisyon enternasyonalman. E i annan lezot Komisyon par egzanp, lezot lorganizasyon ki ed bann antite ki fer bann fonksyon koumsa.

So, eski sa i *encompass* to sa bann eleman? Me mon krwar i byen ki nou met li anba *PFM Act.* Sa osi mon krwar i enportan.

Apre vi ki mon annan *floor,* eski Minis ti kapab eksplik nou ler i ariv kot 32(c) ki nou pe sey dir par *creating any reserves as may be determined*

*by the Commission? Ki sa rezerv ki nou pe koz lo la ler nou pe koz lo la? Mersi Mr Chairman.*

Mon krwar nou devret amann, selman Seksyon 30 (c) *'moneys received by the Commission by way of grants, in accordance with the Public Finance Management, Act.'* In accordance with the provisions with the Public Finance Management Act.

**MR SPEAKER**

Kekfwa Minis i a zis repet sa adisyon ki i oule mete, koumsa Lasanble a kapab deside. Minis.

**MINISTER NAADIR HASSAN**

Mersi Mr Chair. Mon mazinen ti ava - avek gidans bann dimoun legal nou ti a *word* li *'moneys received by the Commission by way of grants in line with the procedures laid in accordance with the Financial Management Act.'*

**MR SPEAKER**

Byen. Lasanble i annan okenn lobzeksyon lo la oubyen nou aksepte? Onorab Georges, ou lo la.

**HON BERNARD GEORGES**

Zis *the name of the Act* Mr Chair, *'In accordance with the*

*provisions of the Public Financial Management Act.'* Is that it? Or Public Finances. What is the name of the Act itself?

*Public Finance Management Act.* Mersi.

**MR SPEAKER**

*Thank you. Accepted?* Byen. Pwen Onorab Pillay dan 30(2)(c). *'Creating any reserves.'* Eski panel pou donn son pwennvi lo la?

**HON GERVAIS HENRIE**

Mr Chair nou pa ankor ariv laba.

**MR SPEAKER**

Ou pa ankor ariv laba ou?

**HON GERVAIS HENRIE**

Non, nou ankor lo 30(2)(b).

**MR SPEAKER**

*Oh, alright.*

**HON GERVAIS HENRIE**

E i annan en pti lamannman la. Lo premye laliny apre *'to'* nou oule met mo *'the'* pou li lir *and allowances to the Chief Executive Officer.* Prezan la nou kapab al lo *'c.'*

**MR SPEAKER**

Yes, *ok*. Minis eski ou pou donn en pwennvi lo propozisyon pou 30(2)(c). *Yes Minister*.

**MINISTER NAADIR HASSAN**

Mersi Mr Chair. Wi Onorab, ler mon pe get sa *clause* mwan osi, mon pa vwar nesesite annan *Clause 30(2)(c)*, son mon propoz en *deletion of 30(2)(c)* akoz mon pa vwar dan ki lenstans ki ou pou kree en rezerv for *the public*. *Sorry for the Fair Trading Commission*. Mersi,

**MR SPEAKER**

*Thank you*. Lasanble. *This accepted* Wi.

**HON SEBASTIEN PILLAY**

Wi Mr Chair, Minis in propoz en lamannman. Minis in rekomande ek Lasanble ki dan son *Bill* i pa ti a kontan vwar *clause 30(2)(c)* so, Lasanble ti ava kapab propoz en lamannman kot i dir *repeal clause 30(2)(c) then renumber 30(2)(d)*. Mon krwar *legal draftsperson* Gouvernman i a kapab *deal* avek sa lamannman.

**MR SPEAKER**

*Thank you*. *Ok this is accepted? right*. Yes Onorab Henrie.

**HON GERVAIS HENRIE**

Yes Mr Chair. Nou *next lamannman* i pou trouve dan *PART III, Enforcement provisions*. E nou pou al lo paz 35. Saverdir i pou vin *clause 33(7)(b)* lo paz 35. Dan dezyenm laliny nou oule azout mo *'from'* apre *'suffers.'* So, pou li lir *'where the person is incapable of reading or writing or suffers from an incapacity to sign.'*

Dan katriyenm laliny nou oule tir sa mo *'print'* e azout *affix* -pou li lir *'make his or her mark or affix his or her thumb print.'*

Lot propozisyon lamannman i vin dan *clause 34. Determination of complaints* lo paz 36. *34(1)* dan dezyenm laliny apre *'of'* nou oule tir mo *'the'* pou met *'a'* pou li lir *of a complaint made under section 33(1).'*

Dan sa menm seksyon, setadir *34(2)(d)*, nou oule azout mo *'an'* devan *'interest'* pou li lir *'the complainant does not have an interest in the matter.'*

Nou reste lo sa menm seksyon, setadir 34. Nou pou al *34(4)*, dan premye laliny apre mo *'provide'* nou oule azout *'any'* pou li lir *'A complaint shall lapse if the complainant fails to provide any information.'*

**MR SPEAKER**

*Carry on, panel* pa pe obzekte.

**HON GERVAIS HENRIE**

Ok, i annan en pti pti. Zis en *comma* dan 35(2) dezyenm laliny kot i dir ‘*Commission shall*,’ i vin en *comma* apre mo ‘*shall*.’

E nou reste lo 35. 35(4) lo paz 38, dan dezyenm laliny apre ‘*complainant may*.’ Napa? Ok, nou tir Tou tir ‘*make an*. So, i lir ‘*complainant may appeal to the Tribunal*.’

*Next one* nou bouz lo paz 39 Mr Chair.

**MR SPEAKER**

*Thank you*. Onorab Pillay.

**HON SEBASTIEN PILLAY**

Yes, seksyon 36 mon vwar nou’n met en *prescription period of 2 years* - 36(1). Me eski nou ti kapab ganny en klarifikasyon petet aköz 2 years?

**MR SPEAKER**

*Panel*. Yes CEO.

**CEO FTC FRANCIS LEBON**

Mersi Mr Chair. Bonzour tou dimoun. Wi Onorab, nou rasyonnel ek nou *thinking* par deryer, *currently* i deza 3an e nou pe ganny en kantite difikilte pou ganny levidans pou bann *case* ki pe vin devan nou.

So, nou’n vwar avek lentansyon se ki fer keksoz

bouz en pe pli vit e finaliz bann *case* pli pre - parey Minis in ganny dir dan son *opening remarks*, se ki nou’n redwir li par 1an ki nou’n fer li vin 2an.

Me selman sa ki mon anvi dir osi, se ki sa i pa tir drwa sa dimoun pou li anmenn okenn ka Ankour ki peryod anba *Civil Code* i 5an. Ok?

Me selman mon vwar poudir i nesaser avek resours ki nou annan e kalite *investigation* ki nou pe fer, ki 2an i soutenab pou nou kapab travay *around* sa *time* ek levidans ki *available*. Mersi.

**MR SPEAKER**

Yes, Onorab Pillay.

**HON SEBASTIEN PILLAY**

Se sa kekyon ki mon ti pe klarifye. Vi ki ler nou pas lamannman lo *Civil Code* nou ti regard preskripsyon an relasyon avek 5an. So, eski i normal dan nou sistenm legal, dan sa *framework* kot sa i asize pou annan diferan peryod preskripsyon an relasyon avek serten ka?

Akoz *basically* sa ki pe arive la, sa i parey en *case* sivil. Mwan mon’n donn ou en - ou pe met mwan Ankour pou en keksoz ki’n arive. Ou konpran?

E prezan, eski dan sirkonstans kot mon anmenn

sa *case* Ankour, kot sa - mon pa'n amenn li dan 2an - Lakour i annan dwa dir, be si Komisyon Komers Zis in vwar poudir i pa pe kapab *deal* ek sa ka, e Komisyon Komers Zis i annan eksper, i annan tou bann dimoun ki sipoze *deal* ek sa ka. Akoz ki mwan mon pou sa? Ou konpran?

So, petet mon ti oule zis fer sir ki dimoun la deor i konpran ki si ou'n depas 2an, ou pa pou kapab anmenn en ka kot Komisyon pou li dir li al *investigate* pou ou, oubyen pou anmenn en ka kont en dimoun.

Savedir fodre ou konnen kan sa lofans pe arive, kan sa keksoz pe arive. Ou annan 2an pou fer sir ou anmenn ou ka Komisyon. Akoz *otherwise* nou ti pou pas sa Lalwa, en dimoun ti pou krwar poudir apre 5an ou ti pou vwar dimoun ki pe anmenn en ka kot ou.

### **MR SPEAKER**

*Thank you. CEO.*

### **CEO FTC FRANCIS LEBON**

Wi, sa i enn bann keksoz ki lo kote ledikasyon ki bann nouvo provizyon ki nou *hammer-on* lo la, ki dimoun i konpran tre klerman lo sa kote.

### **MR SPEAKER**

*Thank you.* Eskiz mwan, eski ou premye kestyon sete si i konsiltan ki i annan de - si i akseptab ki i annan 2 limit. Enn pou sa Komisyon e lot pou - ? Sete sa mon krwar. Annefe si AG i kapab adres sa.

### **THE ATTORNEY GENERAL MR FRANK ALLY**

Bon. *Well* nou Lalwa in senplifye preskripsyon. Me dan bokou pei preskripsyon i varye lo ki ou *cause of action* parey nou dir.

Nou, nou annan zis en preskripsyon 5an pou tou bann *personal rights*. E apre sa nou napa ankor preskripsyon. Me selman preskripsyon i en dele letan kot ou perdi ou drwa pou anmenn en ka, pou prosekut en ka devan Lakour. E dan sa ka se, i kler dan sa Lalwa ki en dimoun i annan en swa. I kapab deside pou li pa anmenn son konplent devan Komisyon.

Me i pourswiv son ka devan en Lakour ki annan ziridiksyon sivil. Me sa ki sa Lalwa i dir se ki en konplent pa pou ganny refer oubyen ganny fer anba seksyon 33 apre e peryod 2an ki'n *lapse*.

So, la i dat ki ou fer konplent. Komisyon, li i kapab pran li en pe letan pou li *investigate* sa konplent. E *once* ki in *investigate* sa konplent,



prezan i kapab met sa konplent devan Tribinal.

Se sa preskripsyon. I sa dele letan i *run* an relasyon avek konplent ki ou pou mete devan Komisyon pou li *investigate*. Mersi.

**MR SPEAKER**

*So in short, yes it's acceptable. No? Yes, Onorab Georges.*

**HON BERNARD GEORGES**

Mersi Mr Chair. Mon ti zis anvri reasir Onorab *Leader* Lopozisyon annefe sa ki *Attorney Zeneral* in dir i vre. Nou'n plito zeneraliz tou preskripsyon pou li vin 5an. Me *still* i annan enn de preskripsyon ki diferan. Par egzanp si ou pe anmenn en ka ki annan pou fer ek later. Preskripsyon i swa 10an oubyen 20an. Si ou pe anmenn en ka pou posesyon annan defwa preskripsyon i 1an.

Donk si ou le anmenn en ka kont an *recherche de paternite* par egzanp, dan serten ka i ti, la napa preskripsyon ditou. Me avan sa i ti en preskripsyon zis 1an. Donk i annan plizyer e napa naryen ki anpes en peryod preskripsyon *fixed* pou en ka partikilye. Mersi.

**MR SPEAKER**

*Thank you. Onorab Henrie, next.*

**HON GERVAIS HENRIE**

Mersi Mr Chair, nou lo *clause 37. Powers of Commission in relation to investigation of complaints*. Dan *37(1)(a)* i lir koumsa, akoz nou oule azout en keksoz a lafen sa fraz '*summon any person to appear before an officer of the Commission, (comma) 'when in its opinion such person.'*' So, nou pe azout '*when in its opinion such person.'*'

Prezan dan *37(1)(a)(i)* nou tir '*in its opinion.'*' I ava komans '*will be able to furnish.'*' Panel i ok avek sa.

**MR SPEAKER**

*Well si panel pa. Si zot pa obzekte nou kontinyen.*

**HON GERVAIS HENRIE**

*Ok. Touzour dan 37. Nou dan 37(1)(j) i pou li koumsa 'impose', nou tir 'a' - 'impose fixed', nou tir 'penalty' nou fer li plural - 'penalties.' 'Imposed fixed penalties.'*

E dan *37(1)(k)* dan premye laliny nou pou tir '*and proper*'. Alor i pou lir, '*to do all the necessary acts in the lawful exercise.'*'

Nou kontinyen touzour dan *37*, sa voyaz *37(2)(c)*, nou pou tir

*'the person' e ranplas li par 'he or she' pou li lir 'has put forward particular reasons why he or she should be heard.'*

37(4) nou pou tir *'may'* e fer li vin *'shall'* savedir i ava lir, apartir dan milye *'by the Chief Executive Officer and shall be served in the prescribed manner'*.

Aprè nou pou sorti. Setadir, la lo paz 40 e nou pou bouz lo paz 42. E nou pe koz lo *clause* 38. Savedir i pou vin 38(8) lo paz 42. Dan dernyen laliny nou oule tir *'that is'* pou li lir *'the documents or extracts therefrom removed in terms of the warrant.'*

E zis par lao Mr Chair, wi i annan en *comma* aprè *'to'* pou tire. *Ok*, fini aksepté.

Nou dan *clause* 39.

**MR SPEAKER**

*Yes, hold on please.* Onorab Pillay.

**HON SEBASTIEN PILLAY**

Wi Mr Chairman, *very quick query.* So, eski nou pe dir ki zofisyé Komisyon ki pou annan *power of entry?* Oubyen i pou akonpanyen avèk en zofisyé Lapolis?

**MR SPEAKER**

Kote ou pe fer referans, Onorab Pillay *please?*

**HON SEBASTIEN PILLAY**

38 i donn *'power to search and seize on warrant.'*

**MR SPEAKER**

*Ok, so dan 8 en? Yes panel. Yes, eski AG in lev lanmen? Yes AG.*

**HON GERVAIS HENRIE**

Nou ti lo 38. *38(8) page 42.*

**THE ATTORNEY GENERAL**

**MR FRANK ALLY**

Bon se en zofisyé Komisyon i a kapab fer sa *search.*

**MR SPEAKER**

*Thank you.*

**HON SEBASTIEN PILLAY**

Avek ou permisyon Mr Chair. Mon oule klarifye.

**MR SPEAKER**

*Yes.*

**HON SEBASTIEN PILLAY**

Wi, Mr Chairman. Sa ki mon oule klarifye se ki mon oule fer li kler ki sa *power of entry* i ganny donner avèk sa zofisyé Komisyon e i pou al lo li tousel lo sa *scene or whatever*, pou li fer sa *entry*, pou li antre dan sa landrwa. *Usually* dan lezot Lalwa, sa ki mon'n vwar - petet koriz mwan - i prekonize ki i

annan prezans zofisye Lapolis ler i pe fer sa *search*. Akoz nou pa donn *power of entry* dan lezot si konstans, byen, byen.

So, mon ti oule zis klarifye ki nou pe koz sa zofisye sa Komisyon. Mersi.

**MR SPEAKER**

Onorab Georges.

**HON BERNARD GEORGES**

Mersi Mr Chair. Mr Chair, anefe *Leader* Lopozisyon son repons i dan 38(2) apre *a and b*. ‘*the Magistrate may at any time issue a search warrant authorising an officer of the Commission*. ‘Donk i kler.

Me dan 3 i dir ki si i satisfè ki sa zofisye pou bezwen lasistans i kapab *direct a police officer to take such steps to help*. Alors sa i kler. Mersi.

**MR SPEAKER**

Yes, Onorab Henrie, ou kapab kontinyen.

**HON GERVAIS HENRIE**

Mersi Mr Chair. Dan *Clause 39* mon’n ganny dir i annan en *comma* la ki’n ganny aksepte. Savedir nou al lo *Clause 40*. *40(3)(b) the power to inspect*. Dan premye laliny nou oule tir ‘*shall*’ e met ‘*may*’ savedir pou li lir ‘*an application may be made to a Magistrate*.’

Nou a bouze pou nou al lo *Clause*.

**MR SPEAKER**

*One second*. Onorab Pillay i annan en pwen la.

**HON SEBASTIEN PILLAY**

Mr Chair. I zis enportan ki mon klarifye. *40(1)*, nou dir ki sa zofisye pou antre - sa *authorized officer* pou *conduct* en *inspection* e i pou fer sa *only in daylight*? Zis dan lazournen? ‘*In daylight enter any land or premises to inspect it to ascertain compliance*.’ *In daylight*. I pa pou fer li aswar?

**MR SPEAKER**

*Well* i met *in daylight*. AG mon pa konnen si ou kapab adrese.

**THE ATTORNEY GENERAL**

**MR FRANK ALLY**

Mr Chairman, warant normalman pa ganny egzekite aswar. Sirtou *search*.

**MR SPEAKER**

*Ok*. In tande.

**HON SEBASTIEN PILLAY**

Mr Chairman, *sorry*. I enportan pou nou klarifye, akoz in annan sironstans kot dimoun in serkle kot dimoun pou fer *search* aswar.

**MR SPEAKER**

So, AG ou pe konfirmen ki in *daylight* la.

**THE ATTORNEY GENERAL  
MR FRANK ALLY**

I annan bann sirkonstans par egzanp anba *Misuse of Drug Act*. Me selman zeneralman, par egzanp servi somonn, i annan en ler ki ou servi somonn. Mersi.

Me selman Mr Chair. Sa Lalwa li in dir, in fer provizyon. In dir si pou annan en *search*, i ganny fer *during daylight*. So -

**MR SPEAKER**

*Thank you*, mon krwar sa in klarifye. Onorab Henrie.

**HON GERVAIS HENRIE**

Mersi Mr Chair, nou lo *clause 41* lo paz 44

*Imposition of fixed penalties*. Dan sizyenm laliny kot i komans avek '*discharge their liability*,' nou oule tir '*of payment of*' pou ranplas li par '*to pay*'. So, i pou lir koumsa, '*discharge their liability to pay the financial penalty*.'

Touzour 41(2) dan dezyenm laliny kot i konmans *than SCR1,500 and*, nou pou azout '*shall*' *not exceed SCR20,000*. Alors i pou lir koumsa '*shall be not less than SCR1,500 and shall not exceed SCR20,000*.'

41.(4)(a) nou oule azout '*a*' zis apre '*give*' pou li dir '*give a brief description*.'

Nou ava bouz lo 41(5). 41(5) lo paz 45. Dan premye laliny nou oule tir '*a*' pou ranplas li par '*the*'. I ava lir *as if it were a financial penalty imposed for commission of the prohibited conduct*.'

Nou pou bouz lo *clause 42. Compounding of offences*. Selman nou pou al lo paz 46. Savedir i pou vin 42(4) dan dernyen aliny ki komans '*and the financial benefit accrued*', nou pou azout '*to the offender from the violation*'. Nou'n zis ranplas sa mo la.

Nou bouz 42(6), i annan en keksoz mon'n manke? Ah 5, dernyen laliny. Apre *offender* nou'n azout '*in*' savedir i vin '*offender in accordance with subsection (1)*.' Bann kouler in sanze *from purple to blue*.

Savedir nou reste lo 42. Nou lo 42(6) aprezan. Dan laliny avan dernyen ki komans *sum of money within 14 days from the date of service of*, nou pe azout '*the compounding agreement*'.

42(7) zis apre '*in the event*' nou pe azout mo '*that*'.

Nou bouz 4.(8) dan dezyenm laliny a lafen mo '*thereupon*' nou pou tir '*the*' pou met '*any*'. I ava lir '*in court and*'

*thereupon any proceedings.'* Dan menm laliny ki komans avek *'proceedings'* apre *'which'* nou pou tir *'is'* pou ranplas li par *'are'* pou li vin *'offence which are pending.'*

Dan 42(9) dan dezyenm laliny kot i komans *and final* nou pou tir sa mo *'and'*. Nou ok avek sa? Non, nou pa ok avek? Nou pa pou tire?

### **MR SPEAKER**

*Well, i sanble mwan i annan en keksoz ki manke la si ou tir sa 'and'. Mon krwar ou bezwen sa 'and', non? 'Shall be conclusive and final 'and' no court proceedings shall be instituted.'*

### **HON GERVAIS HENRIE**

Savedir Mr Chair, i reste parey. Mon a re lir, sa dernyen laliny i vin *'and final and no court proceedings shall be instituted for that offence.'*

Nou ava bouz lo *clause 43(2)* dan dezyenm laliny ki komans avek *chambers and*, nou oule azout mo *'shall'* pou li lir *'chambers and shall be accompanied by an affidavit.'*

Nou pou bouz lo lot paz, me touzour lo *clause 43*. Nou pou al lo 43(4) lo paz 47. Dan dezyenm laliny ki komans avek *'person named in the order of notice of the issue of the order'*, nou pou tir *'but'* e azout

*'however' - 'however the non-service.'* Eski panel i ok avek, *the word 'however'* dan plas *'but.'* Ok?

Mr Chair, nou reste lo *clause 43*. Nou lo 4.(6), dan dernyen laliny nou oule azout *'s'* avek mo *'requirement'*. Dan dernyen laliny, 43(6).

Prosen propozisyon lamannman i pou dan *Chapter II*.

### **MR SPEAKER**

Bon, me si ou'n ariv lo *Chapter II, part II*, mon krwar nou a bezwen pran en *pause* la, i en bon moman. Zis *bookmark* sa landrwa kot nou'n arive. Nou a pran *pause* nou a re pran travay 2er. Mersi.

**(BREAK)**

### **MR SPEAKER**

*(Part missing due to technical issues)... konsiderasyon bann amendments* ek klarifikasyon.

Onorab Henrie in averti mwan poudir in bezwen deplase pou en lot langazman ki i bezwen tenir e Onorab Hoareau pou kontinyen avek travay prezant bann amannman.

### **HON JOHN HOAREAU**

Mersi Mr Speaker. Bonn apre midi Minis, bonn apre midi tou dimoun. Nou'n ariv zisteman lo

45(4)(e) kot *after the word 'shall' nou pe met the word 'receive'.*

Nou pou kontinyen, nou pou al en pe vit akoz vi ki sa i en gro dokiman. Nou *next amendment.*

**MR SPEAKER**

*Un instant,* Onorab Georges i annan en pwen. Onorab Georges, wi.

**HON BERNARD GEORGES**

Mersi Mr Chair. Mr Chair, anefe dan *(f)* mon ti anvi propoz en pti amannman ki mon vwar zot in manke. *'May permit and regulate the use in any proceedings of any telecommunication facility that the Tribunal considers will assist 'it' in the determination of a matter.'* Mon pe propoz ki nou *insert 'it'.*

**MR SPEAKER**

Si *panel* pa pe lev lanmen nou kapab kontinyen. En pti lamannman teknik.

**HON JOHN HOAREAU**

Mr Speaker, nou'n ariv lo 53(3) kot apre *the word 'member'* dezyenm laliny, nou *add 'or members'.* Apre kot lafen fraz i fini avek *'Tribunal' so, nou delete' or any of them.'*

Nou kontinyen avek 55(1). 55(1) dezyenm laliny *after the word 'to' nou delete 'the', nou insert 'any'.* Apre trwazyenm laliny nou, apre *the word 'Commission' nou azout 'and'.*

Senkyenm laliny *after the word 'so' nou delete 'it' nou insert 'the Tribunal'.*

56(1)(iv). Sa 6 i *Roman numerals.* Dezyenm laliny *after the word 'information' nou add 'or'.*

Apre 56(1)(viii) *Roman numerals. (A) to refund money or return goods to, nou delete 'the' nou insert 'a' person.'*

**MR SPEAKER**

Petet nou a zis *pause* la, mon pa konnen si nou pe al en pe tro vit pou bann Manm, si i annan keston. *Ok,* Onorab Pillay wi?

**HON SEBASTIEN PILLAY**

Mersi Mr Speaker. Lefe ki nou'n *set aside* bann lamannman tipografik, mon ti a kontan zis demann en senp klarifikasyon si posib, an relasyon ek sa *Corporate Immunity Policy* ki *shall be published in the Gazette. What is the intent of providing sa Immunity Policy silvouple.*

E anba seksyon 55 Mr Speaker. (5)(1).

**MR SPEAKER**

*Panel. Yes CEO.*

**CEO FTC FRANCIS LEBON**

Mersi Mr Chair. Mersi Onorab. *Well corporate immunity, sanmenm sa ki nou'n koz lo la as one of sa tools ki pou ed deteksyon cartel. I parey en whistle blower program, kot laplipar ziridiksyon in met an plas ozordi kot sa bann dimoun i kapab apros Commission, vin devan, donn serten lenformasyon, e si i kredib ki nou kapab servi pou prosekut bann lezot manm or sa collusion an zeneral, then ou kapab donn li serten immunity from the fines. E tousala i pou baze lo a market system basically.*

Kwa ki i pe *prvide* pou nou kapab servi pou nou fer sa. E i en *detection tool* ki ase efektiv, i annan destriksyon ki'n servi li vreman byen. La mon kapab dir ou parey Sid Afrik, e Moris osi i pe servi li ase byen. *Ok, mersi Mr Chair.*

**MR SPEAKER**

*Thank you. Onorab Hoareau back to you.*

**HON JOHN HOAREAU**

*Ok, nou next amendment i lo clause 57(1). Premye laliny*

*after the word 'of' nou insert 'it's' nou delete 'the.*

Trwazyenm laliny menm paragraph, *after the word 'of' ankor 'date of' nou insert 'the decision' ok.*

59(2) i annan en 's' ki ganny azoute *at the end of the paragraph (2). At the end of the paragraph 59(2) i annan en 's' ki azoute pou fer 'costs.'*

Nou al lo 61. *Sorry 60. Subsection (C). 60(3) subsection (C). i annan en 's' after the word 'reason' pou fer li 'reasons'. Sorry i tire, i ganny retire. Sorry. I ganny retire. Ok.*

61(1) dezyenm laliny *after the word 'subject to' nou tir 'the'. Apre i vin confirmation, apre nou tir 'made'.*

**MR SPEAKER**

*Yes Onorab Pillay, wi.*

**HON SEBASTIEN PILLAY**

Mersi Mr Chairman. Nou lo *clause 60* e mon ti a kontan zis ankor petet en pti klarifikasyon petet pou nou kler ki nou pe dir.

Anba *60(3)(c)* nou dir Komisyon ki pou resevwar sa sonm larzan ki in *satisfaction of a decision or order of the Tribunal*. Prezan Komisyon ler i resevwar sa larzan se li ki pou pey sa *complainant?* Savedir Tribunal pa pou fer en lord pou gannyen pou pey sa

*complainnet* direkteman li. Eski sa i le ka Mr Chairman?

**MR SPEAKER**

*Thank you panel, lekel ki pou adrese? AG.*

**THE ATTORNEY GENERAL**  
**MR FRANK ALLY**

*Thank you. This is why there is a ‘may.’ So, ‘the Commission may receive any sum of money in satisfaction of a decision by reason of execution.’ Sa i ler i annan egzekisyon. Par egzanp si sa dimoun, Komisyon i kapab *apply* pou egzekisyon e la prezan sa larzan i kapab ganny peye avek Tribinal.*

*E prezan nou kapab *sub prescribe* en sonm ki kapab vin en *charge* ki \*Tribinal li, Komisyon li i kapab gannyan an relasyon avek sa, akòz li osi i pe fer en louvraz.*

*Ou konnen, ler par egzanp Lakour i fer legzekisyon en zizman, Lakour i pran en serten poursantaz lo sa larzan ki i resevwar li. So, *the same*. Prezan Komisyon li i anvè antre dan en diskisyon avek Lakour, si an ka i annan serten egzekisyon, *then* i avè kapab *forfeit* sa atraver Komisyon. Mon pa konnen si i kler. *Unless* mon kapab klarifye en pti pe pli byen.*

**MR SPEAKER**

Onorab Pillay.

**HON SEBASTIEN PILLAY**

Wi, si petet akòz i pou enportan ou dimoun ki pe ekoute.

So, admeton mwan mon’n aste en loto e son valer i sibstansyel. R400 a R500. So, i arive, i annan en *case*, nou’n al Tribinal eksetera, tou bann keksoz i arive.

So, ler Tribinal i donn sa lord pou peye eski, mannyer mon konpran AG, Komisyon pou osi kapab resevwar *as a charge part of* sa larzan ki Tribinal i demande pou sa lofans. Eski sa i le ka? Akòz ler mon swiv anba ek 4 i osi dir poudir *‘any sum of money paid to and received* par sa Komisyon *for a complainant.’*

Mon pe prezimen sa Komisyon i resevwar larzan lo *behalf* sa *complainant*, apre li pou Komisyon apre i pey sa *complainant*. Se sa lentansyon en? *Ok.*

**MR SPEAKER**

AG in konfirman? Wi.

**HON JOHN HOAREAU**

Mr Speaker, nou kontinyen avek 64(1)(d). I dir *whether they*, apre nou pe inset *‘would be’*.

Apre lo dezyenm laliny *after the word ‘in’* nou insert *‘the’*.



Nou al lo 64(4) kot nou pe *include the word 'the' apse 'in' lo premye laliny. Nou al lo 66.(1) dezyenm laliny after the word 'or' nou pe include 'the'.*

Nou al lo 68. *Sorry, nou al lo 66(3) kot after the word 'terms' nou pe retir en 's'. Korek la. Claims that a term, wi nou pe retir li plural.*

Apré nou ariv lo 68(1) kot nou p - dan premye laliny nou pe met en 's' apse *service* pou fer li vin '*services.*' Menm zafer avek dezyenm laliny. *Goods or services.* Nou pe met en 's' e nou pe retir '*is*'. Nou pe met '*are supplied*'.

Nou ariv lo 70(2).

### **MR SPEAKER**

*Un instant, Onorab Arissol i ole fer en pwen.*

### **HON SANDY ARISSOL**

Mersi Mr Chair. Bonn apse midi tou Manm. Avan nou al lo 70(2) Mr Chair, mon ti a kontan demann avek AG 70(1)(b) '*Where a person is required under this Act or any other written law to produce, provide or display a notice, document or other visual representation to a consumer, such notice, document or visual representation shall be—*  
(a) *in plain language; and*  
(b) *in English, French or Creole.*

Mon pe zis demande si zot dan en fason korek, paské letan mon get *chapter one* nou Konstitisyon, i dir ek nou poudir i komans, *the national language of Seychelles shall be Creole, English and French.* Be li i dir, *English, French or Creole.* Mon pa konnen si i ok oubyen. I ok. No problem. Mersi Mr Chair.

### **MR SPEAKER**

*Thank you. Onorab Hoareau wi. Yes Onorab Pillay.*

### **HON SEBASTIEN PILLAY**

*Not to be pedantic Mr Speaker, eski nou pe dir French or Creole. Savedir a choice of one or the other? Or nou pe dir French and Creole. Konmsi tou le 3. Any of the 3.*

### **MR SPEAKER**

Mon krwar kot nou ti'n propoze. *AG, Creole, English or French. So, one language. Yes.*

### **THE ATTORNEY GENERAL**

#### **MR FRANK ALLY**

*Thank you. Mon krwar i pou mean any one of the 3.*

### **MR SPEAKER**

*Thank you. Onorab Hoareau, wi.*

### **HON JOHN HOAREAU**

Mersi Mr Speaker. Nou'n ariv lo 70(2), lo sizyenm laliny *after the word 'document'* nou retir 'of' e nou met 'or'. Nou al lo 71(1)(b) pou komans sa fraz nou komans avek 'of' of *which*.

Aprè dezyenm laliny *after the word 'or'* nou include 'of' of *which*. Nou al lo 71(c) katriyenm laliny, *after the word 'agreement'* nou retir 'and' senkyenm laliny *after 'and'* kot i mark (2), (3) and (4), and nou tir 'the'.

Nou delete 'the' consumers. 'Consumers' i reste be 'the' i ganny delete. *Shall be*, aprè nou include 'shall be deemed to' 'be deemed to'.

Nou kontinyen lo 72(1) *after the word 'services'* nou include the word 'offered'.

Aprè 72(3)(a) plural for the word 'ticket' so i vin 'tickets'. *Opposite*, mon pa remarke si in met en pti cross lo la. Wi. So, i retir sa plural dan plas 'tickets' i vin 'ticket'. Aprè bann commas nou pa pou pas lo la parske in fini agree lo la.

### **MR SPEAKER**

Yes, Onorab Pillay.

### **HON SEBASTIEN PILLAY**

Ok. Mon'n resevwar bomaten en portre kot i annan sa bann. STC lo son bann sak, sa bann sak plastik, *whatever* ki i servi,

bann sa - i annan en RRP lo la. *Now*, si en marsan i servi sa sak e i met en komodite ladan, pou met lo letazer - mon pa konnen en legim *or something*, kelkonk, sa *display* lo sa legim se sa RRP ki lo la.

So, eski zot pe dir nou poudir i devret vin en pratik par bann marsan, bann komersan, *retailers* ki *format* ki zot *display* pri i kler e lizib, me pa kree konfizyon pou sa konsonmater? Eski sa i le ka.

Par egzanp mwan mon'n vwar enn sa sityasyon kot an relasyon avek en komodite ki vann en serten pri, sa RRP in mete lo la, me sa lot komodite pe ganny vann dan sa sak. So, sa i en keksoz ki mon ti a kontan klarifye.

Aprè dezyenmman prezan, mon'n vwar sironstans kot i annan 2 pri afise lo en komodite, e ler sa dimoun i pran sa komodite i anmenn kot letazer, marsan me dir li non, in fer en fot dan pri. I pa sa pri ki i sipoze pe vann. Ki sa konsonmater i fer dan sa ka la? Mannyer Lalwa pe dir ou, poudir sa konsonmater i devret pey sa pri ki afise lo sa bwat *baked beans* par egzanp.

Si ou, ou'n fer ou fot ou'n met R10 lo en bwat *baked beans* e tou bwat *baked beans* pe vann R12, sa dimoun i

devret pe pey R10 akoz Lalwa i kler la manner i ete. I fer li eksplisit ki sa dimoun i sipoze pe pey R10. Ou konpran mwan la? Akoz in annan bann sirkonstans. So petet sey klarifye pou nou ki manner sa pou ganny aplike. Mersi.

**MR SPEAKER**

*Thank you. Lo panel, CEO ki pou pran? Wi.*

**CEO FTC FRANCIS LEBON**

Mersi Mr Chair. *Anyway*, mon pa'n get tou sa bann portre an detay. Selman ki mon pe - parey ou'n dir. Si i annan 2 pri ki ganny *display* lo en prodwi, normalman *the consumer pays the lowest price*. Selman si par egzantp ou'n aste en prodwi, parey nou pe dir *RRP* la, sa *retailer* in aste en prodwi, *RRP* pa *binding* li.

I pe servi sa plastik petet, me selman *the correct price* in mete lo la, poudir mete i R10 par egzantp. E ler ou al devan i dir ou pey R10 e kekfwa konsonmater pe krwar i devret pey sa *RRP*.

Me ki konsonmater i bezwen konpran, ki sa *RRP is a recommended price* li. Sa *retailer* i pa *binding* sa *RRP* lo la. *The packaging* petet i met *RRP* lo la. Me selman *RRP* i en *recommended price* *STC* dan sa

ka la. I pa sa pri sa *retailer* ki *independent of STC*.

So, nou bezwen get li dan perspektiv ki manner in arive. Me selman nou pou dekouraz pratik pou ou servi en plastik *RRP* lo la pou pa konfiz konsonmater. Ou konpran? Akoz i annan bann prodwi ki sorti deo, ki osi annan *RRP* lo la, me selman kekfwa i an en lot *currency*. I pa vedir ler ou pou al peye devan i pou sa *RRP* ki lo la. I pou sa pri ki in afise an Roupi.

So, mon'n deza koz avek *STC* lo la sa semenn pou nou kapab rektifye sa. E mon krwar i demann en program osi, ledikasyon. Akoz sa ler nou ti zwenn ek *STC way, way back*. Nou ti dir zot fodre zot fer sir nou *avoid* sa pou pa konfiz konsonmater lo sa kote. *Ok*. Mersi.

**MR SPEAKER**

*Thank you.*

**HON JOHN HOAREAU**

*Ok*, nou kontinyen nou ariv lo 73(4) premye laliny *after the word 'of'* nou retir 'a' apre *after the word 'good'* nou add en 's' pou fer li vin 'goods' or *a service*. Nou *include the word 'a'* after 'or'. Apre dan son dernyen laliny i vin '*services*' instead of

'service'. So, nou pe *include* en 's'.

Nou al lo 73(7), lo trwazyenm laliny *after the word 'that'* nou *include 'the'*.

Nou al lo 74(1) *after the word 'Creole'* nou *delete the word 'language'*.

**MR SPEAKER**

*Sorry*, eski Onorab Arissol ou pe fer menm demann la?

**HON SANDY ARISSOL**

Non, Mr Speaker. An vi ki AG in donn en pti leksplikasyon, mon krwar mon ava tonm dakor avek sa.

**MR SPEAKER**

Byen, Onorab Hoareau.

**HON JOHN HOAREAU**

Nou kontinyen avek 74(11). 743(b), *ok. Sorry. 74(3)(b)*, dezyenm laliny *after the word 'good'* nou *add* en 's' pou fer li vin 'goods'. *After the word 'good'* ankor lo dernyen mo dan sa laliny nou *add the 's' with it* pou fer li vin 'goods'. Apre dan dernyen laliny, vedir trwazyenm anlany nou *add 's'* ankor pou fer li vin 'goods'.

*Ok*, prezan nou al lo 74(11)

**MR SPEAKER**

Yes Onorab Pillay.

**HON SEBASTIEN PILLAY**

*Ok. Now*, lo sa pwen *regarding labeling* mon annan en *query* ki mon oule *raise* avek *Fair-trading Commission* e Minis ki la. Mon annan dan mon lanmen la ki Lasanble in aste e mon pa pe fer referans ek sa prodwi. En prodwi ki sorti dan en pei e son *labelling* i dan en lot langaz apart ki Kreol. Me par deryer i annan en papye ki'n ganny kole, ki eksplik ou detay sa prodwi. E rezon i annan sa detay sa prodwi lo la se akoz i annan en lenpak ki si en zanfan i *ingest* sa prodwi, i kapab afekte li.

*Now, if i may ask*, eski Komisyon, *how do you ensure* lekel ki fer sa travay pou *ensure* ki sa prodwi avan i ariv lo sa letazer, sa *labelling*, mon krwar Minis pe gete - *you understand what I'm ok talking about*.

Sa *labelling* in fini ganny mete e ki ler mwan koman sa konsonmater mon antre dan sa landrwa pou aste sa prodwi, sa *labelling* i lo sa prodwi. Akoz i en *moot point* pas en Lalwa me nou pa kapab enplimant li.

So, eski ou pa kapab regard sa pou mwan *please*.

**MR SPEAKER**

*Panel. Yes CEO.*

**CEO FTC FRANCIS LEBON**

Mersi Mr Chair. Lo kote kot nou, ki manner nou travay ek sa, nou, nou okouran poudir i annan bann prodwi ki vin dan pei ki i annan bann *label* ki ganny *supply* ek bann enportater deza avek sa bann prodwi.

Akoz Sesel i annan en pti *market* e petet sa *volume* ki zot pe anvoye i pti git, me selman i annan ki zot anvoy *sticker*, ki zot deza vin avek ki zot zis bezwen kole.

E i annan osi tou ki *public health* i otoriz zot pou *the translation is correct*, espesyalman pou zengredyen, ki zot, zot ganny lotorizasyon pou plas lo la.

Selman nou, dan nou lenspekasyon ler nou vwar nou notife *Public Health*. Me selman normalman i *ariv at the point of entry* sa. I pa telman ariv lo kote dan *market* ki nou vwar. Ler petet sa ti pe vann in deza lo la.

**MR SPEAKER**

*Thank you.* Yes, Onorab Arissol.

**HON SANDY ARISSOL**

Lo menm laliny Mr Chair. *In regard to display* lo son prodwi. Son *display*, ki manner i vini son *display*, par egzamp lo sa

bann largiman ki nou pe fer la. Son langaz par egzamp. Eski langaz i vin dan sa 3 langaz ki Lalwa pe demande son *display*? Mersi.

**MR SPEAKER**

*Panel, CEO* menm. Yes *CEO*.

**CEO FTC FRANCIS LEBON**

Wi, normalman parey son *display* normalman zot kol lo la. Ki ler ou pe aste, ou pe fer ou *purchase decision* koman en konsonmater ou kapab vwar ki i annan lo la. So, i bezwen afikse ouswa *print* lo sa prodwi ki ou pe al aste. Akoz se sa ki pou ed ou fer sa desizyon. Akoz si i separe ler ou ariv kot ou, ou pou napa okenn dokimantasyon pou ou *refer to*.

So, normalman i afikse. Parey Onorab Lopoizasyon in met devan. Zot afikse lo sa prodwi.

**MR SPEAKER**

Onorab William.

**HON WAVEN WILLIAM**

Mersi Mr Chairman. Mon ti a kontan demann sa kekyon. Pa dan sa leksplikasyon ki ou'n donn nou la. Mon anvii konnen kapasite pou nou *authenticate*.

Akoz dizon in vin dan en langaz, pou dir poudir i annan en dokiman ki'n ganny anvoye,

me lekel ki *authenticate* sa leksplikasyon e verifikasyon an menm tan? Akoz ki arive se ki nou konnen ozordi lafason ki komers pe ganny fer i annan en ta distorsyon e tou bann pei ouswa bann gran lakonpanyen pe anvi vann zot bann keksoz. Mersi.

**MR SPEAKER**

Panel. *Yes CEO.*

**CEO FTC FRANCIS LEBON**

Wi, Mersi Mr Chair. Par egzanp normalman, si i deza lo la ki *at the point of entry* petet *Public Health* in deza fini otoriz li pou mete. I pa en keksoz ki petet nou, nou pou al *authenticate*. Me selman si nou vwar dan *market* nou, nou menm, nou kapab atraver en *investigation* ki nou'n deza fer verifye si sa ki lo la i korek *or not*, atraver gete kot sa prodwi i sorti e tir portre e anvoye, gete ki si sa ki *translator* in mete lo la i aktyelman pe reflekte.

Sanfwa i pou tonm osi dan *misleading* dimoun si son zengredyen ouswa sa ki lo *labeling* i pa korek osi tou. Ou konpran?

Selman mon krwar *at the point of entry* sa bann keksoz i devret petet ganny tyonbo. Akoz i enportan pou sa ki ariv dan marse, nou dimoun i

konpran ki zot pe aste, e i pa en keksoz ki zot bezwen desifre parey en *puzzle* ouswa al met en keksoz lo la.

Me parey mon'n dir pli boner, nou enport keksoz dan en kantite parti lemonn. Ozordi enportater i al partou pou li ganny keksoz en pe pli meyer mars ouswa de kalite ouswa non. Me selman i enportan ki sa bout ki donn konsonmater lenformasyon i vin *at least lo* sa prodwi.

E si pa lo la prodwi, petet lo en lekipman, i bezwen annan en *manual at least* ki donn sa bann lenformasyon dan sa bann langaz osi ki nou, nou servi pou nou kapab servi sa prodwi byen lo nou kote. Mersi.

**MR SPEAKER**

*Thank you.* Onorab Esparon.

**HON REGINA ESPARON**

Mersi Mr Chair. Mr Chair, mon konpran sa ki Mr Lebon pe eksplike. Me selman dan la pratik li menm i pa koumsa. Parske si mwan mon pe antre dan en magazen, mon napa sa *manual* la. Mon pe get zengredyen sa manze sirtou. E konmela i annan bokou dimoun ki dir ou zot pa manz keksoz ki annan *gluten* ladan. Zot pe rod en keksoz *gluten free*. Me dan mazorite letan sa bann keksoz i

an langaz e ou pa pe konpran ki ou pe aste.

E sirtou si - *Ok*, nou pa pe ganny tou keksoz an Kreol oubyen Franse, me sa bann langaz parfwa enn ler i difisil.

E en lot keksoz ankor ki nou remarke lo sa bann *display* se ki i annan bokou sa bann keksoz napa *expiry date*. Parfwa ou atrape ou regarde - Les parey dir, mon pran en pake diri ki lontan in lo letazer, i napa *expiry date* li, selman i annan en ta gon ladan. En pake *macaroni*, en kantite gon ladan. Ki fer ki sa prodwi li menm li ou vwar poudir i *expire*, me selman i napa en *expiry date* ki'n ganny *display*.

### **MR SPEAKER**

Eski *panel* i kapab adrese ki mannyer zot *respond* ek sa. *Yes CEO*.

### **CEO FTC FRANCIS LEBON**

Chair, mersi. Mersi Onorab. Mon'n *take note of* sa, selman zis mon ti a kontan met devan osi i annan serten keksoz ki antre dan pei ki serten standar deor, zot napa sa *expiry date* lo la. *Ok*? Me selman nou ki par ler nou *require*. E ou pou vwar poudir sa i dan bann prodwi osi parey *domestos*, parey bann prodwi ki annan pou fer ek *javel*. En bon pe zot, serten

bann ziridiksyon ki zot sorti zot napa *expiry date* lo la. E mon konnen poudir *STC* lontan ti ganny difikilte avek sa. I enn bann *area* ki nou'n *press* zot. Me ler ou ti pe get, i napa, i pa *require*. Ou konpran?

Me selman nou a *keep an eye* pou sa ki ou'n dir e zis pe *note* ki nou travay pre ek *Public Heath* e osi *SRC*. So, petet sa *multi-agency approach* pou nou kapab fer sir ki sa pa vin dan marse.

Me mon krwar i demann osi en pe ledikasyon. Pou bann marsan osi, fer sir sa ki zot pe met dan zot laboutik, osi ek sa ki zot pe aste ek enportater i dan langaz ki nou dimoun i kapab servi. E *for reasons of safety* osi tou. Parey ou'n nonmen osi, i kapab annan bann alerzi ouswa bann reaksyon. Mersi Mr Chair.

### **MR SPEAKER**

*Thank you*. Onorab Aglae.

### **HON EGBERT AGLAE**

Mersi Mr Chair. Bonn apre midi. Mon pou swiv en pti git dan laliny Onorab Esparon, akoz ozordi baze lo *ISO recommendation*, ozordi nou annan bokou bann enportater ki pe *buy in bulk*, e ki zot pe vin anmenn isi pou zot re anbale pou re distribye. E kot i konsern

*expiry date*, i sipoze *print* lo sa *package* pa lo en *sticker* li. I sipoze lo sa. Parey si en boutey i sipoze lo sa boutey.

So, ki garanti ki nou annan poudir ki. Akoz mon kapab fer vini sa, petet sa kantite boutey vid, ouswa si mwan, mon menm mwan mon pe fer parey *Seybrew* i fer avek ban *pet*, ki garanti ki *it's the right expiry date* ki pe al avek sa *batch* prodwi ki zot in aste in *bulk*.

Ki fer sir ki demen napa person ki'n ganny *mislead* pou dir mon pe aste en prodwi ki ti antre Sesel 2002, me selman swa mon *printing* ki lo la li i koresponn avek en lot lannen ki pa koresponn avek sa prosedir li menm baze lo son *manufacture*. Mersi.

#### **MR SPEAKER**

*Thank you. CEO, wi.*

#### **CEO FTC FRANCIS LEBON**

Wi, mesi Mr Chair. Mon krwar poudir sa i en pwen valid. So, si i annan okenn ka ki nou, nou *come across or* zot menm zot *come across* ki annan, ki petet nou bezwen verifiye *if it is the correct expiry date*, ouswa i pa'n ganny *manipile* dan okenn fason, *then* nou kapab vin kot *Commission*, nou travay ek *SBS*. Nou'n deza arive bann ka

kot bann *expiry date* ti'n ganny sanze e ki nou'n vwar poudir *it was not correct*.

So, sa i pa pou depan zis lo *FTC*, me selman nou kapab travay avek bann *agency* pou nou kapab fer sir nou verifiye. Akoz *the main* konsern se ki napa en *public safety issue* ki kapab afekte dimoun.

Selman nou a *keep a close eye out* pou sa. Mersi Mr Chair.

#### **MR SPEAKER**

*Thank you. Onorab Pillay wi.*

#### **HON SEBASTIEN PILLAY**

Mersi Mr Chair. Mr Chair, mon apresye bann leksplikasyon ki Mr Lebon pe donner. I montre ki in en dimoun ki'n enterakte avek sa sekter pandan plizyer lannen. I annan leksperyans e i konnen ki i pe dir nou. Me mon ti a kontan ganny lopinyon Minis oubyen Mr Cafrine.

Mon konnen an relasyon avek *trade* nou *form* parti *WTO*, so i annan louvertir nou *market* avek lezot prodwi sorti dan lezot pei. Mr Lebon pou *capture* sa prodwi ler in ariv dan magazen. Ler konsonmater in aste li e i vini i dir li, e bon lo sa prodwi i mete poudir sa i sipoze kapab *last* mwan tel kantite letan, me la mon pe gete, pa ni menm 2 mwan mon sa in brile *or whatever*.



Ki *Trade* i fer li, avan ki sa prodwi i antre. Ki bann keksoz ki nou met, akoz nou bezwen protez konsonmater akoz *hard earned money* ki sa dimoun in gannyen e pe al depanse pou aste sa prodwi. Nou pe koz en Lalwa Komers Zis, nou pe koz en Lalwa proteksyon konsonmater, i bezwen annan tou bann paramet otour li ki ede pou protez sa konsonmater.

So, kwa ki ganny fer lo sa nivo pou reasir nou ki pou annan lezot eleman ki antre an zwe pou protez sa konsonmater, menm avan ki sa prodwi i ariv lo letazer sa komersan, sa *retailer*, sa - mon pa konnen mwan - sa dimoun ki pou vann li. Mersi Mr Chairman, si ou permet sa.

### **MR SPEAKER**

*Yes panel. Mr Cafrine, yes.*

### **PS FOR TRADE DEPARTMENT RONALD CAFRINE**

Mersi Mr Chair. Mersi Onorab. *Well*, lo kote *Trade, Customs* ou konnen i sa lazans ki lo *border* e fer sir ki sa ki antre dan pei i bon pou lasante, i bon pou kominote, i bon pou lanvironnman, eksetera.

Nou annan bann keksoz ki nou apel restrikte ki nou servi

*import permit* pou kontrol son enportasyon, son kalite *and so on*. Me i pa tou keksoz ki annan *import permit*.

So, tou sa ki *import permit* ki antre definitivman i al dan bann verifikasyon ki nou apel sa *red channel* e i ganny verifeye *most of the time 100 percent*.

Lo kote par egzant keksoz elektronik. Yer nou'n tonm nonm *dispenser*. I en keksoz ki lemonn antye i *service*, nou servi e i annan dimoun. I zis parey *fan*, enn ler ou vwar *fan* apre 3 mwan i lo bor semen, i lo bor en *bin*. So, ki mannyer ki ou pe dir nou kapab fer sir ki sa *fan* ki antre i *will last for so many month or so many years*. Mon krwar pa si i annan en standar.

Mon konnen i annan bann lekipman en pe serye par egzant pou *wiring*, sa mon krwar *Energy Commission* i annan en *say* ladan pou son lenportasyon.

Me larestan bann keksoz elektronik i zis en *matter of peoples choice* e normalman nou dir *cheap* i fasil. Me selman *cheap* osi, ou konnen ki savedir *cheap*.

So, nou swete kekfwa i en pti pe pli ser, i sorti dan en *market* en pti pe pli kontrole. Normalman nou vwar li koman pli bon. Par egzant si dimoun i

dir ou mark *Le Grand* elektronik, i pli bon ki petet sa bann *Lenova* par egzanp.

So, sa i bann desizyon ki en dimoun i fer li baze lo son ledikasyon lo kwa ki pli bon *and so on so*. Nou pa pou kapab, nou pa pou annan sa kapasite kot *Customs* pou nou get tou keksoz. Ou bezwen les - *ok*.

Parey bomaten in dir, Minis in dir. Ler i antre dan market prezan, sa bann diferan lazans ki *involve* - parey *SBS* i fer bann *inspection, Ministry of Health* e osi Komisyon Komers Zis kekfwa i fer son bann. Apre kliyan osi e konsonmater i bezwen zwe sa pli gran rol pou anmenn sa lenformasyon *back*.

So, si napa en keksoz ki annan en *labeling proper*, i pa devret ganny *allowed lo shelf*. E ler sa i ganny vwar i bezwen *go back to* en serten lenstitisyon parey *Energy Commission*.

E sirtou si keksoz manze ki pas anba *Food Act*, sa fodre i nesaser, fodre i annan sa 3 langaz lo la. Sa i pa sipoze. Mon a konnen si dimoun in vwar en keksoz manze lo *shelf* ki napa sa 3 langaz ki nou rekomande, e si i annan *then* i en kontrovansyon pli serye akoz sa i en keksoz manze.

So, *when it comes to electronics*, sa i en pti pe pli difisil, i baze for lo en dimoun i

konnen si sa i vann R2, *then* pa espekte sa pe *last* li. Pran li koman en keksoz ki ase bonmarse i pa pou *last* ou long e i kapab fer en danze pou ou lasante oubyen pou ou *safty*.

Be selman parey mon pe dir, *to stop at the border, how e* ki standar ki nou mete, poudir sa pa kapab antre, en lot dimoun i bezwen gid *Customs* lo la e *Customs* pou napa sa *knowledge* pou vreman toulezour kapab dir, *be this one is good and that one is not*.

So mersi Mr Chair.

### **MR SPEAKER**

*Thank you*. Byen, avek sa leksplikasyon. Onorab Hoareau ou a re pran.

### **HON JOHN HOAREAU**

Mersi Mr Speaker. Nou'n ariv lo 74(11). Nou lo avan dernyen laliny *after the word 'goods'* nou pou *insert 'being'* apre nou pou retir *bracket* ki ganny ki ganny trouve zis avan *'the'*. Apre i fini apre *'set'*. So, nou retir sa *bracket*.

Nou al lo 76. *Sorry 77(4)*.

### **MR SPEAKER**

Ou avan 77 Onorab Georges? *Yes*. Onorab Hoareau, nou a les Onorab Georges fer son pwen avan.

**HON BERNARD GEORGES**

Mersi Mr Chairman. Mr Chairman, mon annan 2 pti keksoz avek ou. Mon regrete mon bezwen retourn zot en pti pe an aryer, eskiz mwan. Me i annan telman papye devan mwan. Eski mon kapab retourn Lasanble lo 71(3)(b) *on top* paz 65. E sa se en propozisyon lamannman ki Mr Victor Pool ki ti responsab pou sa *Bill* yer ti donn mwan.

Eskiz mwan, mon'n manke taler. I ti pe propoze ki nou *delete* dan *chapeau* sa paragraf (b) *'the earlier of'* so, *that* sa *chapeau* i read *'before the time at which the consumer....'* 71(3)(b). Pou *delete* *'the earlier of'* so *that* it reads *'before the time at which the consumer....'*

**MR SPEAKER**

Ok, kontinyen. *Panel* pa pe.

**HON BERNARD GEORGES**

E 76. Avan ki nou al lo 77. Ankor enn fwa *Bills Committee* ti'n soulev en kestyon lo sa mo *'particular'* dan *chapeau*, dan 76(1). *'A person shall not offer to supply, display or supply any particular goods.'* E kestyon sete ki savedir sa *any particular goods*.

E Mr Pool pe propoze ki 76(1) i ganny sanze aköz i krwar

ki *particular goods e panel* ava ed nou, i refer to *food items or perishables* ki kapab annan en konsern lasante. E i difisil pou kalifye sa bann *good obviously*.

Alor si pe propoze ki dan plas (a) and (b) mannyer i ete la. *In fact* dan plas (1) antye i pe propoze ki nou met *'a person shall not'* (a) *'offer to supply, display or supply any particular goods where the nature of those goods requires that there is displayed information about their shelf life or'* (b) *'offer to supply, display or supply such particular goods at a date later than the date on the shelf life of those goods.'*

Se sa propozisyon *legal draftsperson* Mr Chair. E mon pe met sa devan *panel*.

**MR SPEAKER**

Ok, quite a bit of language la. Onorab Pillay ou lo menm pwen? Yes. Please adrese apre nou ava al kot *panel*.

**HON SEBASTIEN PILLAY**

Inevitableman ler ou servi sa dernyen bout, sa fraz ki ou'n servi. I annan en pwen ki Onorab Lemiel ti *raise* yer. *What happens* dan konteks kot en, aköz ou pe kree en *loophole* la. En marsan i pran par egzanp *cast offs* par egzanp ki i aste. En seri prodwi ki pe ganny

*almost ganny dispose.* Ki annan petet en semenn avan son *shelf life* i fini oubyen en mwan avan son *shelf life* i fini e i met dan son laboutik pou li vann li at a *reduce cost*. E prezan tou dimoun pe ale, pe aste sa. Ou konpran.

Akoz manner ou'n *word* sa, se ou pe *word* li ou pe get sa *loopholes*. Mon krwar i enportan ki nou sey *capture* sa *self-life* dan en fason zeneral. *Rather than try to*, mon konpran ki Onorab Georges pe fer, ou pe sey *zero in lo perishables* aköz sa i pou annan en lenpak direk lo lasante dimoun. *I understand that.*

Me selman ler ou pe koz lo *shelf life*, i pa zis *perishable* ki annan en problem vizavi son *shelf life*. Ou konpran? Bann *dairy products still* dimoun pou bwar e zot *ingest*.

Mon konpran ki ou pe fer, konmsi annou sey sitye ki manner nou kapab *move forward* avek sa. Aköz sa bout i enportan pou dimoun sa.

### **MR SPEAKER**

*Ok, back to* Onorab Georges, apre nou ava al kot *panel*.

### **HON BERNARD GEORGES**

Mon pe demann mon lekor, mon konpran e mon konsyan sa pwen. Me mon pe demann

mon lekor si nou pa kapab fer li pli senp e senpleman dir '*a person shall not offer to supply display or supply any goods with a shelf life*' (a) '*without displaying the shelf life and* (b) '*at a date later than the shelf life.*' *That will cover everything* mon krwar.

Non, *it's the word 'particular'*. Mon krwar *it's the word 'particular.'* Mon krwar nou devret *just delete the goods*. Sanz '*particular*' '*by goods having a shelf life.*' Aköz sansan nou pa pou zanmen konnen *what are particulars goods*.

### **MR SPEAKER**

Wi, mon annan plizyer. Mon ava al kot Onorab Cosgrow avan, apre.

### **HON WALLACE COSGROW**

Mersi Mr Speaker. Mr Speaker, mon konpran ki Onorab Georges in dir e mon krwar i *kind of fit* sa ki nou pe sey rode la. Me mwan mon annan en pti kestyon an relasyon ek par egzanp bann *locally produced goods* e la mon pa pe koz dan *chips* bannann ouswa lot, lot, lot, mon pe koz par egzanp *fresh goods* ki sorti lo laferm par egzanp.

Bokou laboutik i *stock* bann *fresh goods*. Pye bred,

leti, kokonm. *So, how do we put an expiry date a shelf life* lo la san kree en sityasyon kot en pake difikilte pou sa fermye li menm *or* petet pou sa boutikye ki pe vann. Mersi.

**MR SPEAKER**

*Thank you.* Mon krwar nou annan telman pwen la pou *panel deal* avek. Annou les zot donn en repons apre nou a kapab kontinyen.

*Ok, panel.* Nou annan en konsiderasyon *wording* propoze par Onorab Georges, apre nou annan sa klarifikasyon lo *local produce*. Lekel ki kapab adrese silvouple? *Yes AG.*

**THE ATTORNEY GENERAL**

**MR FRANK ALLY**

Mr Chair, mon krwar sa ki Onorab *Leader* Zafer Gouvernman in propoze i fer en sans. Savedir zis nou ava tir *'particular'* and then nou ava met sa bann mo ki'n dir. Nou a kit sa *76(1) more or less* entak. Mersi.

**MR SPEAKER**

*Thank you.* Lo kestyon Onorab Cosgrow lo *local produce*. Eski *panel* pou donn en repons? Eski i bezwen *fit* par egzant dan sa *wording* ki la? *Yes, ok* Onorab Pillay, letan nou pe espere.

**HON SEBASTIEN PILLAY**

Mersi Mr Chair. Petet sa kestyon i a pli byen pou Minis an relasyon ek komanter fer par Onorab Cosgrow. *So, si nou pran 2 kategori bann prodwi.* Par egzant i annan bann landrwa ou pou ale ou pou aste bann *fresh products* par egzant bann salad ki'n fini ganny *packaged*. E lo sa *packaging* i pou annan en *shelf life*.

*But then obviously* ou pou annan sa fermye ki pe fer son prodiksyon e ki son transpor i pas dan bann distrik avek son plastik e ki li son leti pou dan en plastik e ki pou napa en *displays of en shelf life*. Mon pa krwar lentansyon Lalwa se fer ki sa fermye i bezwen met en *shelf life*.

Me eski *wording* Lalwa pe dir sa? *That's the question* ki nou bezwen reponn e fer sir nou *skirt around* ki nou pa fer li vin en konplikasyon pou nou bann *local producers* la deor. Akoz *once* Lalwa i vin an aplikasyon i bezwen ganny aplike. Me ou a pa pou kapab annan en sekter ki pe akt an deor Lalwa.

*So, nou bezwen protez.* Mon pa oule servi sa mo protez, me nou bezwen rod en fason pou fer sir ki nou pa kree en problem pou nou bann *local producers*.

**MR SPEAKER**

*Thank you. Minis yes.*

**MINISTER NAADIR HASSAN**

Mersi Mr Chairman. Mersi Onorab pou sa pwen. Bon mon antyerman dakor avek ou. Nou bezwen *practical in terms of* Lalwa ki nou met an plas. E mwan ler mon pe regard li, lentansyon se pa pou *capture*, akoz i enposib pou ou kapab al *enforce* ouswa - I zis pa fer en sans pou li *apply* pou sa kategori ki nou pe koz lo la. Bann prodwi lokal ki pe vann parey dan *market and all*.

*Now whether sa clause i capture ouswa pa capture, sa mon ava defer to the legal people* ki pou dir. Me selman lentansyon *is not to capture it*. Mersi.

**MR SPEAKER**

*Yes CEO.*

**CEO FTC FRANCIS LEBON**

Mersi Mr Chair. Zis pou azoute parey Minis in dir, sa lentansyon nou pe kaptye bann prodwi ki vann lo *shelf* me pa pou met en *added cost* lo fermye pou *local produce*, akoz bann *local produce* normalman by obzervasyon ou kapab determinen si i bon ouswa i pa bon ouswa i pres pou gate.

I pou *normally* enposib pou ou al determinen, kantmenm mon'n vann ou, mon'n pran mon'n met dan mon laboutik. Si ou *expiry date* pou parey ek pou mwan akoz i annan en kantite faktor ki kapab *involve* ki pou ou i kapab pouri avan pou mwan. Ou konpran? Me selman lentansyon se bann keksoz ki met lo *shelf*, ki deza annan bann *expiry date*, so ki i pa ganny *supply* avek konsonmater, so, sa ti *more or less* lentansyon pa pou met en *more or less* en lot *added cost* lo bann *local* fermye.

E mon pa krwar okenn par dan lemonn ki mwan mon okouran ki sa i koumsa menm si zot annan sa bann provizyon Lalwa. Petet nou kapab gete si i annan keksoz ki fodre fer pli kler pou pa konfiz personn. Mersi Mr Chair.

**MR SPEAKER**

Onorab Cosgrow.

**HON WALLACE COSGROW**

Yes Mr Speaker, mersi. Mon pe zis sey anmenn en pti pe, petet en solisyon akoz si nou desann lo 77, konsernan resi i annan en *exemption* anba *clause 4* ki dir *the Minister may exempt through Legislation* okenn kategori ki pa bezwen donn en

resi. Par egzantp ou al bazar, bazar nou tou nou konnen ou pa bezwen donn en resi. *Well*, ou pa pe donn en resi e i pa pratikan pou bazardye donn en resi.

So, petet 76 anler - menm keksoz ti kapab ganny replike kot nou dir bann *local producers* pa bezwen neserman *display* en *expiry date*. Konmsi zis en replikasyon. Petet en *way forward*.

### **MR SPEAKER**

Minis, *yes*.

### **MINISTER NAADIR HASSAN**

Mersi Mr Chair. Mon pa obzekte avek propozisyon ki Onorab Cosgrow in fer *as long* ki Onorab *Leader* Lopozisyon i *ok* pou donn Minis sa pouvwar.

### **HON SEBASTIEN PILLAY**

Mersi Mr Chairman. Nou pa ankor donn li pouvwar pou fer okenn lamannman pour lemoman. Sa ki nou pe propoze, sa ki Onorab Cosgrow pe propoze i bezwen vin avek en *caveat*. Mon krwar sa *clause* ki manner in ekrir se i ava donn determinasyon par Departman *Trade* lo lekel sa bann prodwi. I pou annan prodwi malgre i ganny prodwi lokalman ki pou bezwen annan en *expiry date*.

Sa i lozik sa. E mon vwar, Mr Cafrine in fer sa kler.

Me pou annan ki pou anpe posibilite. E an se ki konsern resi, i fer en sans. Akoz bazar, nenport landrwa, Roche Caiman ou kot ou pe aste prodwi, nou bi se pa - se fer sir ki Lalwa li menm dan son aplikasyon pa al met okenn keksoz an plis lo nou bann *producers* e bann dimoun ki pe prodwi, e fer li vin en pti pe pli difil pou zot.

Mon krwar i annan en posibilite ki sa i kapab ganny fer Mr Chairman.

### **MR SPEAKER**

Wi, eski nou pou rod en posibilite pou *capture* li dan sa *wording* Onorab Georges? *Yes, back to you*.

### **HON BERNARD GEORGES**

Mon krwar Mr Chairman. Propozisyon Onorab Cosgrow i en tre bon propozisyon e *panel* i pa kont.

I annan de fason mon krwar ki nou kapab fer sa. Enn se donn Minis, parey Onorab Cosgrow in propoze menm pouvwar ki i annan anba 77. Se pou li *exempt* par en notis dan *Gazette* e i ava *exempt all local produce or whatever*. Sa se en fason. Me i met en *burden* lo Minis pou fer en lalis.

Lot e mon pe fer en propozisyon, se dan 76 li menm, ki nou limit 76 a bann prodwi ki annan en *shelf life*. Ok, tou prodwi i annan en *shelf life*. En leti ki dan en sak plastik i annan en *shelf life*. Me *obviously* napa en *shelf life* lo la. Tandis ki i annan serten prodwi kot en *Seybrew* par egzanp kot i annan son *shelf life* lo la.

E mon sey *capture* sa distenksyon ant sa de. E mon ti ava propoze kekfwa si zot. Pou anfen, Lasanble ava decide ki dan 76 nou limit 76, *to 'a person shall not offer to supply display or supply any goods' olye having a shelf life because all goods have a shelf life*. Pou met '*any goods endowed with a shelf life*'. E sa i ava limit sa kategori *goods* ki annan deza en *shelf life* lo la e non pa lezot ki napa.

*Those are 2 proposals* ki Lasanble i a kapab konsidere, mersi.

### **MR SPEAKER**

Eski *panel* pou donn nou en lide ki mannyer zot kapab posede. Yes AG.

### **THE ATTORNEY GENERAL** **MR FRANK ALLY**

*Thank you*. Panel i dakor ek sa propozisyon me alternativman parey Onorab *Leader Zafer*

Gouvernman in dir, petet ti a bon ki nou prevwar en egzanpsyon e kot Minis i a met *subject* tou bann kondisyon.

E sirtou par egzanp bann prodwir ki pa vreman ganny *manufactured* me selman ki ganny prodwi lokalman. *Well*, pa ganny *manufactured*, unless ou pou bezwen fer sa distenksyon ant prodwi ki ganny *manufactured*.

Par egzanp prodwi ki ganny kwi oubyen prodwi ki ganny *processed in whatever way*. Menm si zot *local produced*, me selman zot ganny *process* swa par kwi. Me par kont sa bann *goods* ki nou pe dir la i bann ki pa vreman ganny *process*, i ganny *grown*.

So, *then* i annan sa distenksyon ki ganny fer. Me la prezan ou pou bezwen annan bann kondisyon e kondisyon se ki sa *supplier* i bezwen *ensure* ki sa prodwi ki i pe vann i pa *defective*, *it can be consumed*. So, *this is were the conditions would be if ever*. Me *otherwise we can stick to 'endowed with a shelf life'* e sa pa pou. Me selman i pou bezwen prezan, swa anba *Food Act* oubyen *whatever* lot Lezislasyon, *ensure* ki si i annan okenn prodwi ki ganny *process*. Par egzanp si en dimoun i fer nouga i pou bezwen met en *shelf life*



*date* lo la. Parey i annan ek dipen. So, *endow may be would.*

E demen si i annan okenn *issue* enterpretasyon, *verbatim* i kapab servi pou kapab montre poudir *it was not meant to regulate* bann prodwi ki ganny *grown rather than* bann ki ganny *process*. Mersi.

**MR SPEAKER**

Eski mon kapab demann en kestyon silvouple. Mon konnen Speaker pa entervenir dan deba normalman. *But what does endow mean. Does it mean konmsi sa prodwi i annan en shelf- life in ganny mete lo la avan. But what about the ones ki napa shelf life e ki devret annan en shelf life?*

**HON BERNARD GEORGES**

Mon mazine. Etan donner ki tou keksoz i annan en *shelf life*, me i annan en bann ki deza sa *shelf life* in ganny marke lo la. Nou pe dir sa bann pa kapab ganny *display without the shelf life*. Parey dipen, akoz i deza lo la.

Me pou bann lezot, Minis i ava annan en diskresyon pou li *exempt*. So, i ava kapab donn en lalis bann ki pa bezwen *endow* avek en *shelf life*. Me *everything else must be endow*

*with one and cannot be circumvented.*

**MR SPEAKER**

Eski ou pou met keksoz ladan la pou kouver sa *exemption* ?

**HON BERNARD GEORGES**

Wi, mon'n fini mete Mr Chair, avek zot permisyon pour Lasanble mon'n met 3. *Sub-section 3 - 'The Minister may by Order publish in the Gazette exempt any category of good from the application of this section, subject to such conditions as the Minister may deem fit to impose.'* Se plito, plizoumwèn *cut and paste of subsection 77(4)*. Mersi.

**MR SPEAKER**

*Thank you.* Eski panel i annan en pwennvi ? Eski Lasanble i dakor avek sa propozisyon?

*Panel. Ok, panel lets hear pou nou kapab prosede. Ou pe revise wording Onorab Georges, is that it?*

**HON BERNARD GEORGES**

Yes Mr Chair, avek konsey *Attorney General*, mon pe propoze ki nou azout en (4) ki pou plito baze lo 77(5) pou dir ki notis sa *Order* ki ganny pibliye dan *Gazette* i ava ganny pibliye dan *Gazette* li menm, akoz sa *Order* pou en *S.I*, pa

tou dimoun ki pou lir, me *at least* lo sa *Gazette* li menm i ava annan en notis zis pou dir menm zafer. Mersi.

**MR SPEAKER**

Ok, so AG in propoz sa. So, zot in dakor Lasanble? Nou aksepte? *Ok, no objection. Ok, thank you, we can move on.*

**HON BERNARD GEORGES**

Nou ava ariv lo 77(4) ki *after the word as*, premye laliny, nou retir 'a'.

**MR SPEAKER**

*One second.* Onorab Georges. Onorab Georges, apre Onorab Woodcock, wi.

**HON BERNARD GEORGES**

Mersi Mr Chair. Mr Chair, wi mon dakor e mon pe demann mon lekor si nou bezwen annan. Akoz mon'n tir li dan sa enn ki mon'n fek mete, as *a subsidiary legislation. Obviously the Order is subsidiary legislation.*

**MR SPEAKER**

Ok, AG in *nod*. Son mon krwar in aksepte. Onorab Woodcock.

**HON WAVEL WOODCOCK**

Ok, mersi Mr Speaker. Anba *Clause 77(2)* i dir ki *'at any time, subsequent to the purchase, the*

*receipt issued by the supplier shall be adequate proof of the purchase of the goods or services and may be used for the purposes of refund in any of the circumstances specified in this Act.'*

Apre anba (3) i donn ou bann lalis bann keksoz ki merit enkli lo bann resi. Me le problemn, enn bann problemn ki plizyer bann konsomater in refer sorti avek bann resi konmela, i annan en pratik ozordi kot bann resi ki pe ganny *print*, dan lespas 2 zour, 3 zour tou sa bann lekritir lo la i blansi ouswa ou nepli vwar sa bann lekritir lo sa.

Mon pa konnen si sa petet en keksoz ki zot merit get ladan ouswa enkli ladan, ki bann resi ki ganny *issued*, apre detrwa zour zot lekritir pa sorti lo la. Mersi.

**MR SPEAKER**

Mersi Onorab. Si *panel* in pare. *Yes CEO.*

**CEO FTC FRANCIS LEBON**

Mersi Mr Chair. Mersi Onorab. Mon krwar konmela zot pe sey servi bann *thermal paper*. Me salanm si *at the point* ki i pe donn sa konsonmater, i *meet requirements* Lalwa, tou keksoz i la, i pou en pe difisil pou get

lo kote *quality*, konbyen letan sa resi i bezwen reste.

Selman ki nou kapab fer, nou kapab petet koz avek sa bann biznes pou gete si i annan en pli bon *quality* ki zot kapab donnen. Me selman pou nou, si nou le ler nou fer lenspeksyon, son resi i annan tou son bann kalifikasyon ki i mete anba Lalwa, *then* i pou *meet* sa *clause*. I pou en pe difisil pou dir *print* lo en papye ki last 5an, *print* lo en papye ki 2an. Ou konpran, i pou en pe difisil.

Me selman *anyway*, mon *take a note*. Mersi.

#### **MR SPEAKER**

*Thank you*. Onorab Pillay.

#### **HON SEBASTIEN PILLAY**

An relasyon ek sa size resi, *right*. So, eski Minis i kapab donn nou en konfirmasyon ki zistans Gouvernman i ete ek sa size *POS machine*, pou fer ki par egzanp, sa i vin segonn natir aprezan. Ou vin en landrwa, en kantite dimoun i servi zot kart labank pou fer zot bann *achat*. E sa *POS machine* i donn sa resi direkteman, me osi pa zis sa, ou ganny sa. *SRC* i ganny sa rikord.

E sa i pou enkli dan bann lezot landrwa ki Gouvernman osi i annan kot petet i devret annan *POS machine*. Parey kot

lapos, bann landrwa kot i anmas reveni. Sa osi i enn bann keksoz mon krwar ki pe ganny konsidere. Mon pa konnen si Minis i annan keksoz i kapab dir lo la. *Just to reassure* nou ki *FTC* pa pe al enplimant en keksoz ki dan en lemond i difisil.

Dan serten landrwa resi i ganny byen donnen me dan serten landrwa i pa neserman parey.

#### **MR SPEAKER**

*Thank you*. Minis. Yes, Minis.

#### **MINISTER NAADIR HASSAN**

Mersi Mr Chairman. Mersi Onorab. Ou kestyon se ki, mon mazine ou pe refer *to statement* ki mon ti fer, *making it compulsory* pou annan *POS machine* avek *tills* dan bann *retail shop*.

Wi *SLA* pe fer sa louvraz. Annefe mon fek zwenn ek zot *last week* pou met sa *as* en kondisyon *license*. Me ki zot in met devan mwan, se ki nou bezwen fer bann klasifikasyon, *ok*. Les mwan eksplike aköz.

Lentansyon se pou *capture* bann laboutik. *Ok*, bann laboutik normal ki dimoun i al fer konmisyon ladan, en *retail shop*, wi. Me si ou annan ou en *snack shop*, en - pirman en *snack shop* ou pou

al *require* li pou met en *till* ladan, *it doesn't make sense*.

So, louvraz ki *SLA* pe fer la, pou fer sa *categorization* pou fer sir ki ler nou met sa *requirement* i pa annan bann *unintended consequences* ki pa ti lentansyon *of the policy decision*. So, sa i ape ganny travay lo la.

Lo sa *issue POS* li menm *in term of* kalite papye, *quality* masin *and all*, mon mazin sa i ava tonm anba ziridiksyon Labank Santral, anba *Payment System Act* ki *regulate* sa bann *issues*. E osi kekfwa anba *Financial Consumer Protection Act*. Me s a i en keksoz ki mon ava met devan zot latansyon ki si annan en nesesite pou *regulate* standar *of* bann *POS*. Mersi.

### **MR SPEAKER**

*CEO* wi.

### **CEO FTC FRANCIS LEBON**

Mersi Mr Chair. Zis pou azoute. *Sorry* Mr Chair, zis pou *go back to* Onorab Woodcock. Ki mon kapab dir li, *as part of* nou bann ledikasyon osi ki nou fer nou ankouraz konsonmater, si ou'n aste en keksoz ki ase *pricy* ouswa en elektronik, ou kapab servi ou telefonn pou tir en porte sa resi osi, ki i *last* ou. Sa osi ou kapab prodwi apre.

Akoz bokou konplent ki vin e osi bann dimoun i *provide* zot resi ki zot in tire lo telefonn.

So, sa i en lot fason *smart* petet ki nou fer en pe ledikasyon pou *advice* dimoun osi. En lot fason pou pa kit en ta papye. *Ok*, mersi Mr Chair.

### **MR SPEAKER**

*Thank you*. Bon avek sa bann lekspansyon nou kapab *move on*. Onorab Hoareau, ou ti'n avans en pe.

### **HON JOHN HOAREAU**

Yes Mr Speaker, nou'n ariv lo 78. Kot dezyenm laliny *after the word 'or'* nou *add 'a'*.

Apre nou'n ariv lo 81(2)(a). Premye laliny '*services*' so nou pe *add 's'* avek '*service*' pou nou fer li vin '*services*' e menm zafer lo dernyen laliny nou pe *add* en '*s*' pou fer li vin '*services*'.

(b) osi nou pe *add* en '*s*' ek '*service*' pou fer li vin '*services*' lo trwazyenm laliny avek dernyen laliny.

83. Nou annan osi menm zafer, '*s*' ek '*service*' pou fer li vin '*services*' lo dezyenm laliny avek senkyenm laliny e osi 84(1) nou annan '*s*' ek *service* pou fer li vin *services*. Dezyenm laliny, trwazyenm laliny. Trwazyenm laliny i annan 2 lenstans. I annan *after 'and'* epi *after 'or'* ki

annan sa *word service* pou fer li vin *services*.

Ankor lo 84(1) apre *the word 'price'* nou pou *include from which the discount is deducted* e nou pou retir '*the discount is taken off from*'. Apre i kontinyen, '*is accurate*'.

Anba 84(3)(a) nou *start* avek '*that*'. Menm zafer avek (d), nou *start* avek '*that*'. Savedir pou annan en '*that*' ki ganny *include* avan '*it*' dan (a) apre avan '*the*' dan (d).

Nou al lo 86. 86(d). I annan (s) apre *the word 'represent'* ki ganny tire - (e) osi i annan en 's' ki ganny tire. E (f) *in the word 'make'* in met '*makes*' nou pou tir sa 's' pou fer li vin '*make*' - (g) osi parey, nou pou tir 's' pou li vin '*make*' *instead of 'makes'*.

Apre dan (g), trwazyenm laliny *after the word 'repair'* nou pou met '*of*' - (h) ankor nou pou retir 's' apre dan sa mo '*makes*' pou fer li vin '*make*'. Apre (i), menm zafer. Nou tir sa 's' dan plas '*makes*' i vin '*make*'.

Nou al aprezan 87.(2) katriyenm laliny *after the word 'consumer'* nou retir '*the*'. Apre menm laliny menm nou kontinyen' *regard may have*' nou retir sa mo '*have*' nou met '*may be had*'.

### **MR SPEAKER**

*One-one.* Wi Onorab Georges.

### **HON BERNARD GEORGES**

Mr Chair, ankor enn fwa se Mr Pool ki in remarke i annan de '*may*' la, nou bezwen tir enn. '*regard may be had to*'. Mersi. I annan 2 '*may*', nou bezwen tir enn.

### **HON JOHN HOAREAU**

Yes, i annan 2 '*may*', so i retir enn.

Nou al lo 87(2)(k) kot *after the word 'contract'* nou retir '*of*' nou *include the word 'for'* e apre subsection (4) ki sivre, nou retir lo dernyen laliny *after the word 'person'* nou retir '*the*'.

Lot kote paz, so 87(4)(a) apre *the word 'shall not be'* mon vwar en '*had*' apre nou retir '*have*'. Mon pa vwar li, *ok, alright, yes*.

### **MR SPEAKER**

*Sorry*, mon kapab demann ki zot tyek sa (a) la. '*shall not be had to and circumstances*'. *Does it make sense the way it is?* Si zot kapab tyek *backwards whether it follows from the chapeau and so on?* Onorab Georges ou le fer sa.

### **HON BERNARD GEORGES**

Yes Mr Chair, *in fact* si nou regard byen, *the sentence reads 'For the purpose of*

*determining whether a person has contravened subsection (1) in connection with the supply or possible supply of goods or services to any other person, regard—shall not be had to any circumstances that were’ and then next ‘regard may be had to conduct’ eksetera. Mersi.*

**MR SPEAKER**

*Thank you.*

**HON JOHN HOAREAU**

*So, yes ‘be had’ i ganny mete la dan (a) apre dan (b) after the word ‘may’ ‘be had’ i ganny mete.*

**MR SPEAKER**

*Excuse me. Onorab Georges I just want to see that we have the correct word. Should it be ‘shall not be had’ or ‘shall not be given to any circumstances.’ Ou satisfé avek ‘had’. I’m not disputing, I’m just checking. Thank you. Ok, had. Yes Onorab Hoareau, kontinyen.*

**HON JOHN HOAREAU**

*Ok. 87(5). 87(6) a reference in this. Nou tir ‘e’ avek ‘this’ mon krwar ti annan en ‘e’ ki’n mete an plis. Ti ‘the’, ti ‘the’ avan, apre nou’n met li ‘this’. Same thing avek (7). A reference in the, nou tir ‘the’ nou met ‘this’.*

*Nou al lo 88(4) after the word ‘he’ nou met ‘or she’ lo premye laliny. Nou al lo 91. Sorry 89(b).*

**MR SPEAKER**

*Sorry, one second. Hold on please Onorab Hoareau. Onorab Pillay, wi.*

**HON SEBASTIEN PILLAY**

*Zis en klarifikasyon lo 88(1) en. Mon pa konnen si i en keksoz ki ganny pratike dan nou kiltir, me selman *how do you police this without the intention of providing or with the intention of not providing it as offer.* Eski sa i parey bann *buy one take two, sort of initiative?**

*Akoz mon oule sitye sa. Akoz i annan bann *enticement* ki ganny servi par en komersan. Ler mon dir en komersan, i *mean anyone* pou ou aste en prodwi kot li. *On the basis* ki ou pou ganny *something else.* So, *how do you police this* petet Mr Chairman si ou permet mwan?*

**MR SPEAKER**

*Thank you. CEO, wi.*

**CEO FTC FRANCIS LEBON**

*Mersi Mr Chair. Bon kestyon Onorab. Laplipar letan sa bann *enticement* i vin ek konsonmater *either to an advert* ouswa *through* en *brochure* swa*

en keksoz ki ganny mete *somewhere* ki nou, nou kapab prove apre.

Akoz parey ou konnen nou bezwen levidans. So, sa bann keksoz i ganny fer dan en fason ki pe tous plizyer dimoun. So, i pa en keksoz ki nou pa'n rankontre. Me selman i en keksoz ki nou *Police* pa rod bann levidans dan fason kwa ki manner zot in ganny *entise*, si ti annan lentansyon of *not providing* ouswa okenn sa bann prodwi.

So, ki manner ou vwar sa seksyon la, *it's only through investigation* ki pou prouve si i annan en *intention to offer*. *Thank you*.

**MR SPEAKER**

*Thank you*. Yes Onorab Hoareau, ou ti'n ariv.

**HON JOHN HOAREAU**

Nou'n arive 89.(b), *after the word 'or' nou in cloud 'a'*.

Nou'n arive lo 91(2)(b) *after 'or' nou include 'a'*. 91(3).

**MR SPEAKER**

*One second*. Onorab Georges wi.

**HON BERNARD GEORGES**

Mersi Mr Chair. *Sorry* Mr Chair. Si mon kapab retourn nou an aryer lo 90. *Subsection*

(2)(c)(ii) dernyen laliny. *The number of additional participants. A person shall not promote or operate a pyramid selling scheme that is unfair, or is likely to be unfair, to many of the participants in that— the number of additional participants that must be recruited to produce a reasonable reward to participants is either not attainable, or is not likely to be attained by many of the participants.*

Sa de '*may*' i en pti pe *vag*. E mon ti pe demann mon lekor si nou pa kapab *tighten* li en pe, *because otherwise its very vague. May participants. What is many? More than 3 or more than half or more than two-thirds, eksetera ?*

**MR SPEAKER**

*Panel* i annan en pwennvi? Minis wi.

**MINISTER NAADIR HASSAN**

Mersi Mr Chair. Mersi Onorab. Mon ti pe zis mazine *why not* pa *qualify* li, *just 'by participants'*. Non, non. Mon krwar i annan en danze met *significant numbers. Because it could be insignificant as well. So, just not qualified by participants.*

So, ou kit li ase ouver, me i pa met en *qualification* lo *the number of participants*.

**MR SPEAKER**

*Agree? Ok.*

**HON BERNARD GEORGES**

Dan tou le de landrwa Mr Chair, nou tir li dan (b) - *that to many participants*. E nou tir li dan (c) *chapeau 'to many of the participants'* nou tir *'many of'*. E nou tir li anba osi dan (c)(2) *'to the participants'* is that correct.

**MR SPEAKER**

*The way I understand, wi. So, me selman ou ki pe fer sa antre ou. Ok. Onorab Hoareau nou'n pare.*

**HON JOHN HOAREAU**

*Yes. Nou'n ariv 91(3). Nou'n dir after the word 'or' nou met 'a'. dezyenm laliny. Apre 91(3)(a) first line after the word 'of those' nou metet, nou retir 'that. Apre i vin 'goods or that service' so nou pe include ankor 'that' after the word 'or'.*

*Lo 92(3) dezyenm laliny after the word 'or' nou include 'a'. Then nou al 95(1)(c). Ok, 95(1)(c).*

**MR SPEAKER**

*One second. Yes, Onorab Georges.*

**HON BERNARD GEORGES**

*Eskiz man Mr Chair. 94(2) mon krwar i annan en keksoz ki nou'n manke. 94(2). Oh, yes 94(2) The supplier may release himself or herself from this obligation. Before the purchase is concluded, that he or she does not supply replacement parts or, mon pe propoze 'or offer' a repair service. Akoz nou pa supply a repair service.*

*So, does not supply replacement parts or offer a repair service. Mersi.*

**MR SPEAKER**

*Thank you. Onorab Pillay.*

**HON SEBASTIEN PILLAY**

*Yes Mr Chairman. Mr Chairman, mon krwar sa pou mwan i en keksoz ki en pe danzere sa. Akoz si ou annan en sistenm kot ou pe allow en dimoun pou supply en prodwi, me selman i pa kapab back son prodwi par en repair service. Ou allow li pou efektifman, savedir sa dimoun i kapab ofans vann en kalite komodite and then move on vann another, vann en lot, vann en lot, vann en lot, vann en lot.*

*Mon krwar ou bezwen annan en lekspektasyon rezonnab ki ler ou pe aste en*



prodwi en dimoun i kapab *make good* lo *warranty* pou sa prodwi.

Akoz get sa, akoz sa *warranty* ki sa dimoun i bezwen ofer ou la, par egzanp an relasyon ek en prodwi elektronik i swa pou *replace* en keksoz ki *faulty* anba sa *warranty* oubyen en keksoz koumsa. E li ler in aste sa prodwi kot i annan *warranty*, i bezwen annan *warranty* kot in aste. So, i pa pe kapab *back* menm *warranty* son prodwi, so ou pe *leave the consumer at the mercy of* sa *supplier* e sa i kapab *extend* menm *to* transpor par egzanp.

Si ou konsider en dimoun ki vin vann loto ou deza annan ou bann *established*. Dimoun ki vann loto e zot annan zot bann *spare division*, zot annan en mekanisyon ki asir zot sa. Mon pa vwar li rezonnab ki en dimoun pa kapab asir son prodwi.

Ankor *again* parey Mr Cafrine i dir, *its at the own risk of the consumer* ki i al aste sa zafer laba. Me *at the same time*, eski i pa lezitim pou nou protez lezot akter dan sekter ki'n pare pou investir dan *provide* en *comprehensive service*. *I dont know*. Petet mon ti a konpran ki.

### **MR SPEAKER**

*Thank you*, Minis pou adrese.

### **MINISTER NAADIR HASSAN**

Mersi Mr Chairman. Onorab mon *partly agree with you*. Mon vwar plizyer ka kot nou annan bann *sellers* ki vann. Me zour ou annan en *breakdown*, ou annan en problem ou ale pou rod *spares*, me zot pa enterese ek ou. So, ou bezwen aste en keksoz nouvo.

So, mon konpran sa largiman ki ou pe fer. Me *at the same time* mon pe mazin, lesan ki nou bezwen aprann se ki ler nou pe aste sa bann komodite, annan ou al kot bann *sellers* ki li i kapab prouve ek ou poudir i kapab fer *repair*, i kapab fer servis. I donn li sa *competitive advantage in the market*. So ankor la i sa laspe ledikasyon ki vini.

Lo kote *warranty* ki ou'n mansyonnen. Mon krwar sa nou kapab pran li koman en *issue* separe anba *warranty*. *A warranty is a warranty*. Si ou pa kapab *repair* ou bezwen *either refund or replace the product*. So, mon pa vwar li en *issue around warranty* akoz sa i set e i annan opsyon si pa kapab *repair* ki i oblize fer.

Konsern ki ou'n leve se eski ou devret fer li mandatwar si ou en *seller* ki ou annan en *aftersales service*. Sa i kestyon

mon krwar ki ou'n demande. Akoz sa i pa pou aplik pou tou marsandiz. Nou pe koz kekfwa serten bann *goods*, bann loto, bann elektronik *and all*.

Mon pa vwar ki mannyer nou pou fors tou laboutik, poudir be si ou en *retailor* pou sa bann prodwi, ou bezwen annan. Mon krwar i sa ledikasyon ki pou vini, ki bann ki annan *after sales service for repair and spares* li i ganny *competitive edge in the market by -*

Mwan mon pou al kot enn kot mon konnen i annan en *after sales* ki *reliable*. So mon krwar nou bezwen apros li *from* sa *angle*. Mersi.

**MR SPEAKER**

Yes, Onorab Pillay.

**HON SEBASTIEN PILLAY**

Mr Chair, mersi. Mwan mon annan zis en dernyen pwen pou fer lo la. So, *assuming* ki mwan mon oule fer en *after sales service*, so mon *cost* i monte akoz *obviously* mon bezwen envestir dan *building*, dan resours pou mwan ofer sa *after sales service*.

So *obviously* mon *markup* lo sa prodwi ki mon pe vann i pou pli o akoz si mon pe vann sa prodwi a en pri ki mon kapab fer en *return* pou *maintain* en

*after sales service* avek en *comprehensive* - ou ava eksplik mwan, i riske fer monte mon prodwi.

So, i riske fer ki malgre lo sa servis ki mon *provide* mon kapab ganny en *competitive edge*, i kapab osi fer ki mon pri mon prodwi i fer mon perdi sa *competitive edge from* en lot dimoun ki pe vann li *just at the base price*.

Mon pa pe dir fer li mandatwar ki tou dimoun ki vann sa kategori prodwi i annan sa servis. Me selman mon pa konnen ki mannyer nou pou fer sir ki en konsonmater ki'n depans son larzan, i kapab ganny en proteksyon avek sa dimoun ki'n vann li sa prodwi. Se sa mon *main* bi.

E mon'n vwar bokou dimoun in pri dan sa sityasyon dan lepase. Mersi Mr Chairman.

**MR SPEAKER**

Yes Minister.

**MINISTER NAADIR HASSAN**

Mersi Mr Chairman. Onorab pou parfetman konpran *where you are coming from* e annou servi en legzanp tipik, se bann Lazans ki vann loto. E ler nou pe travay lo nouvo Polisi *in terms of licensing* bann Lazans vann loto, enn bann

*requirement should be ki ou bezwen kapab provide after sales service. Sa i spesifik pou en sekter. Me i pa pou posib pou apply li pou tou sekter.*

Me serten Sekter mon dakor ek ou, nou bezwen fer li *as a condition to the license* ki pou ou kapab satisfè Lotorite pou ou ganny *issue en license*, pou vin en biznes ki vann transpor ou bezwen annan *after sales servis*. So, mon dakor avek ou. Mersi.

**MR SPEAKER**

*Thank you Minister. Well, les mon a propoz en break la e nou a retournen 4er en kar. Mersi.*

***(BREAK)***

**MR SPEAKER**

*Thank you Onorab Henrie pou rebran. Mersi.*

**HON GERVAIS HENRIE**

Mersi Mr Chair. Bonn apre midi tou dimoun. Nou'n ariv lo paz 86 setadir nou lo *clause 95 return of parts and materials* dan *95 (1) (c)* dezyenm laliny '*decline*' nou pou azout s avek, fer li vin '*declines*.'

Dan *96 clause 96 products as parts of other goods*. Dan premye laliny *a person who supplies any goods*, nou pou azout '*of*' e tir '*in*' pou li lir '*any*

*goods of which other products form part.'*

Next i dan *laybys clause 97, 97 (4) (a)* dan dernyen laliny nou oule azout '*s* avek *subsection* nou pe tire plito. Nou pe tir '*s*' avek *subsection*.

Lot lamannman Mr Chair i dan sapit *Romans VI Right to Choose*.

Dan *98(1)* nou oule azout dan premye laliny '*s*' avek *service* pou fer li vin '*services*.'

Dan *98(1)(a)* dan premye laliny apre '*of goods or*' nou oule azout '*a*' pou fer '*a service*.'

*98(1)(b) Roman (i)* dan dezyenm laliny '*introduces goods or*' nou oule azout '*a service*.' Dan sa menm paragraf setadir *91(1)(b) Roman (i)* dan senkyenm laliny dernyen mo apre '*service*' nou oule azout '*are*' e tir '*is*' pou li lir '*the agreement the new goods or service are unsolicited*.'

*98 (1) (c)* dernyen laliny, nou oule tir '*is*' e azout '*are*' pou li lir '*the goods or service are unsolicited*.'

Dan menm *clause* setadir *98 (1) (d)* dan avan dernyen laliny apre '*service*' nou oule tir '*is*' e azout '*are*' pou li lir *the goods 'or service are unsolicited*.'

Apre Mr Chair nou pou al lo paz 90. Setadir nou pe koz *clause 98(7)* dan premye laliny nou oule tir sa mo '*to*' pou li lir

*‘a person has no obligation to pay the supplier for unsolicited.’*

Nou reste lo *clause 98*. Nou al *98(8)* dan dezyenm laliny, dezyenm laliny dernyen apre *delivery* nou oule azout *‘of’* pou li lir *‘or the delivery of any such goods.’*

Nou reste lo *98* nou al *98(10) 98(10)(b)* premye laliny nou oule azout mo *‘any’* avan *‘unsolicited’* pou li lir *‘any unsolicited service supplied to.’*

Mr Chair apre nou bouz lo paz *91*. *91* e nou pou al lo paz *91 clause 98(11)(b)* nou oule azout *‘s’* avek mo *proceeding* pou li lir *‘threatens to bring any legal proceedings with a view to obtaining the payment.’*

Touzour dan *clause 98* nou bouz lo *98(13)(b)* dan dezyenm laliny apre *‘than’* nou pou azout mo *that* pou li lir *‘goods if it is an address other than stated under paragraph (a).’*

Nou pou al lo paz *92*. Aprezan dan *clause 99*. *Rules applying to cancellation of contract*. Dan *clause 99(1)* premye laliny anler *‘a cancellation of a contract for the supply’* nou oule azout *‘of a service shall not take effect.’*

Touzour dan *99, 99(1)(b)* dan dernyen laliny apre sa mo *‘his’* nou oule azout *‘her’* pou li lir *circumstances, ‘his or her intention to cancel the contract.’*

Lo menm paz me sapit *Roman VII Right to Safety* dan *clause 100 - 100(1)(a)* zis avan *general* nou oule tir sa mo *‘the pou li lir ‘supply any goods which fail to comply with general safety.’*

Mr Chair i annan en lentervansyon.

### **MR SPEAKER**

Yes Onorab William. Mersi Onorab Henrie.

### **HON WAVEN WILLIAM**

Mersi Mr Chair. Mr Chair sa bout sirtou la i en lartik ki a ler aktyel ki en bon pe bann dimoun vizavi *safety*, kot i konsern bann prodwir lokal.

Letan nou pe dir *general safety requirements*, mon anvi demann avek *panel* akoz mon pa’n vwar kalifikasyon *safety requirements*, eski i pou annan en standar akoz, ki arive se ki ozordi.

Mon ava donn ou en legzanp Mr Speaker. La Misere kot Mr Dugasse ouswa kot ou menm en dimoun i pase i vol ou sousout e dizon i ou’n *spray* e prezan sa dimoun ki pe vann sa obor semen ouswa i al dispoz sa.

Me mon santi poudir ozordi en bon pe bann dimoun san realiz zot pe ganny *toxicated*, akoz nou pou vwar i annan

bokou bann ka kanser ki i pou monte me ki mannyer nou pou kapab? Akoz mon konnen poudir Minister Lagrikiltir ti pe fer serten travay menm Lapolis.

Me ki fason nou kapab *reinforce* en pti pe sa zafer *safety* lokalman?

La mon pa pe kritik poudir tou bann ferme ozordi pa pou obzerve.

Mon konnen lontan poudir ti annan en sertifika ki bann ferme ti gannyen par lefe ki zot in *train* pou zot kapab *spray* e obzerv serten standar.

Me mon anvi konnen konmsi vizavi nou prop *safety* konsonmater avek bann prodwir ki mannyer ki sa dan sa Lalwa la nou kapab ranforsi li?

Akoz ozordi Mr Speaker parey mon dir i en gro konsern. Akoz dimoun pa konsyan poudir zot pe kapab ganny *toxicated* avek kemikal. Mersi.

### **MR SPEAKER**

*Thank you. Panel.* Lekel ki kapab adrese silvouple? Yes AG.

### **THE ATTORNEY GENERAL** **MR FRANK ALLY**

Mersi Mr Chair. I en kestyon en pti pe difisil sirtou dan la pratik. Akoz ozordi, ozordi nou vwar laplipar

dimoun pe *trade* en kantite dimoun pe *trade without a license* e dan bann sekter kekfwa ki pa osi *regulated*.

So si nou les bann marsan anbilan, pou vann zot bann prodwir lo trotwar, san *regulate then* nou espekte nou pou annan sa probleman.

Me si Lotorite i dir *no person shall sell anything without a license, then* ou kapab *regulate* son prodwir. I parey ler ou pe fer gato piman kot ou avek sanmoussa e apre ou vin.

Me si ou fer li dan ou lasanmben, oubyen dan ou *toilet* parey e apre ou vann.

So ou pa pou kapab *regulate* li. So alor ou pou bezwen al kot sa dimoun ki pe prodwir sa. Dan sa ka ou bezwen gete ek sa dimoun be kote ou'n aste ou fri ek legim *or whatever*.

So i en kestyon *regulate* li. E pou ou *regulate* parey bann bazardye zot annan zot en permisyon ki zot bazardye.

Me nou vwar ki i annan en dan *past years* kot i annan bann dimoun ki pe vin vann ki zis met en latav e zot pe vann bann prodwir parey.

So Lotorite pou bezwen antre konmans *regulate* si nou anvi anpes en sityasyon sa arive. Mersi.

### **MR SPEAKER**

*Thank you.* Onorab Aglae.

**HON EGBERT AGLAE**

Mersi Mr Speaker. Lo kote 99 lo kote *cancellation of contract*, petet mon vwar li en pti pe tro ouver kot ou pou les antre en lesefer *attitude* mon kapab dir.

Akoz mon pe dir sa, akoz mannyer mon pe enterprete zot ava get mon se ki ou kapab *cancel* en kontra *of service* avek ou *supplier by* endik li swa an bous swa dan bann lezot formil.

Be bann lenstans kot nou'n agree lo en servis e tandis ki mwan konman sa *supplier ok* mon pe servi mon larzan, sirtou si i annan keksoz konponan enporte e ler mon'n fini *procure*, e dan semen kot keksoz pe vini swa lo bato ou deside *cancel* en kontra avek mwan.

I annan son perd ekonomik ki vin avek. Si sa keksoz petet mon pa kapab, mon pe fer vini inikman pou sa rezon spesifik kot mon pa kapab servi li dan bann lezot lenstans ankor.

So eski bann *cancellation of contract* i bezwen vin avek serten petet regilasyon ki i ava vin, avek *on justifiable ground* ouswa *reasonable ground* osi pou zis *cancel* en kontra servis.

Ouswa petet par serten i kapab annan bann akt malisye

ouswa kas anba osi, tousala i egziste.

So petet en pe gidans lo la *as to* dan en fason ki ou zis *cancel* en Kontra. Mersi.

**MR SPEAKER**

*Panel yes* ler zot pare.

**THE ATTORNEY GENERAL**  
**MR FRANK ALLY**

Mersi Mr Chairman. Mr Chairman mon pa'n sezi antyerman sa ki Onorab Aglae in dir.

Me selman dan tou kontra ou lobligasyon i dapre bann dapre sa ki ganny prevwar dan sa kontra.

Me selman i annan bokou bann provizyon dan en kontra *sorry* i annan serten provizyon dan Lalwa ki fer ki ou pa annan drwa kontrakte kont oubyen kontrerman *of* sa bann provizyon sa ki nou apel bann *rules of public policy*.

Par egzanp mon pran en legzanp petet zis pou donn ou donn sa legzanp ;- par egzanp i annan serten garanti, ki ou bezwen donn en dimoun dan en kontra. So ou pa kapab par sa kontra dir mon pa pou donn ou garanti.

So menm si dan en kontra ou mete poudir mon pa pou donn ou sa mon pa pou fer sa keksoz, Lalwa pou *provide* ki ou

fer sa keksoz. Akoz ou'n *derogate from the requirements of the law*.

Pou ou sorti dan en kontra i pou depan lo sa kontra li menm li. me normalman bann kontra *supply* i pou bezwen annan en dele letan, pou ki, ki sa kontra i valab son term. Akoz personn i en prensip Lalwa Kontra se ki ou pa kapab kontrakte kou lavi.

So tou kontra i pou annan en term kot i napa en term se bann kondisyon bann i annan en term ki nou servi setadir bann sa term pa vini, me selman i sa sironstans ou bezwen kalite Kontra ki ou fer ki ou kapab sorti oubyen ou donn notis, ou donn notis pou ou *terminate* sa kontra.

Me si sa kontra par egzanp in spesifye pou en term e ou oule donn notis e notis pa'n spesifye ladan. La petet ou pou pey serten keksoz sirtou bann Kontra servis.

E Lakour pou ordonn ou pou pey sa dimoun, akoz sa dimoun ki ou'n antre dan en kontra servis avek li in kalkil son gen ki i pou gannyen dan legzekisyon sa kontra.

E si ou ale ou *terminate* sa kontra savedir i pou annan en gen manke.

E la i pou vin *claim* ou son konpansasyon, pou sa gen ki in manke dan legzekisyon sa

kontra. Mon pa konnen si mon'n reponn ou kestyon me selman sa i bann keksoz ki i annan en kantite Lalwa dan drwa konman en kontra ki pou ede pou enterpret okenn aksyon koumsa. Mersi.

### **MR SPEAKER**

Wi Onorab Aglae.

### **HON EGBERT AGLAE**

*Yes AG* ou *partly right* i kler sa ki ou pe dir. Me selman savedir mannyer nou pe enterpret Lalwa, i pou egzizan la ki i annan serten servis pou ki i pa ariv bann sityasyon kot tou le de parti, i vwar li dan en pozisyon ki ler i ariv en kontra i kennsel pa fer bann pert.

So i bezwen stipile dan Kontra kler ozordi, parey ou'n dir dele letan si mon pa pe met sa *timeframe* ki mon sipoze *meet* ki son bann kontrent mon sipoze *meet* ki son bann konsekans. En pe parey arive avek bann kontra Gouvernman sirtou avek bann konstrikasyon ozordi ki arive si ou pa admit ou ganny sarze. Ou pou bezwen pey mon ouswa mwan ki pou bezwen pey ou.

So eski prezan nou pou bezwen baze lo Lalwa i annan bann servis kot i pou obligatwar prezan pou zot - i pou pli meyer pou zot proteksyon antre dan

bann kontra spesifik i ganny dikte avek bandi diferan laliny.

**MR SPEAKER**

*Thank you. Panel i ti ava kontan azoute?*

**THE ATTORNEY GENERAL**  
**MR FRANK ALLY**

Mersi Mr Chairman. Wi ou konnen bokou bann dimoun i antre dan en kontra an ekrire. me tre souvan bann kontra pa ekrire.

E pa aköz ou napa en kontra ekrire, i vèdir ki napa en kontra. Parfwa i annan Kontra i ganny *constituted par exchange of korespondans ant de dimoun email.*

Parfwa i zis verbal me selman i annan sa ki nou apel bann keksoz, bann levidans ki mon demontre poudir i annan en kontra ki'n ganny antre ladan.

Par egzanp ou al aste en transpor kot en dimoun e ou pa ekrire nanryen. Me selman be ler ou donn li *cheque* i montre poudir ou'n donn li en *cheque* pou en keksoz.

E so i sa bann keksoz ki determin legzistans en kontra.

E ou menm en servis. So me selman i ankourazan pou ou annan en kontra ekrire.

E se sa pou dan sa Lalwa i annan bann *unfair contractor*. I

annan bann term ki *unfair* e prezan i permet i pou permet tribinal deklare poudir sa bann term e kondisyon i pa *fair* i pa zis.

E alor swa i anyel sa kontra oubyen i pou anil sa bann term e kondisyon ki montre ki pa zis. Mersi.

**MR SPEAKER**

Mersi. Onorab Pillay ou ti'n lev lanmen, ou ankor anvi fer en pwen?

**HON SEBASTIEN PILLAY**

Mersi Mr Chair. Mr Chair sa i lev en si oule en sityasyon enteresan.

*What if* sa konsonmater ki pe resevwar servis atraver sa kontrakter, li i pa neseserman onor bann lobligasyon sa Kontra.

Pran par egzanp Gouvernman avek bann kontrakter *LWMA*, ki rekour zot annan la zot vizavi sa dan bann sironstans koumsa?

So par egzanp sa kontrakter i sipoze fer en tel travay me pou lakantite larzan ki i pe gannyen pou lakantite travay i pa neseserman anliny.

Ou konpran ler mon pe gete Gouvernman ki pe *consumer* la. I benefisyè atraver sistenm ek *thinking* ki nou annan. Me sa kontrakter ki pe *provide* sa



servis *where does* sa Kontrakter i ale li *specific*? Si AG i kapab donn en lesplikasyon.

**MR SPEAKER**

*Thank you. Panel. Ale panel* si nou ava ekout en pti moman Onorab Gill i ava azout son pwen.

**HON CHURCHILL GILL**

Mersi Mr Speaker. Bonn apre midi Minis ek ou delegasyon, tou Manm.

Dan menm laliny sa menm kontrakter LWMA, ki li i lo son Kontra i sipoze ganny peye lafen dimwan le 30 Oktob oubyen le 31, me selman zot vwar zot souvan pe ganny peye oubyen bann ka kot zot ganny peye le 5 le 6, menm keksoz ki rekour ki bor zot annan rekour ki sa Lagreman pa pe ganny respekte dan sa sans? Mersi.

**MR SPEAKER**

*Thank you. Panel* ou kapab eklersi sa silvouple.

**THE ATTORNEY GENERAL**  
**MR FRANK ALLY**

Mersi Mr Chairman. Mr Chairman mon krwar nou pou al dan en pe detay ki petet i kapab anbaras mon konman *Attorney Zeneral* si demen LWMA i demann nou pou reprezant zot.

Bon i annan dan tou kontra en lobligasyon pou fer en keksoz. E peyman i en lobligasyon pou ou peye. Parski i en kontre parti lo kontra.

So si en dimoun i santi poudir son lobligasyon son kou kontraktan in ganny i pa'n ganny fer.

*Then* i pou bezwen fer en demann avek son kontraktan sa ki oblize *perform* son lobligasyon *and then* si i pa fer i *claim*.

E si i *claim* e i sa dimoun ki oblize pa peye. *Then* Lalwa i prevwar ki i annan sa ki nou apel en domaz en domaz pour *non-performance*. Ki nou apel sa *to* son *extend* en domaz moratwar. E la i ganny par peyman lentere lo larzan, akoz se larzan ki *involve*.

I parey avek en kontrakter. Oubyen zot servi zot bann mekaniz i annan en kantite mekaniz legal ki ou kapab servi pou ou *terminate* ou kontra.

Me bokou i annan dimoun pa pou *terminate* en Kontra akoz son kontra i ankor valab, me i annan zis en eleman en obligasyon ki pa pe ganny *perform*.

Alor li i decide pou li al Ankour. E se Ankour ki determinen lekel ki an tor e lekel ki pou *perform* en serten lobligasyon.

E si dan kontra i annan par egzanp si i annan en dele dan peyman i annan en lentere ki *payable, then* be bokou kontra napa sa, e alor ou bezwen al Ankour pou ou ganny en deklarasyon avek Lakour ki i annan en kontravansyon sa Kontra, savedir i annan en *breach of the obligation* e baze lo sa *breach therefore* Lakour pou ordonn peyman sa sonm ki *due* an plis si i santi poudir i annan sa domaz *the delay in performance*, prezan i pou pey i pou dir *subject to interest at whether* en *commercial rate* oubyen *at* par egzanp nou pou dir en *legal rate*. Mersi.

**MR SPEAKER**

Mersi. Bon vi ki bann Manm pa pe rod okenn sanzman dan Lalwa anmezir lesplikasyon mon krwar nou kapab aksepte sa e nou ava kontinyen Onorab Henrie.

**HON GERVAIS HENRIE**

Mersi Mr Chair. Lo *clause 100 general safety requirements* lo paz 92.

Dan sa *clause* i annan de mo *requirement* ki dan *100 (2)* apre *100(3)* pou nou fer li anliny avek *headnote* nou'n azout 's' dan tou le de lenstans pou fer li vin '*requirements.*' Sa i lo *100 (2)* avek *100 (3)*.

*Next one* Mr Chair i lo paz 94, savedir i pou vin *clause 100 (4)(b) Roman (ii)*. Dan dezyenm laliny apre '*supply*' nou oule azout mo' *them*' pou li lir '*offered to supply them*', ...

**MR SPEAKER**

Bon nou ava aret en pti moman. Mon annan en lanmen ki'n leve. Onorab Andre.

**HON CLIFFORD ANDRE**

Mersi Mr Chair. Mr Chair Onorab Henrie in sot *100 100 (1) e deletion of the word 'the' between 'with' and 'general.'* Ok. Sorry. Mersi.

**MR SPEAKER**

*Ok, so that's done. Ok.*

**HON GERVAIS HENRIE**

Kontinyen Mr Chair.

**MR SPEAKER**

*Back to you yes.*

**HON GERVAIS HENRIE**

*So next clause* i *100(5) (a)* dan trwazyenm laliny nou oule azout 's' avek sa mo *person* pou li lir '*goods to person who generally.*'

Apre nou pou al lo paz 15. Savedir i pou vin *clause 102 (2)* dan trwazyenm laliny ki konmans avek '*may dispose*'

apre *dispose* nou oule azout mo 'of.'

E apre, mo *goods* dan menm laliny, nou oule tir 'to' e met 'at.'

Savedir i pou lir '*may dispose of or deposit goods at a collection facility.*'

Prosen propozisyon lamannman i dan *clause 104 standards for performance of services.*

Dan dezyenm laliny, dernyen mo i '*regard to*' e la nou oule azout en mo '*the*' pou li lir '*having regards to* e la nou oule azout mo *the* pou li lir '*having regard to circumstances of the supply.*'

104(1) (a) dan dernyen laliny nou oule i pou lir koumsa' *in the performance of the service.*'

### **MR SPEAKER**

*Thank you* Onorab Georges.

### **HON BERNARD GEORGES**

Mersi Mr Chair. Mr Chair si mon kapab retourn an aryer mon krwar get lekel ki pe 102 (2) - 102(2) dan premye laliny mon pe regarde '*if any return law prohibits the disposal or deposit*' sorry eskiz mwan pardon. '*If any regulation or industry waste management plan under for the management*' mon krwar i annan en mo ki an plis la.

Mon ti ava propoze ki nou tir *under.* *If any regulation industry waste management plan for the management* eksetera *applies.* Mersi.

### **MR SPEAKER**

*Thank you.* Mon krwar *panel* i aksepte. *Make sense* Onorab Henrie. Ou ava rebran.

### **HON GERVAIS HENRIE**

Mr Chair nou prosen propozisyon lamannman i pou dan *Chapter Roman VIII* non mon'n fini pase sa. 104 (3), 104 (3) ki lo paz 96.

Apre dan dezyenm laliny apre mo *perform* nou oule azout '*a service.*'

Apre sorti paz 93 nou pou sot lo paz 98 setadir dan *clause 105(d) - 105 (3) (d)* dan sa mo *paragraph,* dezyenm laliny nou oule azout 's' avek pou li lir '*paragraphs.*'

La apre nou pou al lo 106 (6) lo paz 98. Dan dezyenm laliny '*tampered*' pou tir sa e met '*a with contrary to any instructions after leaving the control of the supplier.*'

Next propozisyon i lo paz 99, *clause 107(1)* dan trwazyenm laliny sa mo *section* dernyen nou oule met *capital.* Nou oule tir *capital* 'S' e fer li vin en pti 's' *section.*

E dan laliny avan dernyen *tampered* ankor i ‘a’ non pa ‘e.’

107(2) premye laliny apre ‘conformity’ nou oule azout ‘with applicable standards.’ Pou li lir ‘where the goods are not in conformity with applicable standards.’

**MR SPEAKER**

Yes Onorab Gill i annan en pwen. Onorab.

**HON CHURCHILL GILL**

Sa dezyenm *clause* nimerò (2) anba 107 i met 106 devan sipoze met 107 non? Anba *section 107 (1)* apre ler ou fini sa paragraf i met 106 (2). Anr *ok*. i form par dan sa paragraf? *Ok*.

**MR SPEAKER**

Korek. Yes Onorab Pillay.

**HON SEBASTIEN PILLAY**

Mersi Mr Chair. *Why six months* an relasyon *warranty*, nou’n ariv la non?

Nou pa ankor ariv kot 107 (2)?

**MR SPEAKER**

Non i ti’n ariv lo 107 *yes I think*.

**HON SEBASTIEN PILLAY**

*So 107(2) the consumer may, within six months why six months?* Mersi Mr Chair.

**MR SPEAKER**

*Panel. Yes CEO.*

**CEO FTC FRANCIS LEBON**

Mersi Mr Chair. Mersi Onorab. *Well six months* i deza dan nou *current Act*. E *implied warranty mostly in many places they are six months*.

Me selman *in addition to implied warranty* ou osi annan bann *supplier* ki *provide express warranty* osi tou ki en *sign of quality* ou swa *guarantee* pour zot prodwi.

Me selman mon krwar *more less between six months* i sa letan ki petet sa defo i kapab *arise*.

Be selman zeneralman *ok* nou pe get en peryod sis mwan lo sa kote. Ou kapab petet anmenn largiman en pe pli lwen poudir i annan diferan kalite prodwir. Me selman *most* Lalwa konsonmater zot tan pou *relax* otour *six months period* ki *Commission* i kapab egzers son bann *warranty provision*. Mersi Mr Chair.

**MR SPEAKER**

*Thank you.* Onorab Esparon.

**HON REGINA ESPARON**

Mersi Mr Chair. Mr Chair letan nou lo sa size garanti la,

mon ti ava anvi petet Mr Lebon i eklersi mwan ou annan bann sityasyon kot *PUC* konman en *service provider* li, i pe donn ou sa servis, prezan ou konman sa konsonmater li son kouran i koupe e ou, ou vwar ou kot ou annan en lekipman ki anba garanti sis mwan, son letan garanti i pa ankor fini i brile akoz *PUC* in koup son kouran.

E bokou bann dimoun i fer fas avek bann problemm koumsa.

E ozordi sityasyon manner i ete *PUC* i dir ou i pa kouver pou sa lekipman ki'n brile.

Kote ou konman sa konsonmater ou al rod rekour pou ou reganny ou lekipman?

Parski sa lekipman osi in brile akoz kouran in koupe, e sa dimoun ki'n donn ou sa ki'n vann ou sa lekipman i pou dir ou koumsa *it's not a default* ek sa lekipman li i pa pou rann ou li.

*PUC* lo son kote i pou dir ek ou koumsa poudir li i pa sa dimoun i pa la pou rann ou lekipman. Kote dan bann sirkonstans koumsa ou al rod en rekour, ou konman sa konsonmater? Mersi.

**MR SPEAKER**

*Thank you. Panel. Yes CEO.*

**CEO FTC FRANCIS LEBON**

Sa provizyon Lalwa - mersi Mr Chair. Mersi Onorab. sa provizyon Lalwa i fer provizyon pour waranti lo kote bann *item* petet ki vin *Commission* ki *defective* pou nou kapab donn en solisyon *within that time period*.

Be selman zis in ariv en keksoz avek *PUC*, ki kouver anba *PUC Act* ou kapab fer en *claim* avek *PUC* lo sa kote.

Mon pe mazin li koumsa. *Unless AG* i kapab koriz mwan diferan. Selman sa provizyon ki la i kouver en lekipman pou en peryod sis mwan si i annan okenn defo ki *arise* avek ki i *no longer fit for the purpose*, ki prezan sa konsonmater pa bezwen remet lanmen dan son pos *FTC* i kapab prouv sa i kapab ganny *either* en *repair* en *replacement* ouswa en *refund*.

I pou enposib si in ariv en keksoz ek *PUC* pou ou kapab konfirmen si sa ti *defective* ouswa non.

So mwan petet mon *stand to be corrected* - mwan mon mazine poudir sa i kapab fer en *claim* direkteman ek *PUC* e mon krwar i annan ki pe fer li koumsa.

Be selman mon *stand to be corrected* lo la. Mersi.

**MR SPEAKER**

*Yes Onorab Esparon.*

**HON REGINA ESPARON**

Mersi Mr Chair. Mr Chair i pa leka parski resaman dan distrik Glacis i annan enn de bann dimoun ki letan kouran in koupe, detrwa semenn pase, zot lekipman in ganny bliye. E zot in al *PUC*, *PUC* in dir kategorikman poudir i pa pe *entertain* okenn *claim*.

Akoz anba son Lalwa li i pa pe rann nanryen li. Prezan sa bann dimoun zot, zot bann konsonmater *PUC* zot, kote zot al rod rekour. Eski zot pou ganny kouver anba sa nouvo Lalwa la ki nou pe fer?

**MR SPEAKER**

*Thank you.*

**THE ATTORNEY GENERAL  
MR FRANK ALLY**

Bon mersi Mr Chairman. Anba sa Lalwa se bann *supplier* savedir en dimoun ki pe vann ou en keksoz ki bezwen vann ou en prodwir san defo, *whether* i bann de fwa par an oubyen par bann de fwa par an.

E lo kote *PUC* mon pa pou pronons mon lekor petet sa bann dimoun *seek legal advise*, pou zot deside si zot pou kapab *sue PUC* oubyen non baze lo sa ki'n arive.

Zot pou bezwen *legal advise*. E akoz zot pou bezwen montre

poudir zot se koupir kouran, ki'n *trigger* zot *appliances* ki pou ganny andomaze oubyen pou pa marse.

**MR SPEAKER**

*Yes Onorab Zialor.*

**HON NADDY ZIALOR**

Mersi Mr Speaker, bonn apre midi. Petet en pti pe anliny ek sa ki Onorab Esparon in dir avek *clause 2*, par lefe nou pe azout '*with applicable*' standar.

Mon pa konnen si nou'n kouver sa. Dan bann liberasyon in fer sorti bokou fwa konsernan konstriksyon, bann lakonpanyen konstriksyon ki fer bann lakaz ki pas bann diferan sistenm elektrik - nou annan en kantite legzanp bann *adaptors* ki vini ki tou difil i menm kouler.

Eski dan sa laliny nou pe mazin *alongside* sa Lalwa annan en regilasyon ki standardiz bann *policies*, konsernan standar sirtou elektronik bann aplikasyon elektronik ki vini ki nou ava dir be *ok* tou konstriksyon i sipoze separeman standar *American* oubyen standar *UK* oubyen standar *Chinois*. Mersi Mr Speaker.

**MR SPEAKER**

*Thank you. Panel.*

**THE ATTORNEY GENERAL**  
**MR FRANK ALLY**

Mersi. Mr Chairman mon krwar si ou pou koz lo konstriksiyon sa i ganny *regulate* anba *building regulations* si mon memwar i servi mwan byen.

Akoz i annan ki bann kalite par egzantp *electrical* ki ou bezwen servi pou ou *wire* en *building*.

Me lo kote bann lezot *appliances* par egzantp sa ki nou aste televizyon, bann lezot mon pa kapab dir egzaktman. Me selman definitivman i bezwen annan bann serten keksoz ki ou pou anmennen pou marse dan pei.

Me selman mon pa pou kapab pronons mon lekor. Mon pa osi o fe avek sa. Mersi.

**MR SPEAKER**

CEO wi.

**CEO FTC FRANCIS LEBON**

Mersi Mr Chair. Zis en pti keksoz petet mon kapab demann Lasanble sirtou lo kote 107(2) kot nou pe koz en pe *with applicable standards*. Konmsi *goods not in conformity with applicable standards*.

Rezondet aköz nou pa ti met *applicable standards* nou aköz dan nou travay nou'n vwar

serten prodwir ki vin kot *Commission* ler ou pe *assess whether defective or not*, napa serten standar pou kapab mezir avek.

Mon santi poudir petet *with applicable standards* tant pou restrikte konsonmater abilite, pou nou si nou santi atraver petet lobzervasyon son *assessment* ki serten prodwir i pa *comfort, ok?*

So mwan mon ti pe mazin li pirman lo kote leksperyans ki nou'n anann ki nou'n kapab kit li ouver e deza seksyon (1) i fer referans 106(2) *rather than applicable standard* ki en lot baromet lo sa kote.

Sa i zis bann keksoz ki nou, nou'n *come across* dan nou leksperyans pou nou aköz nou pe koz prodwir la, i kapab varyete prodwir i annan ki petet nou pa pou gannyen sa e petet i pou anmar nou lanmen osi pou nou kapab konsonmater e remed. I ava en keksoz ki *sift the balance* en pe *to the supplier*.

Sa i en pti git ki mon pe mazin en lo sa kote petet i ti devret reste parey. Sa en pe mon *thought* lo sa bout, me solman mon pa konnen ki Lasanble i panse.

Selman mon pe vin *from an experience*.

**MR SPEAKER**

Si Lasanble i annan okenn pwennvi lo la nou ava kapab ekoute. Nou ava pran Onorab Roucou.

**HON MICHEL ROUCOU**

Mersi Mr Speaker. Bonn apre midi a tous. Mr Speaker Mr Lebon in al en pti lo sa laliny ki mon ti pe koz lo la sa *CEO*. Me solman souvandfwa nou vwar poudir i annan bokou laboutik ki zot sorti sa 6 mwan zot menm zot *extent* pou al lo kote lan lo kote garanti, me solman problem ki i annan souvandfwa se ki sa prodwir ki ou'n aste i pa bon li.

I pa bon ou retourn avek kot sa laboutik me solman sa laboutik dan plas donn nou enn nef, petet i pran sanmenm sa i al aranze kot ler zot re donn ou ankor ou vwar poudir i annan sa problem menm. Mersi.

**MR SPEAKER**

*So wi panel. Wi panel si ou kapab adres sa.*

**CEO FTC FRANCIS LEBON**

Mr Chair avan kekfwa mon pran kestyon Onorab Roucou. Mon krwar Mr Georges i anvi koz lo sa *issue* ki mon'n *raise early on*, petet nou ava ganny klarite lo sa enn Mr Chair avan nou bouz lo sa lot.

**MR SPEAKER**

Lo sa pwen ki ou ti'n fer avan ou pe dir? Onorab Georges.

**HON BERNARD GEORGES**

Mersi Mr Chair. Annefe Mr Speaker mon anvi adres plizyer bann pwen ki'n ganny fer la apre midi ki mon krwar kekfwa kapab rezourd sa.

Premyerman *with applicable standard CEO* i dir i restrikte e wi annefe.

Me si nou gard li *where the goods are not in conformity* i pa fer sans i bezwen an konformite avek serten keksoz.

Alor nou bezwen revwar sa fraz. Akoz nou pa pou kapab zis dir *where the goods are not in conformity* akoz *they not in conformity compared to something else*.

Alor nou pou bezwen revwar kisisa ki nou pe mete konman nou *comparable* - preyerman.

Dezyenm keksoz se sa *clause 107* la, i koz lo en spesifik *warranty*.

E sis mwan *is an industry standard six month guarantee*, mon krwar se pou sa rezon ki i la, se en *universal standard*.

E parey Onorab Roucou in dir, i annan serten sa se en minimonm i kapab ki en *supplier* i ava donn ou en



garanti 1an. I kapab i ava donn ou *contractually* en garanti 3an oubyen en *lifetime guarantee* tousala i posib.

Sa *clause* 107 i pe zis restrikte en kalite garanti. I pe dir ou dan ka kot i annan en *implied warranty of conformity* avek sa standar ki ti sipoze pe *confirm* avek. Si i pa *comply* ou kapab anmennen e ganny e retourn sa *product* e ganny en *refund* se sa.

Me i annan plizyer lezot garanti, garanti i kapab dir ou mon ava *repair* dan 6 mwan. Oubyen mon ava *repair* dan 1an i pa obliz rebran.

Sa Lalwa i pe i spesifik lo rebran. Mon retournen mon rann ou, ou zafer, ou, ou bezwen rann mon larzan oubyen rann mon en lot keksoz.

*So it's a specific warranty.*

Me malgre sa spesifik *warranty* i annan parey *Attorney Zeneral* in dir lezot garanti, anba *Civil Code* i annan *warranty against defects*. bann *defects* ki aparann oubyen bann *defects* ki *latent*. Ki i pa aparann ou pou vwar li pli tar.

Sa ki sa pe fer sa enn i senp i pe zis *focus* lo sa *set* tournavis ki ou aste e premye vis ki ou sey vise, vis i reste tournavis i ploye. Se sa ki i pe vize. Ou prezan ou retournen ou kapab

dan en peryod 6 mwan reganny ou keksoz.

Me i annan par deryer sa bann lezot garanti *contractual* ki kapab al pli lwen ki 6an 6 mwan oubyen ki kapab tous bann lezot fason *remedy* e i annan garanti anba Lalwa Sivil normal ki protez tou konsomater *whether or not* i annan sa seksyon 107.

Alor mon ti anvi ki nou sezi, ki sa i pe zis koz lo en spesifik *guarantee*, me i napa - i pa pe afekte tou bann lezot garanti ki kapab annan dan en komers lib. Mersi.

### **MR SPEAKER**

Yes Onorab Pillay.

### **HON SEBASTIEN PILLAY**

Mersi Mr Chairman. Sa i kler sa. E rezon akoz mon'n demann sa keston pou nou konpran *this is an implied warranty*. Konmsi zeneralman se ki ou pou gannyen.

Me ou bezwen realize osi ki ou annan de landrwa kot i mete en *sign* anler *goods once sold are not returnable*.

So si son *store policy* lekel li pli enportan la? Eski *is it the store policy* ki pli enportan *or the implied warranty* anba Lalwa ki ti sipoze protez sa konsomater?

Se sa ki rezon mon pe demann sa keston, akoz si lenplikasyon ki nou pe dir se kisisa sa *supplier* in dir ou poudir *goods once sold are not returnable*. Ou *six month warranty implied* dan ou Lalwa i tonbe. Akoz mon pe aste sa komodite kan in ganny *expressly* dir *goods once sold are not returnable*.

Me mon drwa anba Lalwa ki mon annan 6 mwan pou retourn avek sa prodwir si i *defective*.

E i deza ganny kouver anba 106(4) ki dir *whether* sa *defect* i *latent* or i vin aparan apre. So i enportan pou nou site nou ler nou pas sa Lalwa k i manner sa *clause* pou ganny aplike. Sa i mon premye pwen.

Prezan mon dezyenm pwen an relasyon avek serten *item* ki en *supplier* kapab *supply* ou. Annou pran par egzanp lo lendistri otomotiv *right*?

I annan en *world right standard* par egzanp an relasyon ek serten *brand* ki *warranty* i 3an. Me i annan posibilite parfwa ki Sesel ou vwar ki *warranty* i 2an.

Konmsi ki manner nou fer ki si ou pe vann mon en prodwir anba sa *brand* ki'n ganny - mon krwar i annan en dokiman pou depoze kot *Trade* pou ou ganny

sa *copyright* si mon pa tronpe i pas dan Gazet sa.

So i bezwen annan en fason ki konsonmater i ganny proteze, akoz si non ou pou vwar ou pou dir en konsonmater ki dan en lot ziridiksyon i bezwen benefisy avek *warranty*, me ki en konsonmater dan zirestriksyon pe benefisy avek sa *warranty* parey.

E malgre ki rezon sa *manufacturer* i met sa *warranty*, se akoz i konnen poudir i riske annan sa *defect* dan sa peryod letan. Petet sa 3an dan plas 2an. So i annan sa de pwen mon ti ava kontan met an perspektiv. Me sa enn premye i enportan pou nou *deal* avek an relasyon avek en *sign* ki pou aparet dan en laboutik. Mon asire ki tou dimoun i vwar, '*goods once sold are not returnable*.

Savedir *once* ou'n aste en keksoz ou pa kapab retourn avek. Mersi Mr Chairman.

### **MR SPEAKER**

Wi *ok panel* i kapab adres sa bann lesplikasyon, selman apre sa nou mazine si i annan okenn sanzman *wording* dan Lalwa ki nou pe propoze. *Panel yes CEO*.

### **CEO FTC FRANCIS LEBON**

Mersi Mr Chair. Mersi Onorab. Mon krwar dan nou bann ledikasyon ouswa osi dan nou *market monitoring* en kantite landrwa nou'n fer zot tire sa zafer '*goods sold not returnable*.

Pou prensipalman akoz sa provizyon anba Lalwa.

Selman nou bezwen realize poudir i annan *worldwide* osi i annan serten bann *item* ki vann parey *clothing*, ki pou izinik ou pa kapab retourn avek.

Be selman mon pou dir ou en kantite ki nou'n fer tire. Me selman en provizyon Lalwa i bokou pli o ki i donn portes konsonmater ki en *shop policy* ki i pa anliny avek sa ki Lalwa Konsonmater pe dir.

So sa en keksoz ki nou osi pou *focus* lo la lo kote ledikasyon, e nou'n deza konmans fer i annan en kantite laboutik fer zot tire lo sa kote.

I annan byensir ki i annan serten konsern ki'n met devan nou, ki zot bezwen verifie sa prodwir ki vini pou fer sir sa dimoun pa'n servi - ou konpran?

Selman la nou bezwen mazine poudir si sa prodwir i *defective*, ok ou'n vann sa konsonmater poudir *defective* i annan en rekour anba Lalwa akoz ou pa sipoze vann en keksoz ki *defective*. Mersi.

### **MR SPEAKER**

*Thank you.* Eski i annan okenn pwen *wording* ladan ki nou bezwen sanze, oubyen i zis en kestyon lesplikasyon. Onorab Georges.

### **HON BERNARD GEORGES**

Mersi Mr Chair swivan sa ki CEO in dir *with applicable standards* kekfwa nou devret met *with specified standards*.

Akoz mon dir sa? Akoz bann *standards* in fini ganny spesifye dan 107 (1) anler.

In dir *that the goods are in conformity with requirements and standards specified under section 106 (2)*.

Alor nou met dan *number 2* dan *clause 2 where the goods are not in conformity will refer back with specified standards*, alor nou pe refer to 106(1). Mersi.

### **MR SPEAKER**

*Thank you. CEO.*

### **CEO FTC FRANCIS LEBON**

Mersi Mr Chair. *At least* sa ti mon pou ti pou mon dezyenm komanter ki lentansyon ki se ki nou ti pe refer avek 106(2) ki deza set out bann fakter ki *conformity* i kapab *conformity to*.

Aprè Mr Chair mon krwar Onorab Roucou ti'n demann en kestyon - mon krwar avek ou permisyon si ou les mon ti kapab reponn li.

**MR SPEAKER**

Yes.

**CEO FTC FRANCIS LEBON**

Wi. I annan wi bann laboutik ki kantmenm ou annan ou waranti zot dir ou zot ava aranze avan.

E ou pou vwar poudir anba Lalwa sa biznes i annan drwa pou li *repair*. Ok si i pa kapab *repair* petet nou pa ankor ariv lo la, i ava *replace* apre *eventually* i ava *refund*.

Akoz nou pa oule osi de-balans biznes. Nou bezwen *strike* en *balance* lo kote Lalwa Konsonmater.

Akoz tou le de i mars ansanm *ok*? So ou pou vwar pli tar ler nou ale dan sa bann *clause* ki sa bann kriter ki nou *set* pou *repair* apre kote ki vin *replacement* apre kote ki ou *refund*. So i *further down*. *Thank you*.

**MR SPEAKER**

*Thank you*. Ok nou'n *settle* sa pwen standar. Avek lezot lesplikasyon Onorab Henrie ou kapab kontinyen.

**HON GERVAIS HENRIE**

Mersi Mr Chair. Nou lo *clause 109 liability for damage caused by unsafe* -

109 (1) (b) sa mo *defects* nou pe tir sda 's' avek fer li *defect*.

Aprè nou al lo paz 103 savedir nou pe koz *clause 109 (5) (5) (d) Roman (ii)*. Premye anler dezyenm laliny nou pou sanz nou pou '*applies*' olye ki '*apply*' to the person by virtue nou pou tir '*of the*' only nou azout of the.

Alor i lir koumsa '*or applies to the person by virtue only of the things done otherwise*'. '

Lot propozisyon lamannman nou desann.

**MR SPEAKER**

Onorab Georges

**HON BERNARD GEORGES**

Mersi Mr Chair. Mr Chair avan ki Onorab i al lo prosen lamannman, mon ti ava kontan atir latansyon *panel* lo menm paz 103 paragraf (f) *Roman (ii)*

E la mon bezwen en pti pe led. Si nou regard *the liability of a particular person under this section does not arise if- (f) sorry if (a), (b), (c), (d), there's not arise if they're unsafe*, i annan en problem la. Fodre nou tir '*that*' dan premye mo (e) e fodre nou tir '*that*' dan premye mo (f) pou li swiv eskiz mwan.

*If the unsafe product characteristic, failure, defect or hazard to was wholly attributable to the design of the subsequent product, the markings on or accompanying the subsequent product order to compliance by the producer of the goods in question with instructions or warnings given by the subsequent product.'*

*I found this very challenging. E mon ti ava kontan revi avek panel pou sey ed mon konpran sa paragaf.*

*Eskiz mwan me maybe I missing something me i annan en mon mazine i annan en drafting issue la. mersi.*

**MR SPEAKER**

*Yes panel. Yes Onorab Pillay.*

**HON SEBASTIEN PILLAY**

*Mersi Mr Chair. Mr Chair si mon pe ekout Onorab sa (f) i flow from sa chapeau anler kot i dir the availability does not arise if so then mon krwar sa premye 'that' i redundant dan (f). Sa i tonbe.*

*And then nou wi dan (e) osi i tonbe. Apre nou kontinyen. Mon ava zis fer li tonbe.*

**MR SPEAKER**

*Onorab Georges ti ankor pe rod lesplikasyon lo Roman*

*(ii) non? AG ou pare pou adres sa?*

**HON BERNARD GEORGES**

*I got it. Mon krwar Mr Chair avek ou permisyon sa order la dan trwazyenm laliny i devret 'or.'*

*Was only attributable to the design of the subsequent product - easy the markings on or accompanying the subsequent product- easy - or to compliance by the producer of the goods in question with instructions or warnings given by producer of the subsequent product.*

*Mon krwar si nou tir sa 'order' e nou ranplas li par 'or' we're ok. Mersi.*

**MR SPEAKER**

*AG nou kapab aksepte sa? Yes ok that's done. Onorab Henrie.*

**HON GERVAIS HENRIE**

*Mersi Mr Chair. Savedir la nou lo clause 109 (6) lo paz 103. (6) (b) nou oule tir 'an' devan mo illness e dan (d) nou oule azout s avek result pou fer li vin results.*

*Then we proceed to paz 104, savedir i vin clause 109 (8) dan premye laliny apre 'for' nou oule azout the i ava lir 'for the purposes of subsection.'*

E dan dezyenm laliny apre sa mo *'wood'* nou oule azout *'lead'* e tir *'need'* pou li lir *'damage to any property are such facts about the damage as would lead a reasonable person with.'*

*Next one is clause 110 (2) savedir lo paz 105 dan premye laliny avan service nou oule azout a pou li lir a supplier of a service who.*

I vin menm zafer dan *clause 112 premye laliny a supplier of goods or service.* E dan *next one.* Nou pe al *clause 114.*

**MR SPEAKER**

Yes Onorab Pillay.

**HON SEBASTIEN PILLAY**

So mon oule zis ganny en reasiran ki ler nou pe koz lo 112 an relasyon ek *prohibition of notice to disclaim liability or right* ki ti en pti pe dan laliny ki mon ti pe demande taler.

*This is where* i pou ganny kouver la, kot ou pa pou kapab met en notis dan en landrwa dan en magazen *somewhere* ki anpes. *Thank you.*

**HON GERVAIS HENRIE**

Yes so sa i ganny kouver yes Onorab Henrie. Ou ti'n ariv lo 114 (d) Roman (ii) ki lo paz 107 dan dezyenm laliny nou oule tir

sa mo *'for'* pou li lir *'liable to a financial penalty.'*

Apre nou pou bouz en pti pe devan. E nou *next proposal for amendment* i lo paz 112;- savedir nou sorti 107 nou sot 112.

**MR SPEAKER**

Ki *clause?*

**HON GERVAIS HENRIE**

112 *clause 123 (3).* Dan dernyen laliny 123 (3) nou tir *'a'* devan *notice* i ava lir *'after giving the Commission notice to do so.'*

*Next one* nou pou al *clause 124 review of notices to Tribunal* dan dezyenm laliny.

**MR SPEAKER**

Yes Onorab Pillay.

**HON SEBASTIEN PILLAY**

Zis en pwen klarifikasyon ler nou dir *liability of an insurer,* eski Minis pour Finans nou kapab kalifye *what you mean by an insurer* dan sa perspektiv spesifik la? Akoz.

**MR SPEAKER**

Ki seksyon Onorab *please?*

**HON SEBASTIEN PILLAY**

*Liability of an insurance certain cases. Ok of an insurer under contract of insurance.*

*So as it stands la se eski nou pe mean an insurer dan lesans pli larz as an insurer as in a insurance company in which case doesn't that fall under the remit of Financial Consumer Protection Act?*

**MR SPEAKER**

*Panel. Yes CEO.*

**CEO FTC FRANCIS LEBON**

Mersi Mr Chair apre AG i kapab. So ler nou ti pe devlop sa seksyon ou pou vwar sa seksyon i *focus* pirman lo kote *recall of goods*.

Me selman ler mon'n diskit avek Minis i paret mwan en seksyon ki pe kouver ki pe kouver anba *financial consumer section at this point* i kapab akoz sa seksyon i osi kouver *possible defects in the goods*.

So nou pe koz lo *liability of insurer*, akoz nou konnen in *certain cases* poudir i pou annan sa ki pou arive ou pe *recall* sa bann *goods*.

So nou'n met li la pou sa rezon lo sa kote, akoz ou bezwen mazine osi poudir petet sa Lalwa osi i en pti pe ganny devlope avan *Financial Consumer Protection Act* ler nou ti pe get sa bann seksyon. Selman i en *area* kot nou santi poudir nou devret donn serten proteksyon lo sa kote.

Me selman mon *open* ki si i annan lezot nide ki separe avek sa. Mersi.

**MR SPEAKER**

Minis wi.

**MINISTER NAADIR HASSAN**

Mersi Mr Chair. Onorab si mon pe mazine ki sa *clause* i vremen spesifik. I pa en *clause* ki ler ou get *Financial Consumer Protection* sa *clause* i spesifik dan sa Lalwa.

Sa enn la i pe kouver li direktman *with regards to* en kontra anba e ler ou annan en *recall* i pa ganny kouver spesifikman anba *Financial Consumer Protection*, so mon pa vwar en problem pou *include* li ladan, akoz i pe *go once step further* i pe donn plis proteksyon ki *already available on the Financial Consumer Protection*.

**MR SPEAKER**

Yes Onorab Pillay.

**HON SEBASTIEN PILLAY**

Zis sa ki mwan mon pou demann ou se ki konman Minis ki sa bann antite tousala i tonm anba ou. Akoz *FTC* i tonm anba ou.

So donn nou en garanti ki poudir pou napa en zwe ziridiksyon apre ant Komisyon

avek *FSA* kan i annan en sirkonstans kot en dimoun i annan en *liability regarding an insurer*, pou li met *good* lo en *recall* lo en prodwi.

Akoz apre nou'n gannyen dan lefase sa bann *issues*. In deza arive plizyer fwa dan lezet pei i osi annan sa bann *issue* akoz *whilst* en antite regilatwar ki i annan ziridiksyon, i pa neserman pa oule korpore. Me i annan serten lenformasyon ki napa sa resanz so si ou donn nou sa garanti, mon napa problem akoz mon krwar i devret la.

Akoz sa i fer li pli senp, en pe pli *neat* en pe fasil pou en konsonmater kapab ganny en rekour. Konpran? So mon ti ava kontan i vin pli konplike, akoz mon santi personnelman ki anba *Financial Consumer Protection Act* i en pe pli konplike.

### **MR SPEAKER**

Minis pou azoute - wi.

### **MINISTER NAADIR HASSAN**

*Thank you* Mr Chairman. Non mwan mon vwar bann diferan Lazans i devret travay an kolaborasyon ek kanmarad. Mon pa vwar akoz i devret annan en *territorial issue* lo la e mon si sa i vin devan mon latansyon i en keksoz ki mon

pou anmenn li dan Lazans lo latab poudir *we need to deal with* sa sityasyon.

### **MR SPEAKER**

*Ok thank you*. Minis in donn en *pledge* omwen pa en garanti. Onorab Henrie. Ou'n pare pou *move on*?

### **HON GERVAIS HENRIE**

Wi mersi Mr Chair. Nou *proceed to clause 124 review of notices by Tribunal* dan dezyenm laliny 124 (1) i pou lir koumsa '*apply to Tribunal in the prescribed manner and form to review the notice.*'

Savedir nou pe tir sa mo '*at that*' pou nou fer li vin '*the notice.*'

E dan laliny ki swiv i konmans avek *within 20 days of receiving it* nou tir '*that notice.*' I lir *within 20 days of receiving it, or such longer period as may be allowed.*

Apre nou *proceed* lo paz 114 setadir nou pou lo *clause 125 (3) an enterprise* nou tir sa mo '*may*' i ava lir *an enterprise holds* nou azout en '*s' dominant position, if.*

### **MR SPEAKER**

*Ok*. Panel CEO i oule fer en pwen.

### **CEO FTC FRANCIS LEBON**



Mersi Mr Chair. Rezon akoz nou ti met ‘*may*’ parey ou pe vwar dan seksyon 3 i *more less* en *mechanical approach* pou sey determin dominans.

Me solman nou’n vwar poudir bann desizyon ki’n sorti *lately* e osi dan bann ziridiksyon i annan bann *enterprise* ki kapab dominan avek pli ba *market share* ki sa si zot *hold* en *critical asset*.

‘*May*’ i donn *Commission ability* pou get sa bann diferan sekter dan en lizye ouver e obzektif. Me solman pa met li dan en fason ki determinan, zis par sa *approach* ki nou nou’n mete dan Lalwa, akoz la nou pe koz pirman *market share* apre *market power*.

Me selman i annan petet bann lezot eleman ek bann lezot *market* ki devlope. Sirtou bann *digital market*, ki petet paler i annan en *firm* avek 28poursan *market share* ki nou vwar deor. Be selman i *hold* en *critical asset* ki donn li *market power*.

So mon santi poudir nou devret larg lanmen en pe, e les nou bann largiman ek nou bann levidans ki nou mete pou nou kapab determin *dominant position*. Mersi.

### **MR SPEAKER**

Onorab Georges.

### **HON BERNARD GEORGES**

Mersi Mr Chair. Mr Chair konpran *CEO*, me mon krwar si nou met ‘*may*’ i annan en lot defayans. E se pou sa rezon ki mon krwar propozisyon se pou pa fer sa.

Akoz dan 125 (1) i kler. E la i ouver ‘*an enterprise hold a dominant position if by itself or together with an interconnected - it occupies such a position of economic strength as will enable it to dominate.*’

Donk legzanp ki *CEO* in donn en i tonm anba 125 (1) i *wild*. 125 (3) pe *actually* pe dir kip e defini en kategori *dominant position*.

I pa pe limit li. *The problem* avek ‘*may*’ si nou met ‘*may hold the dominant position if it has that*’, se ki nou pe lans laport ouver pou *Fair Trading Commission* dir kisisa en ki en *dominant position*.

Alor si nou tir sa e nou dir ler i annan 40poursan, otomatikman *ipso facto* i annan en *dominant position*.

Oubyen si i annan mwens ki 40 i annan *market power ipso facto* i annan en *dominant position*. Donk sa de kategori I kler. Zot annan en *dominant position*. Me i annan otour zot tou sord lezot kategori ki kapab anba 125(1) osi annan en

*dominant position. I think that's the approach.* Mersi.

**MR SPEAKER**

*Thank you.* Minis.

**MINISTER NAADIR HASSAN**

Mersi Mr Chair. Mon anviz servi kekfwa en legzanp *practical* pou kekfwa *emphasize* sa pwèn of serten fleksibilite lo kote Komisyon

En *enterprise* i kapab *involve* dan plizyer diferan *segments of business* - o biznes.

So ler ou pe koz 40poursan *of the market, which market you're talking about?* Annou servi en legzanp en lakonpanyen telekonm. I annan li en marse *corporate*, en marse *retail*. I annan diferan prodwir dan plizyer marse. I annan data, i annan *fixed line*, i annan televizyon.

So mwan mon krwar ki sa definisyon si tro *rigid* i kapab koz Komisyon serten problem lo *determining market power*.

So ler *CEO* i fer sa pwèn mwan mon konpran li antyerman dan en fason pratik. Si ou annan ou en biznes ki *or* en antrepriz ki li i dan en *single market for a single product*, i fasil determinen.

Me si i dan plizyer sekter mon krwar i kapab anmenn serten *practical issues*. Mersi.

**MR SPEAKER**

*Thank you.* Onorab Pillay.

**HON SEBASTIEN PILLAY**

Mersi Mr Chairman. Mon krwar ki pe arive avek sa ki Minis pe dir nou, nou pe *sort of* eksplik keksoz, *then the problem is not* avek sa 40poursan. Problem i avek ou definisyon *market*. Se sa ki ou pe dir nou. E sa i kree en lot problem pou nou prezan.

Akoz si ou enterpretasyon *market it means* ki ou pe koz lo an relasyon - pran par egzanz konman en *layperson* ler ou pe koz mon telekonm. Telekonm mon pe *mean* en lakonpanyen ki fer ki *provide* sa servis. So i pou enkli son data tou son zafer.

Me la ou pe dir mon poudir lenterpretasyon *market* dan sa konte sit *means data, it means mobile, it means* eksetera, *it means* sa bann keksoz. So i kree en konplikasyon. E aköz ou definisyon *market* i kree en konplikasyon *then*, si ou met li poudir i rizid, *then* i vin en problem pou Komisyon.

So mon pa konnen i pou difisil pou *get around* sa, *unless* nou sey *define market*. Mersi.

**MR SPEAKER**

Onorab Georges.

**HON BERNARD GEORGES**

Mersi Mr Chair. Mr Chair mon konpran kot CEO avek Minis pe ale. Me manner i ekrir la - *'an enterprise may hold the dominant position if it has at least 40 percent of that market. What does this means?*

Si en *enterprise* i annan 40poursan of the market, does it have a dominant position or does it not?

*Perhaps it does or perhaps it doesn't.* Me lekel ki pou determinen? *How are you going to ki manner ou fer sa determinasyon?*

Tandis ki 125(1) i kler. I enperatif. *A dominant enterprise holds a dominant position if -* La nou'n fer li kler.

Be dan (3) nou pe retir sa laklerte. *Who's going to decide si i annan en dominant position or not si nou met 'may?'* Lekel ki fer sa determinasyon? Mersi.

**MR SPEAKER**

*Yes panel.*

**HON SEBASTIEN PILLAY**

Mon konpran - Dapre zot largiman zot, zot pe dir ou sanmenm aköz *that's the problem*, aköz zot pa oule ganny pri. Aköz zot oule Komisyon fer serten determinasyon.

*Me for the purpose of the law, zot de clause i at logger heads ek kanmarad aköz enn i fer li kler, lot i reentrodwir anbigite prezan. Me prezan i vin difisil. Lekel sa ki dan milye sa ki pou perdi se konsonmater prezan en.*

Solman mon krwar i devret kler. I devret eksplisit, 40poursan *it means* ki ou sitan for dan sa marse pou ou kontrol keksoz. E se sa rezon aköz konsonmater i perdi *at the end of the day.*

Prezan en lot problemm Mr Speaker, si ou ava permet mon Mr Chairman ki pe leve. Prezan nou definisyon *of market* i vin en lot *issue*, aköz ki manner nou pou definir *market* dan sa sirkonstans.

**MR SPEAKER**

*Ok so 'may' or no 'may?'* Ok, ale kot nou'n arive la? Eski *panel* i annan en lot lenterpretasyon?

**HON BERNARD GEORGES**

*Assuming* parey nou *assume* ki Lalwa fodre i serten. Si sa ki *panel* pe dir i sa ki zot anvi, *the simple thing to do is to say 'the Commission will decide whether an enterprise has a dominant position on the market.* I senp. Mon napa okenn problemm ek sa. *Let*

*Commission decide. Me lemoman ki ou pe met sa, ler ou pou dir avek en konpanyen you have a dominant position, malgre ki ou napa 40poursan akoz ou annan market power. Fine.*

Me ler ou pou dir li ou annan 60poran me ou *still* napa en *dominant position*. I pou dir ou be *why did you put 40 percent in the law?* Ou konpran? Annou trouv en solisyon ki nou pa *benchmark* li lo en poursantaz. Mersi.

**MR SPEAKER**

So eski ou ti ava met par egzantp *'enterprise holds a dominant position if according to the assessment of the Commission'* oubyen *'in the opinion?'* *Would that suit?* Ok. Minis in *agree yes* nou kapab aksepte sa. *Thank you.*

**HON BERNARD GEORGES**

*Ok if in the opinion of the Commission it holds what?* I pa kapab *hold anything.*

**HON SEBASTIEN PILLAY**

*Basically it should be simple, the Commission shall decide on whether an enterprise hold a dominant position. Wi prezan i ava annan bann prosedir ki fer pou li fer li.*

**MR SPEAKER**

*CEO.*

**CEO FTC FRANCIS LEBON**

Petet ki mon ava propoze se satisfere se ki *the Commission shall be termin at dominant position subject to its investigation.*

**MR SPEAKER**

En lot *wording.* Yes Onorab Pillay?

**HON SEBASTIEN PILLAY**

Eski AG i kapab fer komanter lo lefe si par egzantp Komisyon i dir poudir avek en konpanyen, konpanyen A *one en dominant position.*

Eski sa konpanyen li i annan drwa *rebut* e dir avek AG me prouve ki mannyer mon annan en *dominant position.* Kwa ki fer ou dir mon annan en *dominant position?* Eski i pou en defans pou sa konpanyen pou li dir prouv ek mon ki mon annan en *dominant position* e sa eski sa i kapab retard laplikasyon sa Lalwa an relasyon avek en konsonmater.

**MR SPEAKER**

*Yes CEO.*

**CEO FTC FRANCIS LEBON**

*Ok, dan bann assessment of abuse of dominance*

definitivman pou ou prouv *abuse* ou bezwen prouv dominans.

So en *Commission* li i pou *gather evidence* pou li prouve poudir sa etablisman ouswa sa *enterprise* i *hold* en *dominant position* ki kot i en pozisyon kot i pa zis gro me i kapab *exert sufficient market power* pou li afekte lezot lantrepriz. Pou li kapab *engage* dan sa bann *conduct*.

Me *the other party* ki *definitely reboot – rebut* sa prezonpsyon ki *FTC* in fer dan son *assessment* e son bann levidans ki'n kolekte pa *provide* diferan lezot lenformasyon.

Me selman sa ler *FTC* i fini son *investigation* sa *is the matter for the Tribunal* pou decide.

Me Selman nou ki nou ti pe sey fer dan sa Lalwa, se tir sa bann keksoz ki ti napa avan ki ti kapab koz *uncertainty*, e met li dan Lalwa ki o kler pou en biznes realize.

Me selman sa ki nou bezwen konpran parey mon en pti git mon konsern lo kote (3) ki sa bann (a) ek (b) i enn de dedikasyon ki i for.

Me selman i annan sirkonstans ki i kapab annan parey mon'n dir en *critical assets* ki determin dominans *beyond* sa de pwen ki i annan.

Petet i ava bon si nou zeneraliz li. Be mwan mon ti santi poudir '*may*' i donn nou sa fleksibilite pou nou kapab dir be ou annan 50poursan, me selman ou napa *market power*. Akoz ou annan en konpetiter ki osi annan 50poursan me selman en *fold* dan en *critical asset*.

Akoz mon pa kapab dir dan ki sekter ou pou determin *abuse*. I diferan. E sak sekter i annan son kompleksite.

So mwan mon ti pe mazin zis larg lanmen en pe sanmenm sa nou'n mazin li koumsa.

E mon konnen parey *Sud Afrique* in ganny menm *issues* lo sa kote. Ou konpran ou pa *pin* li *down* avek sa de poudir i annan. Akoz ou pou vwar ou dan en sityasyon kot petet kot Tribunal ki sa i ganny *reverse*. E ou'n fer tou sa resours, tou sa travay me selman ou'n pri ek sa bout

So lentansyon se petet sa fleksibilite dan *assessment* akoz *abuse* - akoz i *competition is an economic law*. I annan en kantite keksoz ki diferan avek sa, ler ou pe get konpetisyon. Mersi.

### **MR SPEAKER**

Yes Onorab Georges.

### **HON BERNARD GEORGES**

Mr Chair mon konpran mon ti anvi propoz en solisyon. Me kekfw a Onorab Gill i annan en lot propozisyon pou fer avan mon annan en propozisyon pou mon fer ki kekfw a i ava settle sa.

**MR SPEAKER**

Onorab Gill oule fer ou pwen?

**HON CHURCHILL GILL**

I pa en propozisyon selman mon oule zis atir latansyon *panel* ek bann dimoun ki pe pran par dan deba, ki lo sa *clause* nou pe koz ler sa dimoun i annan *dominant*.

Me selman nou pa pe dir akoz ler sa dimoun in ariv sa staz i pou *only grow*. Be ki nou fer prezan? Akoz li i pou napa konpetiter akoz in fini *go beyond* tou son bann *competitors*.

Son abilite in pase. Me ki nou fer prezan? Mersi.

**MR SPEAKER**

Ok. La en lot size. Onorab Georges oule propoz ou *wording*?

**HON BERNARD GEORGES**

Yes Mr Chair. Mersi bokou. Mr Chair mon si mon konpran byen Komisyon i anvi

retenir en serten fleksibilite. Dezyenmman *dominant position* zot anvi kategoriz li dan enn ant de fason.

Enn se ki ou annan en *substantial share of the market* or ki ou annan *market power*.

E *market power* i ganny definir dan souseksyon (4) *at great length*. Alor nou pa kapab perdi san nide *market power*.

*Taking all of this into consideration*, mon pe propoz ki (3) i lir *as follows: an enterprise pa ‘may’ but ‘an enterprise holds a dominant position if in the opinion of the Commission.’* Alor la, la kot sa ‘*may*’ i antre dan en lot fason.

*So an enterprise pa may but an enterprise holds a dominant position if in the opinion of the Commission (1) it holds a substantial share of that market or (2) it has market power.* San ki nou kay lo en poursantaz. Mersi.

**MR SPEAKER**

*Panel. Ok* Minis i dakor lo la. *Ok is that accepted* Lasanble? Napa okenn soz? *Ok done. Ok* nou kapab *move on*.

**HON BERNARD GEORGES**

Mr Chair *Attorney Zeneral* pe propoze ki *in fact* i devret vin (3) i devret vin (2) oubyen zis

apre (1) akoz i swiv - *follows better.*

E si Lasanble i dakor san ki nou retard Lasanble, nou ava les sa *to the drafters* pou entegre li pou vi ki nou annan son *wording* ki nou kapab tonm dakor lo la, la apre midi. Mersi.

**MR SPEAKER**

*Thank you. Ok so yes* nou konpran propozisyon Onorab e AG. *Ok panel* nou'n settle sa nou kapab *move on.* Onorab Henrie.

**HON GERVAIS HENRIE**

Mersi Mr Chair. Setadir la prezan nou pou al lo paz 117 e nou pe regard *clause 127 restrictive vertical practices.* I annan en lentervansyon Mr Chair.

**MR SPEAKER**

Yes Onorab Cosgrow.

**HON WALLACE COSGROW**

Yes mersi Mr Chair. Avan nou bouz lo 127 mon ti anvì zis fer en pti lentervansyon lo 126. Parey zot konnen yer dan deba merit lo Mosyon mon ti'n koz en pe lo bann zafer *cartel* avek *collusion.* E mon krwar sa 126 i seksyon ki *best represent* sa zafer *collusion* ek *cartel.*

Spesifikman 126(1) i dir *an agreement between, or*

*decision or concerted practice by, enterprises in a horizontal relationship, or an association of enterprises, in the same market is prohibited -.*

*Now* mon annan en pti pe problemn sa zafer *agreement.* Akoz souvandfwa sa bann kalite *practice* pou napa en keksoz an ekrir. *It would be something* ki ganny agree parey AG in dir taler en kontra - *kind of* en kontra verbal kot I ganny agree.

So ki manner Komisyon pou kapab detekte en *agreement between* sa bann dimoun pou zot kapab akte?

Par egzanp ladan mon vwar *concerted practice* apre *horizontal relationship* i ganny defini.

So eski petet i pa pou pridan pou annan en definisyon pou *agreement,* pou nou kapab fer sir ki Komisyon i kapab tyonbo sa *practice* si an ka i arive?

Akoz sa *issue cartel* i enn ki an *collusion* i enn ki enkyetan Mr Speaker Mr Chairman. Mersi.

**MR SPEAKER**

*Thank you.* Minis.

**MINISTER NAADIR HASSAN**

Mersi Mr Chairman. Onorab ler nou koz lo

*agreement i pa bezwen in writing.*

Dan seksyon lo bann definisyon *agreement* i ganny *define as 'includes any arrangement or understanding whether oral or in writing or whether or not it is intended to be legally enforceable.'*

So i pe *broughten the concept of what is an agreement.*

E ou lot bout ou largiman se ki Komisyon li menm li i pou bezwen *build sa investigative capacity* pou li kapab prouve.

Me Lalwa li menm li in kit li ase ouver *of what is an agreement.* Mersi.

### **MR SPEAKER**

*Thank you.* Onorab Pillay.

### **HON SEBASTIEN PILLAY**

Mersi Mr Chairman. A risk ki sa i vin en ledan ki pa kapab morde. Ki mannyer sa i kapab ganny *reinforce* akoz la nou pe koz lo Komisyon bezwen al etabli ki i annan sa *concerted practice?* Ou vwar? E se sa problem ki nou annan.

Me Komisyon lo li tousel pa pou kapab etabli sa *concerted practice* san ki i annan lezot antite ki antre dan zwe pou kapab fer sa.

Akoz par egzanp nou pe koz lo *collusion* sete par egzanp *price fixing*, nou pe koz *construction industry* bann keksoz koumsa.

So ki langazman eski Minis pe donn nou? Lefe ki sa i en Lalwa ki sipoze ase modern e nou'n pas pa mal letan la depi bomaten e yer pou nou debat sa Lalwa, travay lo lamannman e nou pe sey rod fer sir ki konsomater i ganny plis avan ki nou, nou lev nou lanmen lo la osi lo sa kote.

Ki garanti oubyen ki langazman nou kapab gannyen ek Minis ki mannyer dan sa laplikasyon? Sa i en size ki zot deza pe konmans fer en serten travay *internally* pou etabli si i annan sa bann *concerted practices* ki pe *go on currently.*

### **MR SPEAKER**

*CEO wi.*

### **CEO FTC FRANCIS LEBON**

Mersi Mr Chair. Mon avazis kontribye lo la dan plas Minis. Mon krwar nou bezwen konmans lo en pwen. Nou annan provizyon pou nou anpes *collusive practices* parey dan tou Lalwa Mondyal.

Nou konnen poudir *collusive practices or cartel* i enn bann *conduct* konpetisyon ki



vreman difisil pou *on cover everywhere*.

*That's why* ki ou vwar poudir i annan bann *tools* ki ganny devlope. Parey 55 *corporate immunity* i enn bann *tools* ki ganny devlope pou sey tir bann *cartel members* pou donn lenformasyon *Commission* pou prosekite.

Ou annan bann lezot *tools* parey *dawn raid* ki ganny servi kot atraver Mazistra ou ganny n *search warrant* kot ou kapab pran serten lekipman pou analize pou gete si ou kapab ganny lenformasyon *ok?*

Sa la i la bann fason ki zot sey ganny lenformasyon pou zot kapab prosekite bann *case*. Nou'n dir pli boner poudir okenn *case* ki ganny prosekite i bezwen baze lo levidans.

E sa bann zouti pe ganny donn nou dan nou bann Lalwa pou nou kapab prezan al fer sa louvraz, ki nou bezwen fer pou nou kapab ganny sa bann levidans.

So sa *challenge* pou vin kot *investigative capacity* ki manner nou ganny sa levidans. Be selman sa bann *tools* i la. E napa okenn par dan lemond kot ou pou vwar i *cartel* i ganny *uncovered* i ganny penalize ki vin en *matter* fasil. I toultan i sa bann *tools* ki ganny servi pou fer sa.

So komitman i la. In vini atraver Lalwa. Kapasite i la i pe kontinyen devlope.

So nou, nou angaze pou nou kapab *uncover cartel* si i egziste prouve, prosekite e fer sir ki i annan en *strong deterrent* ki i pa vin ankor dan sa sekter.

Me selman parey mon'n dir o konmansman, nou bezwen realize Onorab poudir dan la konpetisyon sa i enn bann keksoz kot i vreman difisil.

I pa ganny fer *openly*, i ganny fer dan kasyet. Ou annan lendikasyon obzervasyon me selman ou bezwen annan lenformasyon. E sa *that's why* ki nou annan sa bann *tools* dan Lalwa pou nou kapab fer sa bann travay lo sa nivo. Mersi.

### **MR SPEAKER**

*Thank you.* Bon avek sa lesplikasyon nou ava kapab kontinyen Onorab Henrie.

### **HON GERVAIS HENRIE**

Mr Chair aprezan nou lo *clause 127 restrictive vertical practices*. 127(5) dan dernyen laliny avan *service* nou oule met 'a' pou li lir ' *or a service provided.*' Mon ava rebran akoz son laliny avan, avan dernyen: ' *recommend a minimum or a maximum resale price to the reseller of*' nou tir 'a'

*'of goods or a service provided.'* Sa i dan 127.

Next nou proceed to paz 118, clause 128 grant of authorisation. Dan 128(3) laliny avan dernyen ki konmans avek *public benefit is reasonable in the circumstances*, prezan nou oule azout *'shall recommend to the Tribunal'* nou tir *'for'* nou met *'to'* grant nou tir *of an authorisation*.

Alor i lir si mon rebran anler apre *circumstances*, *'shall recommend to the Tribunal to grant an authorisation.'*

Apre nou al lo clause 129. *Register of authorisation*. Dan 129 (1) e dan 129 (2) kot sa mo *'authorisation'* i annan propozisyon pou azout *'s.'* I ok?

Wi savedir Mr Chair *headnote* osi tou nou bezwen azout *'s'* pou fer li konsistan. *Register of authorisations*. I korek? Nou pe swiv. *Good*.

Prezan nou pe sorti lo paz 119 e nou pou al lo paz 122 dan clause 133 (5) *133 application to Commission for merger*. 133 (5) dan dezyenm laliny i ava lir koumsa *within 120 days and* nou oule azout *make a recommendation to the Tribunal*.

Alor i lir *within 120 days and make a recommendation to the Tribunal*.

Mr Chair apre nou bouz lo paz 123, dan clause 135 *factors*

*to be considered in determining merger*. Dan 135(1) (i) dernyen laliny nou pou tir sa mo *'the'* avan *'market power.'* Alor i pou lir *'to the merger having market power.'*

Sorti 123 nou al lo paz 124 dan clause 136 clause 136 (3) (b) nou tir mo *'to'* devan *adopt*.

E dan 136 (4) nou met a devan *'recommendation pou li lir the Commission, while making a recommendation under this section.'*

Nou reste lo 136(4)(b) *Roman (i)* savedir lo paz 1265 nou pou azout mo *'the'* e tir mo *'to'* e apre nou pou met *prohibition*.

Alor i pou lir koumsa: *'if it recommends the prohibition of the proposed merger.'*

Savedir apre *prohibition*, ou; azout osi *'of.'* Next one nou pou al lo paz 126 *part Roman VI market inquiries*.

138(1)(c) nou oule azout *'s'* avek *'consumer'* pou fer li vin *interest of 'consumers' in the market*.

Nou ava reste lo 138. 138 (4) dan premye laliny a lafen nou oule tir sa mo *'the'* e azout *'any.'* Pou lir *'the Commission may conduct the market inquiry in any manner.'* I annan en-

**MR SPEAKER**

Yes Onorab Pillay.

**HON SEBASTIEN PILLAY**

Mersi Mr Chairman mon konnen in long. Me la nou'n ariv lo en *clause* ki vreman enportan e mon ti ava kontan lo 138(2) Mr Chairman.

Mwan mon krwar *on a reasonable grounds to suspect that there is a market failure affecting consumers*. Mwan personnelman mwan krwar mwan.

E mon krwar Lasanble antye i krwar poudir i annan en *market failure*. Sirtou nou lo sa kote latab.

Kan ki Komisyon pou konmans sa lenvestigasyon dan sa *market failure*, pou nou get en kou sa bann pri dan bann laboutik la?

Ou kapab konmans li konman sa Lalwa i fini pase? Mon pe sey *found out* Mr Chairman si nou kapab bouz *speed things along* en pti pe pou nou kapab ed dimoun la en pe deor la en. Sanmenm sa nou pe siport sa Lalwa.

**MR SPEAKER**

*Panel. CEO.*

**CEO FTC FRANCIS LEBON**

Mr Chair mon krwar nou ava esper Lalwa pase apre nou ava get bann priyorite. Mon

krwar pri lavi i konsern tou dimoun.

E sak sekter i annan son problem. So dapre nou kapasite ki nou annan nou pe fer *marketing inquiry*. Me selman si i annan *market* spesifik ki anvi nou pa get zis pri me plizyer lezot keksoz osi tou aköz pri i pase lo fakter.

Me selman mersi pou sa pwen. Mon pran li serye an konsiderasyon. Mersi.

**MR SPEAKER**

*Thank you. Carry on* Onorab Henrie.

**HON GERVAIS HENRIE**

Prezan nou pou kontinyen nou touzour lo 138, solman nou sanz paz nou pou al lo paz nou pou al lo paz 128, savedir *clause* 138(7) (c) avan nou azout nou *delete* sa 's' avek '*matter*.'

E dan (d) ki swiv nou oule azout '*the*' avan *Government* pou li lir *make such recommendations to the Government*.

Sorti paz 128 nou pou al lo paz 130 dan *part Roman VIII* nou pe koz *clause* 142 ki kouver *regulations*. 142(3) dan dezyenm laliny i konmans avek *penalties*. Nou oule azout '*not*' mo '*not*' *before exceeding*.

Savedir i pou lir *'penalties therefore to a fine not exceeding that of level 6 on –'* I annan en.

**MR SPEAKER**

Onorab Georges. Wi ou annan en pwen?

**HON BERNARD GEORGES**

Mersi Mr Chair. Mr Chair mon pe regard en pti pe 139 (2) (b). Mon pa konnen si nou'n tous lo la, *bribes or fails to bribe*. Nou pa'n tous li ? Wi. Ale go ahead.

**HON GERVAIS HENRIE**

Wi savedir *panel* in note sa enn la. Ler pe ale, bann lekritir i konmans vin pli ptipti. La aprezan 139 wi Mr Chair nou pou retourn lo 139(2)(b) avek *bribe* nou oule azout *'s'* pou li lir *'attempts to bribe or bribes any officer of the Commission.'*

La aprezan nou pou kontinyen e nou pe al dan *clause* 143 -143 lo paz 131 i vin 143 (2) (a) dan dezyenm laliny i konmans avek *'far as.'* E nou pou retir *it is*. Alor i lir *'far as not inconsistent with the provisions of this Act.'*

Prosen propozisyon pour lamannman nou pou al lo *clause* 144 ki *clause transitional provisions*. I vin 144 (2) (b) dan sa paragraf ki konmans avek *shall stand dissolved*. E nou

pou al lo katriyenm laliny, ki konmans avek *'for premature termination of'* nou oule azout *the respective terms of their office*.

Alor i pou lir *'for premature termination of the respective terms of their office or of any contract of service.'*

Mr Chair nou sorti lo 132 paz 132 nou pou al lo paz 135. E paz 135 la nou'n ariv dan *schedule contract terms deemed unfair if not individually negotiated*. E savedir i pou vin (1) non, non i pou vin (3) lo paz 135.

Ok savedir nou pe koz lo trwazyenm laliny ki konmans avek *consumer or due*. Nou oule tir sa mo *'to'* e azout mo *'by.'* Pou li lir *'consumer or due by the latter.'*

**MR SPEAKER**

*Ok we'll stop there.*  
Onorab Georges.

**HON BERNARD GEORGES**

Mr Chair mon demann leskiz meakoulpa. Annefe mon pe relir sa e tir enn propozisyon ki mwan mon ti'n fer avek *Bill Committee. Interest payable by the consumer or due to the latter* mon krwar i byen. Akoz labank *consumer* i pey lentere avek labank. Me osi labank i pey

lentera avèk *consumer* si i annan en *deposit* par egzanp.

*So I think on reflection mon krwar ti byen. Interest payable by the consumer or due to the latter to the consumer basically.*

So avèk mon demann mon leskiz avèk *Bills Committee* ki mon'n redwir zot an erer. Mersi.

### **MR SPEAKER**

So-

### **HON GERVAIS HENRIE**

Savedir i reste parey orizinal Mr Chair. Prezan nou pou bouz lo limero (4) ki konmans avèk *paragraph (1) (g)*. E nou pou al lo trwazyenm laliny ki komans avèk *duration*. E nou oule azout mo '*supplier*' pou li lir koumsa '*duration, comma provided that the supplier is required to inform the consumer with reasonable notice.*'

Nou kontinyen touzour lo paz 135 Mr Chair e nou pou bouz lo pwen (7)(7)(a) dan dezyenm laliny nou oule azout *the supplier apostrophe's*.

E dan lot laliny nou pou tir '*his.*' E dan lot laliny nou oule azout '*or her.*' Alor i pou lir koumsa '*excluding or limiting the liability of a supplier by reason of the supplier's own fraud or gross negligence or that*

*of his or her employees or agents.'*

Nou kontinyen (7) lo lot paz ki swiv savedir paz 136 i pou vin (7)(c) dan trwazyenm laliny ki konmans avèk '*or inadequate performance by the supplier of any of his or her contractual obligations.*' Ok.

Nou kontinyen paragraf ki vin anba savedir nou pe koz (7) (d) dan dernyen laliny apre *same* nou oule azout mo '*supplier.*' Pou li lir '*which the consumer may have against the same supplier.*' E nou tir '*trader.*'

Dan lot paragraf ki swiv savedir (7)(e) ankor lafen sa paragraf nou oule tir '*trader*' e azout '*supplier*' pou li lir '*condition whose realisation depends solely on the will of the supplier.*'

E apre sa, son *numbering* i reste parey sa. Nou pou desann i vin (7)(g) ki konmans avèk '*requiring a consumer*' lo premye laliny la nou pe koze, nou pou azout apre '*his or her.*' Savedir i pou vin '*requiring a consumer who fails to fulfil his or her obligation*' - dan sa menm paragraf trwazyenm laliny ki konmans avèk *disproportionately* nou pou azout mo '*compared.*' Pou li lir '*disproportionately high compared to the value of the*

*goods or services purchased or hired.* ‘

Lot paragraf i swiv *(h) determining the compensation.* Dezyenm laliny ankor apre ‘*his*’ nou pou azout ‘*or he*’r e a lafen ankor apre ‘*his or hers*’; nou pou azoute. I kler *so far*?

Nou kontinyen Mr Chair, nou pou al dan paragraf *(7) (k).* Dernyen lo paz 136. Dan dernyen laliny i konmans avek *contract* apre ‘*his*’ ankor nou pou azout *or her* pou li lir ‘*contract if the supplier fails to fulfil his or her obligations*’.

Nou kontinyen i vin *(7) (l)* dan dezyenm laliny nou pou tir mo *trader* e azout ‘*supplier*’ pou li lir i konmans koumsa ‘*the supplier, in connection with any guarantee.*’ E dan laliny ki swiv trwazyenm laliny ki konmans avek *warranty given*, apre ‘*his*’ nou pou azout ‘*or her obligation.*’

Nou kontinyen *(7) (m)* dan premye laliny zot ava vwar I termin avek mo ‘*he*’ so nou pou azout ‘*or she*’ pou li vin ‘*to terms with which he or she had no real opportunity.*’

Lot sanzman i ava vin dan paragraf *(7) (p)* ki konmans avek ‘*providing for the price of goods.*’

Dan dezyenm laliny ki konmans avek ‘*of delivery by the supplier or allowing*’, nou

oule azout ‘*the supplier*’ e retir mo ‘*him.*’

Lot paragraf ki swiv savedir *(7) (q)* ki konmans avek *causing the price.* A lafen nou oule tir sa mo ‘*trader*’ e azout ‘*supplier.*’ Savedir dan sa dezyenm laliny pou lir ‘*only on the will of the supplier.*’

Nou kontinyen dan *(7) (t)* ki konmans avek ‘*limiting or eliminating.*’ Dan dezyenm laliny apre ‘*his*’ nou oule azout ‘*or her agents or employees.*’

E finalman lo paz 137 dan *(7) (u)* ki konmans avek *obliging the consumer to fulfil* apre ‘*his*’ nou azout ‘*or her.*’ E a lafen apre ‘*his*’ nou azout ‘*or hers.*’

Nou kontinyen i vin *(7) (v)* savedir lo paz 138 premye paragraf anler dan premye laliny apre ‘*his*’ nou pou azout ‘*or her rights and obligations.*’ E a lafen nou pou azout *the supplier’s obligations*; savedir I pou lir dernyen laliny ‘*to serve to reduce the suppliers obligations.*’

Lot paragraf i vin *(7) (w)* e premye mo nou oule azout ‘*reducing*’ avan sa fraz *the guarantees*’ or ‘*warranties.*’

Apre nou pou vin lot paragraf ki vin *(7)(x)* e dan dernyen laliny ki konmans avek ‘*depends only on the will of the supplier*’ nou pou tir ‘*trader*’ pou azout ‘*supplier*’ pou li lir

*'depends only on the will of the supplier.'*

Lot paragraf ki pou annan sanzman i pou vin (7)(z) ki konmans avek *'excluding or limiting the legal liability.'*

**MR SPEAKER**

Eskiz mwan eski mon kapab soz ou? Dan versyon ki mwan mon pe gete kekfw a i annan en pti diferans. Mon vwar de (w) mon vwar (v) (w) (w) de fwa. Eski sa in rektifye?

**HON GERVAIS HENRIE**

Wi akoz versyon ki mwan mon annan Mr Chair i *renumbered*.

**MR SPEAKER**

*Ok am sorry thank you.*

**HON GERVAIS HENRIE**

*Panel i ok?*

**MR SPEAKER**

*Yes.*

**HON GERVAIS HENRIE**

*Panel pe swiv.*

**MR SPEAKER**

*Sorry Onorab Andre.*

**HON CLIFFORD ANDRE**

Mersi Mr Chair. Mr Chair par lefe ki (v) nou koz *suppliers obligation*. Eski i pa mon pou

demann *panel* pou gid nou la en pti kou, eski i pa osi dan (l) kot letan nou pe koz *his or her obligation*.

**MR SPEAKER**

Wi

**HON CLIFFORD ANDRE**

*Obligations* dan 's' konmsi akoz pe lefe ki nou'n swiv anba *in terms of 's'*, mon pe zis demande si nou pa met en 's.' i pa zis en obligasyon i plizyer obligasyon. So-

**MR SPEAKER**

*Thank you. Ok* si sa in ganny rektifye byen. Onorab Henrie.

**HON GERVAIS HENRIE**

Nou kontinyen Mr Chair. Savedir nou'n ariv lo (z) ki konmans avek *excluding or limiting*.

Dan sa premye laliny apre *supplier* nou pou tir *or supplier*. Savedir i ava lir *excluding or limiting the legal liability of a supplier in the event*.

Nou lo (7) (z) *yes*. Apre (z) prezan son *numbering* i pou vin son paragraf ki swiv zis apre i pou (a)(a) sa lot i pou (b)(b) lot i pou (c)(c) lot i pou (d)(d).

Savedir zis apre (z) lo paragraf I pou *number* konman

*(a)(a) konmans avek authorising the supplier.*

Nou pe tir dan premye laliny ‘*or supplier.*’ Dan trwazyenm laliny ankor apre *supplier* nou pou tir ‘*or supplier.*’ Dan senkyenm laliny apre ‘*supplier* ‘nou pou tir ankor ‘*or supplier.*’ Apre ‘*himself* ‘nou pou azout ‘*or herself.*’

So i pou lir *where it is the supplier himself or herself* pou *dissolve the contract.*

**MR SPEAKER**

*Yes pause please.* Wi Onorab Georges.

**HON BERNARD GEORGES**

*A very quick one* Mr Chair dan sanmenm sa *clause* ki lo serten nou *screen* i (z) lo serten i *(a)(a)*, dan enn de trwa kat katriyenm laliny *not yet supply by him* i annan en ‘*or her*’ ki manke la silvouple, mon pe propoze ki nou *insert*. Mersi.

**MR SPEAKER**

*Thank you.*

**HON GERVAIS HENRIE**

Wi nou’n fini dir. Savedir dna sa laliny ki konmans avek ‘*retain the sums paid for services not yet supplied by him.*’ I pou vin ‘*or her where it is the supplier.*’ Nou tir ‘*or*

*supplier himself or herself who dissolves the contract.*’

Prezan lot paragraf ki swiv i ganny *numbered* konman *(b)(b)* e dan premye laliny apre ‘*supplier*’ nou retir ‘*or supplier.*’

Lot paragraf ki swiv i pou ganny *numbered* konman *(cc)*, e lot ki swiv i *(dd)* e i dernyen Mr Chair ki nou pou annan en *proposed amendment* lo la.

Dan dernyen laliny ki konmans avek *available to him* nou pou azout *or her or imposing on him.* Nou pou azout ‘*or her a burden of proof which...*’ Sa ti dernyen apre en long lazournen. Mersi

**(APPLAUSE)**

**MR SPEAKER**

*Amen.* Okenn bon avan nou pran vot, mon ava zis verifeye napa okenn lot verifikasyon oubyen sanzman ki pe ganny propoze. *Good thank you.*

Me dan sa ka nou kapab repas dan Staz Lasanble pou vot lo *Third Reading*. E mon ava demann *LGB* pou prezant Mosyon pou *Third Reading*.

**HON BERNARD GEORGES**

Mersi Mr Speaker. Mr Speaker anba *order 76 (1)* mon move ki *the Fair Trading Bill 2022 as magnificently amended*



i ganny lir en Trwazyenm Fwa.  
Mersi.

**MR SPEAKER**

*Thank you.* Segonnman silvouple, Onorab Arissol.

**HON SANDY ARISSOL**

Mersi Mr Speaker. Bonswar tou dimoun ki a lekout. Mosyon i ganny segonde Me Speaker. Mersi.

**MR SPEAKER**

*Thank you.* Nou ava vot lo *Bill Third Reading*, Manm ki an faver lev lanmen silvouple?

*Thank you.* Okenn Manm ki kont? *Thank you.*

Lo *please* lo *Formal Third Reading of the Fair Trading Bill 2022 as amended* 31 Manm in vot *yes - 0 - No*, e 0 abstansyon.

Alor mon an plezir anonse ki *Bill* in pase lo *Third Reading* e Madanm Clerk i ava kapab fer *Formal Third Reading*.

**MADAM CLERK**

Mersi Mr Speaker. *This Act may be cited as the Fair Trading Act 2022 and shall come into operation on such day as the President may, by notice in the Gazette appoint.* Mersi Mr Speaker.

**MR SPEAKER**

Mersi. Donk *Bill* in approve par Lasanble.

Mon ava remersye bann Manm pou zot kontribisyon e zot long travay lo sa *Bill*. E byensir mon ava remersye *panel* ki zot in pas en zournen edmi avek nou pou konplet sa travay.

Mon ava swet tou dimoun bonn kontinyasyon lasemenn e Lasanble i ava *adjourn* ziska Mardi prosen 9er. *Adjourn.*

**(ADJOURNMENT)**

