

## PARLIAMENTARY QUESTION

B/32      The Honourable Fourth Member for Vacoas and Floreal (**Ms. Anquetil**)

*To ask the Honourable Attorney-General:-*

**Whether, in regard to the setting up of a Court of Appeal as recommended by Lord Mackay, he will state where matters stand?**

## REPLY

**Mr. Speaker, Sir,**

1. With a view to improving the efficiency of our Courts and more generally, our judicial and legal system, the Mackay Report did indeed recommend the setting up of a separate Court of Appeal Section of the Supreme Court to hear all appeals from subordinate courts, and of a High Court Section. As the Mackay Report put it, "a judge today may be sitting on appeal against the judgment of a judge who in a week's time will be sitting on appeal from him or her".

2. In order to implement the above recommendation and various other recommendations of the Mackay Report, my Office has, for some time now, been working on, firstly, the Constitution (Amendment) Bill and, secondly, the Judicial and Legal Provisions Bill which provides for amendments to be brought to a series of enactments to give effect to the proposed changes in the Constitution.

3. The Draft Bills were in fact circulated for public consultation as far back as August, last year, for any comments to be forwarded to my Office by 29 October 2010. The public was informed through the press to forward comments. It is to be noted, Mr Speaker, Sir, that these Draft Bills were posted on the website of the Attorney-General's Office.

4. I also sent the Draft Bills with a covering letter to the Hon. Leader of the Opposition for comments and proposals.

5. I am pleased to report to the House that comments and representations have, indeed, been received from various stakeholders, including the Judiciary, the Mauritius Bar Council, the Mauritius Law Society, the Chamber of Notaries, the Director of Public Prosecutions and the Law Reform Commission, and that the stakeholders were agreeable to most of the provisions of the Draft Bills. A special meeting of the Mauritius Bar Association was called in December 2010 to discuss the proposed changes and all members were agreeable (Members of the Law Society and Chambre des Notaires were also invited). I also discussed the Draft Bills with the Hon. First Member for Savanne-Black River, my friend, Alan Ganoo, last month and took note of his suggestions.

6. Mr. Speaker, Sir, my Office will shortly finalise the above Bills which will then be introduced in the National Assembly as soon as Government approval is obtained.