MINISTRY OF INFORMATION TECHNOLOGY & TELECOMMUNICATIONS

25.1 Advances to Business Parks of Mauritius Ltd (BPML) - Rs 36.4 million

In July 2006, an advance of Rs 30 million was granted to BPML at eight per cent interest per annum to ease its financial situation. The advance was refundable in four months' time.

In April 2007, an additional amount of Rs 6.4 million was advanced to BPML at an interest rate of 10 per cent per annum for settlement of interest due in respect of a Government Guaranteed loan of Rs 120 million from a private bank. This advance was to be settled by the end of November 2007. As of 30 June 2008, no refund has been made.

Again, as of August 2008, BPML has not effected any refund of capital and accrued interest. The total amount unpaid by BPML, is now Rs 36.4 million and Rs 5.7 million for capital and accrued interest respectively.

25.2 Computerisation of Cardiac Centre - Sir Seewoosagur Ramgoolam National Hospital

The contract for the computerisation of the Cardiac Centre for the sum of some Rs 12 million plus five years’ maintenance on a yearly renewable basis totalling Rs 6.8 million was awarded to a private firm. Additional payment of Rs 563,055 was made in April 2008 for other hardware.

The contract was completed in September 2007. All hardware and software were delivered and training completed as per schedule signed by the Ministry of Health (MOH) on 26 September 2007.

As of July 2008, payment of the contract sum was effected. The five per cent payable after one year warranty was released in July 2008 against submission of a bank guarantee of equivalent value valid up to 31 October 2008 in accordance with the terms of the contract.

The following were noted in August 2008, some 11 months after completion of the project:

- One Human Resource Management System (HRMS) module, quoted at Rs 673,350 in the contract, has not been included in the list of software modules delivered.

- Though the system was completed to the satisfaction of the MOH in September 2007, six modules were partly used and eight not used in August 2008.

- System was also being partly used in wards but not at all in the outpatient and Intensive Care Unit.

The system would be covered by maintenance after the one year warranty period that would expire in October 2008 in accordance with the contractual terms. However, the system is not being fully used.
25.3 Information and Communication Technologies Appeal Tribunal (ICT Appeal Tribunal)

25.3.1 Introduction

The Information and Communication Technologies Appeal Tribunal was set up on 1 December 2003 under the Information and Communication Technologies Act 2001 to hear and dispose of any appeal against a decision of the Information and Communication Technologies Authority regarding information and communication technologies. The Tribunal is manned by a Chairperson and three members and four other administrative staff.

25.3.2 Operating Cost

The operating cost of the Tribunal for the past five years totalled Rs 12.1 million as shown in Table 25-1.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Operating Costs</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Staff Cost and fees to members</td>
<td>Rent</td>
</tr>
<tr>
<td>2003-04</td>
<td>796,755</td>
<td>399,510</td>
</tr>
<tr>
<td>2004-05</td>
<td>1,424,046</td>
<td>799,020</td>
</tr>
<tr>
<td>2005-06</td>
<td>1,759,379</td>
<td>799,020</td>
</tr>
<tr>
<td>2006-07</td>
<td>1,701,600</td>
<td>799,020</td>
</tr>
<tr>
<td>2007-08</td>
<td>1,556,952</td>
<td>799,020</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>7,238,732</strong></td>
<td><strong>3,595,590</strong></td>
</tr>
</tbody>
</table>

During the five years it is in operation, six firms have lodged 18 cases before the Tribunal. Out of these, eight cases were withdrawn, seven cases were determined and three cases were pending as of 15 September 2008. No cases of appeal were lodged since January 2008.

The number of cases lodged is on the low side but the operating costs are quite significant.

It is recommended that alternatives, such as part time Chairman or adhoc Tribunal or merging of other Tribunals be considered.
Ministry’s reply

Arrangements are being made for the proclamation of the Regulatory Authorities Appeal Tribunal (RAAT) Act 2005. The ICT Appeal Tribunal will be replaced by the Regulatory Authorities Appeal Tribunal (RAAT) and it will be an appellate body for the following Regulatory Authorities:

- Data Protection Commissioner
- ICT Authority
- Postal Authority
- Tourism Authority and
- Utility Regulatory Authority

25.4 Review of Past Audit Reports

25.4.1 Oracle Licences

I mentioned at paragraphs 19.1 and 26.1 of my Audit Reports 2005-06 and 2006-07 respectively that 90 per cent of the licences in use (versions 7 and 8) were already desupported by Oracle since December 2001 and September 2004 respectively and the remaining ten per cent were of versions 9, 10 and 11.

The following payments were effected since June 2006:

- In June 2006, Government paid Rs 59.6 million to Oracle for all oracle licences in use at 61 Government sites covering the period September 2004 to May 2007. This amount included a trade in of some Rs 37 million for reinstatement of technical support for the above period.

- The Ministry renewed support for all licences in use in Government and the amount of US$ 273,852 (Rs 8.5 million) and US$ 282,067 (Rs 7.6 million) were paid in June 2007 and June 2008 for the years ending 15 May 2008 and May 2009 respectively.

Observations

The support by Oracle is provided on line through a meta-link service and was available for versions 9, 10 and 11, that is for only a few sites out of the 61 Government sites paid for.

The Central Informatics Bureau (CIB) worked out the list of licences that could be safely removed from Technical support in November 2007.

- No further outcome was known.
On 28 April 2008, when the preceding contract was about to end, the CIB recommended that the Ministry renew support for the same quantities of the different Oracle products as per the contracts signed in June 2007. The support agreement was thus renewed for period May 2008 to May 2009 for US$ 282,067 (Rs 7.6 million).

25.4.2 Debtors – Amount Receivable from a Local Firm

With reference to paragraphs 19.1 (b) and 26.1 of my Audit Reports 2005-06 and 2006-07 respectively, in 1999 the local firm undertook to transfer ownership to Government of 1000 Oracle 8 licences Standard Edition and 40 Developer licences at no cost in case of non renewal of technical support agreement after five years. In February 2006, Government claimed the cash equivalent of these licenses amounting to US $ 349,000.

More than two years have elapsed but the firm has still not refunded the cash equivalent of licences amounting to US$ 349,000 (some Rs 10 million).

The above amount, as well as interests accrued thereon has not been accounted for in the Statement of Arrears of Revenue as of 30 June 2008.