

IN THE REPUBLIC OF MAURITIUS

PRESS COMMUNIQUE

A Commission of Inquiry has been set up to:

1. *inquire into and report on:*
 - (a) *the circumstances-*
 - (i) *which led to the negotiations and subsequent signing of the Contract of Affreightment between the State Trading Corporation (STC) and Betamax Ltd, including pourparlers, pre-contract negotiations and finalisation of contract terms;*
 - (ii) *in which amendments were brought to the Public Procurement Act and Public Procurement Regulations 2008 prior to the signature of the aforesaid Contract of Affreightment;*
 - (iii) *in which the Government of Mauritius provided a guarantee towards payment of all dues under the Contract of Affreightment to Betamax Ltd in case of default by STC;*
 - (iv) *in which the aforesaid Contract of Affreightment was terminated and the financial and commercial consequences thereof;*
 - (b) *the decision-making process of the relevant public bodies and public officials concerned by (a) (i) and (ii) above;*
 - (c) *the contract terms contained in the aforesaid Contract of Affreightment with regards to financial, commercial and procurement consideration;*
 - (d) *any matter ancillary or incidental to (a) to (c) above;*
2. *consider and report on whether the national interests of Mauritius were safeguarded by public bodies and public officials concerned with the aforesaid Contract of Affreightment; and*
3. *make appropriate recommendations that will contribute to the strengthening of the integrity of the procurement system in the public sector.*

The Commissioners of the Commission are Mrs C Green-Jokhoo as Chairperson and Messers Kodados Mosafeer and Telkraj Parbhunath. The proceedings of the Commission will be held in public but the Commission may refuse to allow the public or any portion of the public to be present at any part of the proceedings where it considers that is expedient in the public interest to do so.

The Commission invites members of the public who are likely to give any information on the subject and wish to come and give evidence before it, to inform the Secretary of the Commission in writing, together with a brief statement on the specific issue which they intend to give evidence on, and this, if possible, not later than 10th of November 2021 at the hereunder address:

**Mrs Chaya Devi Ramkalawon,
Secretary, Commission of Inquiry on the Contract of Affreightment
awarded to Betamax Ltd by the State Trading Corporation and its
subsequent termination,
3rd Floor, New Supreme Court Building, Port Louis**

Or Email: **coi-betamax@govmu.org**

All persons who wish to give evidence before the Commission will be required to give their address (professional, residential or electronic) and a contact number in order that they may be informed on the date and time at which they will be required to give their evidence.

The Commission further welcomes recommendations from members of the public.

The proceedings of the Commission will take place in Court Room No. 2, Old Supreme Court Building, Pope Hennessy Street, Port Louis as from November 2021, on weekdays in the afternoon as from 14.30 hours. Access will, however, be limited to the space available in the Court Room in strict compliance with Covid-19 sanitary protocol.

Strict sanitary protocols will be observed throughout the hearing, including social distancing inside and outside the court room.

For further information, please contact the Secretary on **58386413/2604100** during office hours or by mail to the following address: **coi-betamax@govmu.org**

C D Ramkalawon
Secretary, Commission of Inquiry on the Contract of Affreightment awarded to Betamax Ltd by the State Trading Corporation and its subsequent termination.

29th September 2021

EN LA RÉPUBLIQUE DE MAURICE

COMMUNIQUE DE PRESSE

Une commission d'enquête a été instituée et dont les attributions sont comme suit:

“

1. *inquire into and report on:*
 - (a) *the circumstances-*
 - (i) *which led to the negotiations and subsequent signing of the Contract of Affreightment between the State Trading Corporation (STC) and Betamax Ltd, including pourparlers, pre-contract negotiations and finalisation of contract terms;*
 - (ii) *in which amendments were brought to the Public Procurement Act and Public Procurement Regulations 2008 prior to the signature of the aforesaid Contract of Affreightment;*
 - (iii) *in which the Government of Mauritius provided a guarantee towards payment of all dues under the Contract of Affreightment to Betamax Ltd in case of default by STC;*
 - (iv) *in which the aforesaid Contract of Affreightment was terminated and the financial and commercial consequences thereof;*
 - (b) *the decision-making process of the relevant public bodies and public officials concerned by (a) (i) and (ii) above;*
 - (c) *the contract terms contained in the aforesaid Contract of Affreightment with regards to financial, commercial and procurement consideration;*
 - (d) *any matter ancillary or incidental to (a) to (c) above;*
2. *consider and report on whether the national interests of Mauritius were safeguarded by public bodies and public officials concerned with the aforesaid Contract of Affreightment; and*
3. *make appropriate recommendations that will contribute to the strengthening of the integrity of the procurement system in the public sector.”*

Les commissaires de la Commission sont Mme. C Green-Jokhoo en tant que présidente et Messieurs. Kodados Mosafeer et Telkraj Parbhunath. Les travaux de la Commission seront publics, mais la Commission peut refuser d'autoriser

le public ou une partie du public à assister à toute partie des travaux lorsqu'elle estime que cela est opportun dans l'intérêt public de le faire.

La Commission invite les membres du public susceptibles de donner des informations à ce sujet et désireux de venir témoigner devant elle, d'en informer par écrit la Secrétaire de la Commission, accompagné d'un bref exposé sur la question précise qu'ils entendent témoigner au plus tard 10 novembre 2021, dans la mesure du possible, à l'adresse ci-dessous :

**Mme Chaya Devi Ramkalawon,
Secrétaire, Commission d'enquête sur le contrat d'affrètement attribué à
Betamax Ltd par la State Trading Corporation et sa résiliation ultérieure,
3e étage, New Supreme Court Building, Port Louis, (le nouvel Immeuble de
la Cour Suprême, Port Louis)**

Ou par courriel : **coi-betamax@govmu.org**

Toute personne souhaitant témoigner devant la Commission devra indiquer son adresse (professionnelle, résidentielle ou électronique) et un numéro de contact afin qu'elle puisse être informée de la date et de l'heure à laquelle elle sera appelée à témoigner.

La Commission accueille également favorablement les recommandations des membres du public.

Les travaux de la Commission se dérouleront dans la salle d'audience n° 2, Old Supreme Court Building (l'ancien Immeuble de la Cour Suprême), rue Pope Hennessy, Port Louis à partir de Novembre 2021, durant les jours de semaine à partir de 14 heures et demie. L'accès sera toutefois limité à l'espace disponible dans la salle d'audience dans le strict respect du protocole sanitaire Covid-19.

Des protocoles sanitaires stricts seront observés tout au long de l'audience, y compris la distanciation sociale à l'intérieur et à l'extérieur de la salle d'audience.

Pour plus de plus amples informations, veuillez contacter la Secrétaire au **58386413/2604100** pendant les heures de bureau ou par courriel à l'adresse suivante : **coi-betamax@govmu.org**

C D Ramkalawon

Secrétaire, Commission d'enquête sur le contrat d'affrètement attribué à
Betamax Ltd par la State Trading Corporation et subséquemment sa résiliation.

29 Septembre 2021