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CONSUMER PROTECTION (PRICE AND SUPPLIES CONTROL)

Act 12 of 1998 - 7 September 1998

Amended GN 142/02; GN 21/03; GN 48/03; GN 104/04; GN 111/04; GN 175/04; 14/05; GN 95/05; GN 44/07; GN 57/07; GN 75/07; GN 166/07; GN 208/07; **GN 286/08**

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PART I – PRELIMINARY

- 1 Short title
This Act may be cited as the Consumer Protection (Price and Supplies Control) Act.
- 2 Interpretation
In this Act –
“authorised officer” means a person designated by the Permanent Secretary under section 22;

“certificate” means a certificate of registration granted under section 10;

“Code of Practice” means the Code of Practice relating to the methods to be adopted in connection with the determination of maximum recommended retail prices and including –

- (a) the terms and conditions, including the maximum recommended retail price, on which or subject to which goods are supplied;
- (b) the manner in which those terms and conditions are communicated to consumers;
- (c) the way in which goods are packed, bottled, canned, labeled, marked or otherwise prepared for the purpose of being supplied;

“consumer” means a person to whom goods are supplied;

“controlled goods” means the goods specified in the First and Second Schedules;

“cost price” means the price of any controlled goods calculated in such manner as shall be prescribed;

“Court” means the Profiteering Court, the Intermediate Court or a District Court;

[Repealed and replaced 14/05]

“goods” means any article which may be the subject of trade or business;

“information” includes accounts, estimates, returns, records, books, documents whether kept by electronic or other means;

“mark-up” means such amount or percentage added to the cost price of any controlled goods;

“Minister” means the Minister to whom responsibility for the subject of consumer protection is assigned;

“Permanent Secretary” means the Permanent Secretary of the Ministry to which responsibility for the subject of consumer protection is assigned;

“Profiteering Court” means the Profiteering Division of the Supreme Court, established under section 29;

[Added 14/05]

“supply”, in relation to goods –

- (a) means any transaction by way of trade whether for money or for money’s worth;
- (b) includes supply by way of sale, lease, hire, hire purchase or credit sale;
- (c) includes offer to supply, expose for supply or be in possession for supply;

“trade” means the manufacture, production, distribution, sale, transfer, import, export, use or other dealing in goods;

“trader” –

- (a) means a person engaged in any trade;
- (b) includes the employee or agent of any such person;

“VAT” has the same meaning as in the Value Added Tax Act.

PART II – PRICE CONTROL [Top of the Document](#)

3 Maximum price

(1) The Minister may, by regulations, fix the price of any goods specified in the First Schedule.

(2) A trader who sells or supplies any controlled goods at a price higher than that which has been fixed shall commit an offence.

4 Maximum mark-up

(1) The Minister may, by regulations, determine the maximum mark-up of any goods specified in the Second Schedule.

(2) A trader who sells or supplies any controlled goods at a price which includes a mark-up which exceeds the maximum mark-up shall commit an offence. [Top of the Document](#)

5 Maximum recommended retail price

(1) The Minister may establish a Code of Practice to provide for the method to be adopted for the determination of the maximum recommended retail price of goods other than controlled goods and, where he intends to do so, he shall give notice of the Code of Practice by its publication in the *Gazette*.

(2) Where a Code of Practice has been established under subsection (1), no trader shall act in breach of the Code of Practice.

(3) A trader who sells or supplies any goods for which there is a maximum recommended retail price shall affix a label in a conspicuous place on a specimen on any such goods indicating the maximum recommended retail price.

(4) A trader who affixes, in relation to goods referred to in subsection (1), a maximum recommended retail price which is higher than the maximum recommended retail price provided for in the Code of Practice shall commit an offence.

6 Illegal charging of VAT

A trader who, whilst selling or supplying any goods –

(a) charges VAT where VAT is not chargeable by him;

(b) charges a higher rate or amount of VAT than is lawfully chargeable,

shall commit an offence.

7 Price label

(1) Where VAT is chargeable by a trader in respect of any goods, the trader shall affix a label in a conspicuous place on a specimen of the goods indicating the total selling price of the goods inclusive of VAT.

(2) Where VAT is not chargeable by a trader on any goods, the trader shall affix a label in a conspicuous place on a specimen of the goods indicating –

(a) the selling price; and

(b) that the amount of VAT is NIL.

(3) A trader who fails to comply with subsection (1) or (2) shall commit an offence.

(4) For the purposes of this section, the Minister may prescribe the form or colour of a label or any distinctive mark which such label shall bear.

8 Selling at a price higher than that displayed

(1) No trader shall sell any goods at a price which is higher than the price shown on a label affixed pursuant to section 7.

(2) A person who fails to comply with subsection (1) shall commit an offence.

9 Misleading price indication

A trader who gives (by any means whatever) to any consumer an indication which is misleading as to the price at which any goods are sold or supplied shall commit an offence.

PART III – PREVENTION OF HOARDING

10 Registration of warehouses

(1) A trader who wishes to store any goods specified in the Third Schedule in any warehouse shall apply in writing to the Permanent Secretary for a certificate of registration of the warehouse.

(2) An application under subsection (1) shall be made in a prescribed form and shall specify –

(a) the name of the applicant;

(b) the private address of the applicant;

(c) the trading name of the applicant;

(d) the address of his trading premises;

(e) the nature of his trade;

(f) the class of goods to be stored in the warehouse;

(g) the exact location of the warehouse.

(3) The Minister may require an applicant to submit such additional information as he considers necessary. [Top of the Document](#)

(4) The Minister may, on receipt of an application under subsection (1), grant a certificate of registration on such terms and conditions as he thinks fit.

11 Certificate of registration

(1) A certificate –

- (a) shall be valid for a period of 3 years from the date of issue;
- (b) may be renewed for any further period of 3 years.

(2) An application for the renewal of a certificate shall be made –

- (a) not less than 30 days before the date of expiry of the certificate;
- (b) in the manner specified in section 10(2).

(3) Every certificate shall be –

- (a) kept by its holder on his trading premises;
- (b) produced on demand to an authorised officer;
- (c) valid only in respect of the warehouse specified in the certificate.

12 Restriction on storage

(1) Subject to subsection (2), no holder of a certificate shall keep in his warehouse any goods other than goods pertaining to the class of goods specified in his certificate.

(2) The Minister may, by regulations, prescribe the manner in which the certificate may be amended or varied so as to include any additional class of goods to be kept in the warehouse.

(3) A person who fails to comply with subsection (1) shall commit an offence.

13 Prohibition on storage

A trader who keeps any goods specified in the Third Schedule on any premises other than –

- (a) his trading premises; or
- (b) a registered warehouse,

shall commit an offence.

14 Restriction on removal

(1) No trader shall remove any goods from his warehouse except for –

- (a) sale in the normal course of his trade; or
- (b) transfer to his trading premises.

(2) A person who fails to comply with subsection (1) shall commit an offence.

15 Notice of warehouse

(1) Every holder of a certificate shall, within 10 days from the date of issue of his certificate, affix a signboard at the main entrance of his warehouse bearing conspicuously the serial registration number of his certificate.

(2) A person who fails to comply with subsection (1) shall commit an offence.

16 Closure of premises

(1) No trader shall, without sufficient cause and justification, close his trading premises at any time when the premises ought by virtue of any enactment, to be normally open for the purpose of his trade.

(2) A person who fails to comply with subsection (1) shall commit an offence.

17 Duty to expose

(1) A trader shall display in that part of his trading premises to which the public has access –

- (a) a specimen of every goods kept for sale;
- (b) a specimen of every goods stored in the registered warehouse.

(2) A trader who fails to comply with subsection (1) shall commit an offence.

18 Goods that cannot be exposed

(1) Notwithstanding sections 5, 7 and 17, where the nature of the goods is such that it would not be reasonably practicable to expect a trader to expose a specimen of the goods in that part of the trading premises to which the public has access, the trader shall put up a notice which is accessible to the public and conforms with subsection (2). [Top of the Document](#)

(2) A notice under subsection (1) shall –

- (a) be in English or French;

- (b) be in the prescribed form;
- (c) set out the goods which have not been exposed for sale;
- (d) set out the price of the goods.

(3) A person who fails to comply with subsection (1) or (2) shall commit an offence.

19 Refusing to sell

A trader who refuses to sell –

- (a) any goods exposed or kept for sale on his trading premises;
- (b) any goods, other than goods referred to in paragraph (a), kept in his warehouse, at a price which is displayed for the goods, shall commit an offence.

20. Obligation to keep records for the purposes of costing and mark-up

[Top of the Document](#)

(1) Every trader who imports or manufactures controlled goods shall, in respect of those goods, keep, at all times, a full and true written record, whether electronically or otherwise, in the English or French language, showing -

- (a) how the cost of the goods imported or manufactured has been arrived at;
- (b) the selling price of those goods and the mark-up; and
- (c) the stock of the goods.

(2) Every record under subsection (1) shall be kept for a period of at least 5 years after the completion of the transaction to which it relates.

(3) Any person who fails to comply with this section shall commit an offence.

[Repealed and replaced 14/05]

21 Duty to produce register

(1) Every trader shall at all times keep the records under section 20 available for inspection on his trading premises.

[Amended 14/05]

(2) Every trader shall produce on demand the records to an authorised officer.

[Amended 14/05]

(3) A trader who fails to comply with subsection (1) or (2) shall commit an offence.

(4) Any person who, unlawfully –
(a) alters the contents of the records;

[Amended 14/05]

- (b) makes any false or misleading entry;
- (c) omits to make any entry,

shall commit an offence.

PART IV – POWERS OF AUTHORISED OFFICERS [Top of the Document](#)

22 Authorised officers

The Permanent Secretary may designate any public officer to be an authorised officer for the purpose of ensuring that the provisions of this Act are being complied with.

23 Power of search

For the purpose of ensuring that the provisions of this Act are being complied with, an authorised officer may at all reasonable times enter any premises or place where any trade is carried on or anything is done in connection with the trade and examine any goods. [Top of the Document](#)

24 Inspection of documents

(1) Where VAT is chargeable by a trader in respect of any goods, the trader shall keep a price list indicating –

- (a) the price of the goods exclusive of VAT;
- (b) the amount of VAT chargeable;
- (c) the total selling price of the goods,

and shall produce, on demand, the price list to an authorised officer.

(2) An authorised officer may –

- (a) require the trader or any person present on the premises to produce any information and may require any person, who has in his possession or custody or under his control any document, to produce that document;
- (b) examine, make copies of, or take extracts from, any document which relates to the trade of such person.

(3) The Permanent Secretary may order any trader to furnish any information or produce any document in his custody or control that the Permanent Secretary may require in connection with this Act.

25 Seizure

An authorised officer may seize and detain any goods –

- (a) which he has reasonable cause to believe may be the subject-matter of an offence under this Act;
- (b) in respect of which any representation which is false or misleading has been made;
- (c) in respect of which any document which is false or misleading has been delivered or produced.

26 Warrant

The Magistrate may issue to an authorised officer for the discharge of his functions under this Part, a warrant in the prescribed form for –

- (a) the inspection of any premises, in relation to which there is reasonable cause to suspect that an offence under this Act is being committed;
- (b) the seizure of any goods or documents.

27 Return of goods and documents

No goods or documents shall be seized under section 25 or 26 unless such seizure is reasonably necessary for any examination or investigation and any goods or documents so seized shall be returned to the person from whom they were seized when no longer required.

28 Protection from liability

No liability, civil or criminal, shall attach to the Permanent Secretary or an authorised officer in respect of anything done in good faith in the exercise of his powers under this Act.

PART V – PROSECUTION BEFORE COURT [Repealed and replaced 14/05]

29 Jurisdiction of Courts [Repealed and replaced 14/05]

(1) There is established, for the purposes of this Act, a division of the Supreme Court to be known as the Profiteering Court, which shall have jurisdiction to try any person charged with an offence under this Act and the Fair Trading Act.

[Repealed and replaced 14/05]

(2) All proceedings taken before the Profiteering Court shall be heard and determined before such Judge without a jury as the Chief Justice may from time to time designate.

[Amended 14/05]

(3) The Judge shall be assisted in the conduct of the business of the Profiteering Court by officers and staff designated by the Chief Justice. [Top of the Document](#)

[Amended 14/05]

(4) The Judge and the officers and staff of the Profiteering Court shall, for administrative purposes, be subject to the direction and control of the Chief Justice.

[Amended 14/05]

(5) Prosecution of an offence under this Act and the Fair Trading Act shall take place, at the discretion of the Director of Public Prosecutions, before the Profiteering Court, the Intermediate Court or a District Court.

[Added 14/05]

30 Procedure of the Court

(1) Subject to the other provisions of this section, all proceedings before the Profiteering Court shall be conducted in the same manner as proceedings for an offence taken before a Judge without a jury.

[Amended 14/05]

(2) An information filed before the Profiteering Court may contain any number of counts.

[Amended 14/05]

(3) The provisions of the District and Intermediate Courts (Criminal Jurisdiction) Act relating to preliminary inquiries shall not apply to any proceedings before the Profiteering Court.

[Amended 14/05]

(4) The Profiteering Court shall hold sittings at, and adjourn its proceedings to, such time and place as the Judge thinks fit.

[Amended 14/05]

(5) The provisions of the District and Intermediate Courts (Criminal Jurisdiction) Act shall apply to all proceedings under this Act and the Fair Trading Act before the Intermediate Court and a District Court.

[Added 14/05]

31 Offences and penalties

(1) Subject to subsection (2), any person who –

- (a) contravenes this Act or any regulations made under this Act;
- (b) for the purpose of, or in connection with this Act –
 - (i) furnishes any information or produces any document which he knows or ought to have known to be false or misleading;
 - (ii) obtains or retains a document to which he is not entitled;
 - (iii) impersonates or falsely represents himself to be a person entitled to a document;
 - (iv) makes or causes to be made, or without reasonable excuse has in his possession, any writing which so closely resembles a document as to be likely to deceive;
 - (v) fraudulently alters a document;
 - (vi) with intent to deceive, produces or makes use of a document which is false or misleading in a material particular or has been fraudulently altered;
 - (vii) sells or otherwise transfers or lends a document issued to him under this Act;
 - (viii) delivers, produces, furnishes, sends or otherwise makes use of, for the purpose of determining the price of any goods, any document required under this Act which is false or misleading in a material particular or which has been fraudulently altered;
- (c) is knowingly concerned in, or takes steps with a view to, the evasion or contravention, by him or any other person, of any provision of this Act,

shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 3 years.

(2) Notwithstanding section 152 of the Criminal Procedure Act, any person convicted of an offence in breach of section 3, 4, 6, 8,13 or 19 shall be liable in the case of – [Top of the Document](#)

[Amended 14/05]

- (a) a first conviction, to a fine of not more than 100,000 rupees and to imprisonment for a term not exceeding 3 years;

[Amended 14/05]

- (b) a second or subsequent conviction, to a fine of not more than 100,000 rupees together with imprisonment for a term which shall not be less than 7 days and not more than 3 years,

[Amended 14/05]

and the Court shall, in addition to any penalty imposed, order the closure of the premises in relation to which the offence was committed or part of the premises for a period of not less than 7 days and not more than 3 months.

(3) Part X of the Criminal Procedure Act and the Probation of Offenders Act shall not apply to any conviction under this Act.

32 Powers of Court

Where a person is convicted of an offence under this Act, the Court may, in addition to any penalty imposed, order –

- (a) the forfeiture of any goods seized;
- (b) the person to repay to the purchaser of any goods any amount paid in excess by the purchaser in respect of the goods;
- (c) the suspension or revocation of any trading licence held by or issued to the person under any enactment.

33 Appeal

(1) An appeal from a final judgment of the Profiteering Court shall be subject to the same conditions and shall be conducted in the same manner as an appeal to the Court of Criminal Appeal.

[Amended 14/05]

(2) An appeal from a final judgment of the Intermediate Court or a District Court under this Act and the Fair Trading Act shall be subject to the same conditions and shall be conducted in the same manner as an appeal from the Intermediate Court or District Court to the Supreme Court under the District and Intermediate Courts (Criminal Jurisdiction) Act.

[Added 14/05]

34 Rules

The Chief Justice may make rules to regulate the practice and procedure of the Profiteering Court and of appeals from its decisions.

[Amended 14/05]

PART VI – MISCELLANEOUS

35 Regulations

(1) Notwithstanding any other enactment, the Minister may make such regulations as he thinks fit for the purposes of this Act and for the purpose of regulating trade, supply and prices.

(2) Any regulations made under subsection (1) may –

- (a) provide for –
 - (i) the issue of licences and permits;
 - (ii) the fixing of prices;
 - (iii) the establishment or amendment of the Code of Practice;
 - (iv) the form, colour and contents of a label;
 - (v) the levying of fees and charges;
 - (vi) the registration of householders and traders;
 - (vii) the giving of information, the inspection of premises or articles and the production and inspection of such documents as the Minister may require;

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(viii) the regulation and control of season sales, clearance sales, bargain sales or other sales, or product promotion;

[Added 14/05]

- (b) authorise the Permanent Secretary, by regulations or by written directions, to make provision for any matter incidental to any regulation made under subsection (1);

(c) provide that any person who contravenes them shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 3 years.

(3) The Minister may, by regulations, amend the Schedules.

36 Powers of Minister

The Minister may disregard any document where he is satisfied that the value of any article as stated in the document is not the true value of the article at the time and place of exportation.

37-39 –

FIRST SCHEDULE

(section 3)

LIST OF GOODS IN RESPECT OF WHICH THE PRICE IS FIXED(See updated list at the bottom page)

PART I

APPLICABLE TO THE ISLAND OF MAURITIUS

1	- [Repealed GN 48/03]	19	Ghee
2	Bread	20	Infant milk powder
3	Butter and margarine	21	-
4	Canned fish (sardines and pilchards)		[Repealed and replaced GN 111/04; Repealed GN 44/07]
5	Canned meat (corned beef and corned mutton)	22	Milk Powder
6	Cement	23	Onions (other than the type known as "Traditional Toupie")
7	Cheese	24	Petroleum products (including kerosene)
8	Coconut oil	25	Pulses
9	Coffee	26	Rice (excluding luxury rice)
10	Cooking gas	27	- [Repealed GN 104/04]
11	Cornflakes	28	Sugar
12	- [Repealed GN 21/03]	29	- [Repealed GN 48/03]
13	Fertilizers	30	Concrete blocks
14	Flour including whole wheat flour	31	- [Repealed GN 48/03]
15	Frozen fish	32	Potassium-based additive (Added GN142/02)
16	Frozen chicken		
17	Frozen meat		
18	Fruit juices		

[Amended GNs 123/00; 132/00; 133/00; GN 142/02; GN 21/03; GN 48/03] [Top of the Document](#)

Part II

APPLICABLE TO THE ISLAND OF RODRIGUES

1. Bread
2. Butter and Margarine
3. Canned Fish
4. Canned Meat
5. Canned Poultry

6. Canned Sausages
7. Cement
8. Cheese
9. Dual Purpose Kerosene (DPK)
10. Flour
11. Fresh Fish
12. Infant Milk Powder
13. Liquefied Petroleum Gas (LPG in cylinder of 5, 6 and 12 kgs)
14. Milk Powder
15. Rice
16. Tea

[Amended GN 142/02; GN 21/03; GN 48/03; Repealed and replaced GN 95/05; GN 57/07; GN 75/07; amended GN 166/07; GN 208/07; repealed and replaced **GN 286/08**]

SECOND SCHEDULE (see updated list at bottom page)
(section 4)

Electric and gas cookers and ovens or any combination thereof

Exercise books

Imported fresh fruits

Infant food

Paints

Pharmaceutical products

Pressure cookers

Soap, detergents and scouring powder

Soap powder for washing machines

Tea

Television receivers

Timber

Toasters

Tyres and tubes

Vacuum cleaners

Water heaters

[Repealed and replaced GN 175/04]

THIRD SCHEDULE

(section 10)

PART I

LIST OF GOODS STORED IN WAREHOUSE (MAURITIUS AND RODRIGUES)

1	Aerated beverages	31	Imported fresh fruits
2	Alcoholic drinks	32	Infant food
3	Beer and stout	33	Infant milk powder
4	Biscuits	34	Iron/steel bars
5	Breakfast cereals	35	Jam
6	Building materials	36	Magazines and periodicals
7	Butter and margarine	37	Onions
8	Candles	38	Paints
9	Canned fish	39	Petroleum products (including kerosene)
10	Canned meat	40	Pharmaceutical products
11	Cement	41	Plywood
12	Ceramic tiles	42	Potatoes
13	Cheese	43	Pulses
14	Cigarettes	44	Rice
15	Coconut oil	45	Salt
16	Coffee	46	Salted fish
17	Milk powder	47	Sanitary wares
18	Cooking gas	48	School textbooks
19	Detergents soap powder and scouring powder	49	Soap detergent and scouring powder
20	Edible oil	50	Soap powder for washing machines
21	Exercise books	51	Sports articles
22	Fertilizers	52	Sugar
23	Flour including whole wheat flour	53	Tea
24	Frozen fish	54	Timber
25	Frozen meat	55	Toilet paper
26	Frozen poultry	56	Toothpaste
27	Fruit juices	57	Tyres and tubes
28	Ghee	58	Vinyl
29	Glass panes	59	Water heaters
30	Helmet	60	Wine

PART II

LIST OF GOODS STORED IN WAREHOUSE (RODRIGUES)

1	Canned foods
2	Canned poultry
3	Canned sausages
4	Corrugated iron sheets
5	Dry cell batteries
6	Electric bulbs
7	Food preparation containing cocoa
8	Matches
9	Mineral water
10	Nails
11	Pasta and noodle

The Consumer Protection (Price Label) Regulations 1998. [Top of the Document](#)

Government Notice No 110 of 1998

THE CONSUMER PROTECTION (PRICE & SUPPLIES CONTROL) ACT 1998
Regulations made by the Minister under section 35 of the
Consumer Protection (Price & Supplies Control) Act 1998

1. These regulations may be cited as the Consumer Protection (Price Label) Regulations 1998.

2. In these regulations -

“Act: means the Consumer Protection (Price & Supplies Control) Act 1998;

“Specimen”, in relation to any goods, means a specimen of the goods and includes the container in which or the shelf on which the goods are kept for sale.

3. For the purpose of section 7 of the Act, a price label affixed on a specimen shall be -

(a) where VAT is chargeable in respect of any good exposed or kept for sale, white in colour;

(b) where VAT is not chargeable in respect of any good exposed or kept for sale, blue in colour.

4. (1) A label affixed as specimen of any goods shall -

(a) where the goods are sold by wholesale, bear conspicuously the words “Wholesale Price” or “W P” together with the price;

(b) where the goods are sold by retail, bear conspicuously the words “Retail Price” or “R P” together with the price.

- (2) Where the label is affixed to a container in which, or the shelf on which, any goods are exposed for sale, the label shall indicate the specific goods to which the price relates.
5. (1) For the purpose of section 18 of the Act, a notice shall be set out on a board which shall –
 - (a) be not less than 30 centimetres by 45 centimetres;
 - (b) be made of wood, tin plate or similar material; and

have clear and legible characters not less than 25 millimetres high.

- (2) The notice shall –
 - (a) indicate the goods and the wholesale or retail price, as the case may be, at which they are sold;
 - (b) where VAT is chargeable on the goods, the selling price of the goods inclusive of VAT;
 - (c) where VAT is not chargeable on the goods, the selling price of the goods together with the words “VAT NIL”
5. For the purpose of sections 7 and 8 of the Act, the price shall be expressed in Mauritian currency and in Arabic numerals.
6. The Supplies (Hoarding, Display and Price Indication of Commodities) Regulations 1978 are repealed.
7. These regulations shall come into operation on 7 September, 1998.

Made by the Minister on 28 August 1998

The Consumer Protection (Consumer Goods) (Maximum Mark-Up) Regulations 1998.

Government Notice No 150 of 1998 [Top of the Document](#)

THE CONSUMER PROTECTION (PRICE & SUPPLIES CONTROL) ACT 1998

Regulations made by the Minister under Section 35 of the Consumer Protection (Price & Supplies Control) Act 1998

1. These regulations may be cited as the Consumer Protection (Consumer Goods) (Maximum Mark-Up) Regulations 1998..
2. In these regulations -

“Act” means the Consumer Protection (Price & Supplies Control) Act 1998

“ Bill of entry” means a declaration, whether written or electronic, made by or on behalf of an importer under the Customs Act 1988;

“Consumer goods” means any goods specified in the First Schedule

“Cost Price” means the price of a consumer goods as determined in the manner specified in the Second Schedule;

“Import” has the same meaning as in the Customs Act 1988;

“Importer” in relation to any consumer goods at the time of import, includes the owner of the consumer goods or his agent or any other person for the time being possessed of or beneficially interested in the consumer goods;

“Manufacture” includes make, prepare, produce, put in a container, label or pack, or cause to be made, prepared, produced, put into a container, labeled or packed;

“Maximum mark-up” means the percentage determined by the Minister under regulation 5.

“Maximum retail price”, in relation to consumer goods, means the aggregate of the cost price and the mark up;

“Pharmaceutical product” has the same meaning as in the Pharmacy Act 1983;

“Return” means the return as to the details of cost specified in the Second Schedule;

“Simple drug” means such medicine or drug, the sale by retail of which is authorised in any place other than a pharmacy as specified in the Pharmacy Act;

“Special allowance”, in relation to a consumer goods, means the allowance determined by the Minister under regulation 5;

“Type”, in relation to any consumer goods includes -

- (a) make, brand and grade; and
- (b) where the consumer goods are canned, tinned, bottled or packed, a can, tin, bottle or package of any kind, weight or volume;

“Wholesaler”, in relation to any consumer goods, means a person who purchases the consumer goods from an importer or manufacturer for purposes of resale to a retailer.

3. (1) Every importer of any consumer goods shall, before selling or supplying the consumer goods, and not later than 10 days from the date of passing of the first bill of entry inwards of the consumer goods, submit to the Minister -
 - (b) a return in the form specified in the Second Schedule in respect of the consumer goods;
 - (c) every invoice, bill of lading, bill of parcel, bill of entry, letter of credit, and other bank document, freight and insurance voucher relating to the importation of the consumer goods;
 - (d) a separate return for each type of consumer goods in accordance with the Third Schedule;
 - (e) such other particulars or documents as the Minister may require.
 - (2) No person shall, in respect of any consignment of any consumer goods, sell or supply the consumer goods unless he has submitted the return specified in paragraph (1).
4. Every manufacture of any consumer goods shall before selling or supplying the consumer goods, submit to the Minister -
 - (a) certified copies of audited final accounts for the preceding financial year, and where the accounts of the preceding financial year have not yet been audited,

a return of the cost of production duly certified by an auditor pending the submission of audited final accounts; and

- (b) such other information as the Minister may require.
5. (1) The Minister shall determine the maximum mark up and the special allowance applicable to any consumer goods.
- (2) The maximum mark-up determined by the Minister under paragraph (1) shall be such percentage of the cost price which may be added to the cost price of a consumer goods and specified in the second column of the First Schedule.
 - (3) The special allowance determined by the Minister under paragraph (1) shall -
 - (a) be such allowance to cover any local charges borne by the importer or manufacturer of a consumer goods; and
 - (b) not exceed the percentage of the CIF value of the consumer goods; and
 - (c) be as specified in the third column of the First Schedule.
6. (1) Where, on the date of submission of the return under regulation 3 or 4, any importer or manufacturer has any existing stock of the same type of consumer goods, the Minister may direct that the weighted average cost price of the new consignment and of the existing stock shall, for the purpose of these regulations, be the cost price for the new consignment and the existing stock.
- (2) Paragraph (1) shall not apply to pharmaceutical products.
7. (1) Where any importer, manufacturer or wholesaler of consumer goods makes a sale of the consumer goods, he shall forthwith -
- (a) draw up the bill of sale in his book of sale;
 - (b) sign the bill of sale drawn up under paragraph (a); and
 - (c) issue the original of the bill of sale to the retailer.
- (2) No retailer shall take delivery of any consumer goods, which he has purchased from any importer or wholesaler of the consumer goods, unless

the importer or the wholesaler, as the case may be, has issued to him a bill of sale under paragraph (1)

8. *For the purpose of determining the cost price of a pharmaceutical product, the importer shall use the currency conversion rate prevailing on the date of submission of the return under regulation 3. (As per GN 49 of 2001)*
9. (1) Every importer shall, prior to making a sale or supply of a medicine, affix a label to every pack, packet or container of the medicine, indicating legibly his name and *(has been added as per GN 62 of 2000)* the maximum retail price at which the medicine is to be dispensed, exposed, offered for sale or sold to consumers.
 - (2) No retailer or wholesaler shall take delivery of a medicine which he has purchased unless the price label mentioned in paragraph (1) has been affixed to the medicine.
 - (3) No person shall sell any free sample of a pharmaceutical product.
 - (4) No person shall, without the approval of the Minister, alter, erase, obliterate, remove, or in any way tamper with the price label to be affixed under paragraph (1).
10. Every retailer who sells or supplies imported fresh fruits shall affix a label indicating conspicuously –
 - (a) the country of origin of the fresh fruit; and
 - (b) the maximum retail price per half kilo at which the fresh fruit shall be sold.
11. Any person who –
 - (a) contravenes these regulations;
 - (b) for the purpose of, or in connection with these regulations –
 - (i) furnishes any information or produces any document which he knows or ought to have known to be false or misleading in a material particular;
 - (ii) makes or causes to be made, or without reasonable excuse has in his possession, any writing which so closely resembles a document as to be likely to deceive;

- (iii) fraudulently alters a document;
- (iv) with intent to deceive, produces or makes use of a document which is false or misleading in a material particular or has been fraudulently altered;
- (v) delivers, produces, furnishes, sends or otherwise makes use of, for the purpose of determining the price of any goods, any document required under this Act which is false or misleading in material particular which has been fraudulently altered.

shall commit an offence and shall, on conviction, be liable to a fine not exceeding

100 000 rupees and to imprisonment for a term not exceeding 3 years.

11. The following enactments are revoked –

- (a) the Imported Commodities (Maximum Mark-up) Regulations 1980;
- (b) the Medicines (Maximum Mark-up) Regulations 1981;
- (c) the Locally Manufactured Goods (Price and Supply Control) Regulations 1983;
- (d) the Imported Fresh Fruits (Maximum Mark-up) Regulations 1994.

12. These regulations shall be deemed to have come into operation on 07 September 1998.

Made by the Minister of 08 September 1998

FIRST SCHEDULE **(This is the original list. Please see bottom page for the updated amended list)**

(Regulations 2 and 5)

	<i>Maximum Mark-up %</i>	<i>Special Allowance %</i>
Ceramic Tiles	30	6
Domestic Washing Machines	35	8
Electric Floor Polishers and Vacuum Cleaners	35	8
Electric Irons	35	8

Electric Juicers/Grinders	35	8
Electric Kettles/Mixers	35	8
Glass Panes	50	10
Helmets	35	5
Imported Fresh Fruits	45	5
	(inclusive of Importer's & Wholesale Margin)	
Magazines and Periodicals	45	-
(a) Pharmaceutical Products	45	5
	(inclusive of Importer's & Wholesale Margin)	
(b) Simple drugs	35	5
	(inclusive of Importer's & Wholesale Margin)	
Plywood	25	10
Refrigerators & Freezers	35	8
Rice Cookers	35	8
Sanitary Wares	30	12
School Textbooks	20	-
Sports Articles (Mark up on CIF value)		
Basket Balls	30	-
Footballs	30	-
	-	

FIRST SCHEDULE (Continued)

	<i>Maximum Mark-up %</i>	<i>Special Allowance %</i>
Tennis balls	30	-
Volley balls	30	-
Soccer Shoes	30	-
Petanque balls	42	-
Squash balls	42	-
Squash rackets	42	-
Badminton rackets	42	-
Badminton Shuttlecocks	42	-
Spikes	42	-
Training Shoes	42	-
Tennis rackets	42	-
Football jerseys	42	-
Boxing gloves	42	-

Volley ball nets	42	-
Track suits	42	-
Timber	25	20
Tyres and Tubes	25	6
Vinyl	30	6

SECOND SCHEDULE
(Regulations 2, 3 and 4)

RETURN

PART I

1. Name of Importer :

2. Address of Importer :

3. Consumer goods
(Give description) :

4. Trade name :

8. Name of Laboratory
(for pharmaceutical products) :

6. Country of Origin :

7. CIF value as per invoice:

8. Rate of exchange
(as per receipt) :

9. Quantity invoiced and landed :

10. Date of importation - passing
of first entry inwards :

11. Bill of entry number :

12. Stock from previous consignment/s

- (a) in bonded warehouses :
- (b) on trading premises :

PART II

	To be filled by applicant (Mauritian Rupees)	Office Use (Mauritian Rupees)
1. CIF value		
2. Customs duty		
3. Special allowance.		
4. Cost Price		
5. *Importer's Price		
6. *Wholesale Price/ctn		
7. *Retail Price/ctn		
8. *Retail Price/kg		
9. Conversion Ratio <u>Cost Price</u> CIF/FOB		

Note: * Parts 5, 6, 7 and 8 shall apply only to importers of fresh fruits.

I/We of
(Name of Signatory) *(Address)*

importer/authorised agent of the importer of the consumer goods mentioned above do hereby
 certify that –

- (a) all the particulars given above are true and correct;

- (b) that no arrangement or understanding affecting the purchase price of the consumer goods specified in this return has been or will be made or entered into between the importer and the exported or by anyone on behalf of either of them by way of discount, commission, rebate, compensation, or in any other manner whatever or other than as fully shown on the invoice as follows -
- (c) no application for refund of duty has been made; and
- (d) the Ministry will be notified in case such application is made and refund of duty obtained.

Date:

Signature:

The Consumer Protection (Consumer Goods) (Maximum Price) Regulations 1998.

Government Notice No 151 of 1998

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**THE CONSUMER PROTECTION
(PRICE & SUPPLIES CONTROL) ACT 1998**

**Regulations made by the Minister under Sections 3 and 35 of the
Consumer Protection (Price & Supplies Control) Act 1998**

1. These regulations may be cited as the Consumer Protection (Consumer Goods)(Maximum Price) Regulations 1998.
2. In these regulations -

“Act” means the Consumer Protection (Price & Supplies Control) Act 1998;

“ Bill of entry” means a declaration, whether written or electronic, made by or on behalf of an importer under the Customs Act 1988;

“Consumer goods” means any goods specified in the First Schedule and includes imported or locally manufactured goods;

“Import” has the same meaning as in the Customs Act 1988;

“Importer” in relation to any consumer goods at the time of import, includes the owner of the consumer goods or his agent or any other person for the time being possessed of or beneficially interested in the consumer goods;

“Manufacture” includes make, prepare, produce, put in a container, label or pack, or cause to be made, prepared, produced, put into a container, labelled or packed;

“Maximum price” means the prescribed maximum wholesale price or prescribed maximum retail price, as the case may be, at which a consumer goods shall be sold;

“Type” , in relation to any consumer goods includes -

- (a) make, brand and grade; and
- (b) where the consumer goods are canned, tinned, bottled or packed, a can, tin, bottle or package of any kind, weight or volume;

“Wholesaler”, in relation to any consumer goods, means a person who purchases the consumer goods from an importer or manufacturer for purposes of resale to a retailer.

3. (1) Every person who imports or manufactures any consumer goods shall make an application to the Minister to fix the maximum price of the consumer goods.

-
- (2) The Minister, may, on receipt of an application under paragraph (1) request the applicant to furnish such additional information as he may require.
- (3) The applicant shall, on receipt of the request under paragraph (2) comply with the request –
 - (a) within the time limit specified in the request; or
 - (b) where no time limit is specified in the request, within 15 days from the date of receipt of the request.
4. (1) Every importer of a consumer goods shall, not later than 10 days from the date of passing of the first bill of entry inwards of the consumer goods, submit to the Minister –
 - (a) a return in the form specified in the Second Schedule in respect of the consumer goods;
 - (b) every invoice, bill of lading, bill of parcel, bill of entry, letter of credit, and other bank document, freight and insurance voucher relating to the importation of the consumer goods;
 - (c) such other particulars or documents as the Minister may require.
- (2) The Minister may refuse to act on any document specified in paragraph (1) unless it is –
 - (a) complete in all respects;
 - (b) legible and
 - (c) duly certified or authenticated.

5. Every manufacturer of any consumer goods who makes an application under regulation 3 shall submit to the Minister with the application –
 - (a) certified copies of audited final accounts for the preceding financial year and, where the accounts of the preceding financial year have not yet been audited, a return of cost of production duly certified by an auditor pending the submission of audited final accounts; and
 - (b) such other information as the Minister may require.

6. (1) On receipt of an application under regulation 3 to fix the maximum price of a consumer goods, the Minister may, where he is satisfied that the maximum wholesale and maximum retail prices of the consumer goods have to be fixed, grant the application on such conditions as he thinks fit and communicate his decision to the importer or manufacturer by way of a permit.

(2) No importer shall, in respect of the consignment of any consumer goods, sell or supply the consumer goods unless he holds the permit specified in paragraph (1) in respect of that consignment.

7. The Imported Commodities(Costings and Control of Sale and Delivery) Regulations 1986 and the Locally Manufactured Goods (Price and Supply Control) Regulations 1983 are revoked.

8. Any person who –
 - (a) contravenes these regulations
 - (b) for the purpose of, or in connection with these regulations –
 - (i) furnishes any information or produces any document which he knows or ought to have known to be false or misleading in a material particular;
 - (ii) makes or causes to be made, or without reasonable excuse has in his possession, any writing which so closely resembles a document as to be likely to deceive;
 - (iii) fraudulently alters a document;
 - (iv) with intent to deceive, produces or makes use of a document which is false or misleading in a material particular or has been fraudulently altered;

- (v) delivers, produces, furnishes, sends or otherwise makes use of, for the purpose of determining the price of any goods, any document required under this Act which is false or misleading in material particular which has been fraudulently altered.

Shall commit an offence and shall, on conviction, be liable to a fine not exceeding

100 000 rupees and to imprisonment for a term not exceeding 3 years.

9. These regulations shall be deemed to have come into operation on 07 September 1998.

Made by the Minister of 08 September 1998 [Top of the Document](#)

**FIRST SCHEDULE
(Regulations 2)**

CONSUMER GOODS IN RESPECT OF WHICH THE MAXIMUM WHOLESALE AND
RETAIL PRICES HAVE TO BE DETERMINED (Subsequently amended as per the
Consumer Protection (Consumer Goods) (Maximum Price) (Amendment) Regulations 2008
GN No. 284 of 2008. Please go to our bottom page)

1. Aerated beverages (in glass bottles)
2. Bread
3. Cement
4. Coconut oil
5. Cooking gas
6. Edible oil
7. Fertilizers
8. Flour including whole wheat flour

9. Infant milk powder
10. Iron/steel bars
11. Onions (other than the type known as “Traditional Toupie”)
12. Petroleum products (including kerosene)
13. Rice (excluding luxury rice)
14. Salted snoek
15. Sugar

SECOND SCHEDULE
(regulations 4)

RETURN

PART I

1. Name of Importer :
2. Address of Importer :
3. Commodity :
4. Trade name and type :
5. Country of origin :

6. CIF value as per invoice:
7. Rate of exchange
(as per receipt) :
8. Quantity invoiced and landed :
9. Date of importation - passing
of first entry inwards :
10. Bill of entry number :
11. Present wholesale price:
12. Present retail price :
13. Stock from previous
consignment/s :

PART II

	To be filled by applicant (Mauritian Rupees)	<i>Office Use</i> (Mauritian Rupees)
1. CIF value		
2. Customs duty		
3. Bank charges (Commission, interest, etc)		
4. Landing and other charges		
5. M M A charges		
6. Fees for customs clearance		
7. Transport ex-customs warehouse		
8. Landed cost		

9. Landed cost per dozen		
10. Miscellaneous (1%)		
11. Wholesaler's profit		
12. Wholesale price of consignment		
13. Wholesale price per/kg		
14. Retailer's profit		
15. Retail price per unit/kg		
16. VAT (where applicable)		

I/We of
(Name of Signatory) *(Address)*

importer/authorised agent of the importer of the commodity mentioned above do hereby certify that –

- (a) all the particulars given above are true and correct;
- (b) that no arrangement or understanding affecting the purchase price of the consumer goods specified in this return has been or will be made or entered into between the importer and the exported or by anyone on behalf of either of them by way of discount, commission, rebate, compensation, or in any other manner whatever or other than as fully shown on the invoice as follows –

.....

- (c) no application for refund of duty has been made; and
- (d) the Ministry will be notified in case such application is made and refund of duty obtained.

(Here insert particulars of any special arrangement)

.....

Date: Signature:

PART III

FOR OFFICIAL USE

The maximum wholesale price of Rs And maximum retail price of Rs are recommended. The reasons for the price increase/price reduction are as follows:

Prepared by:
(Name and signature of examining officer)

SECOND SCHEDULE
(regulations 2, 3 and 4)

RETURN

PART I

1. Name of Importer :
2. Address of Importer :
3. Consumer goods
(Give description) :
4. Trade name :
9. Name of Laboratory
(for pharmaceutical products) :
6. Country of Origin :
7. CIF value as per invoice:
8. Rate of exchange
(as per receipt) :
9. Quantity invoiced and landed :

10. Date of importation - passing
of first entry inwards :
11. Bill of entry number :
13. Stock from previous consignment/s
- (a) in bonded warehouses :
- (b) on trading premises :

PART II

	To be filled by applicant (Mauritian Rupees)	Office Use (Mauritian Rupees)
1. CIF value		
2. Customs duty		
3. Special allowance.		
4. Cost Price		
5. *Importer's Price		
6. *Wholesale Price/ctn		
7. *Retail Price/ctn		
8. *Retail Price/kg		
9. Conversion Ratio $\frac{\text{Cost Price}}{\text{CIF/FOB}}$		

Note: * Parts 5, 6, 7 and 8 shall apply only to importers of fresh fruits.

I/We of
(Name of Signatory) (Address)

importer/authorised agent of the importer of the consumer goods mentioned above do hereby
certify that –

(e) all the particulars given above are true and correct;

- (f) that no arrangement or understanding affecting the purchase price of the consumer goods specified in this return has been or will be made or entered into between the importer and the exported or by anyone on behalf of either of them by way of discount, commission, rebate, compensation, or in any other manner whatever or other than as fully shown on the invoice as follows -
- (g) no application for refund of duty has been made; and
- (h) the Ministry will be notified in case such application is made and refund of duty obtained.

Date:

Signature:

Note:

Please go to the website of the Ministry of Industry and Commerce for legislations made under the Consumer Protection (Price and Supplies Control) Act 1998 as regards Control of Imports Regulations, Trade Fairs Regulations and Scrap Metal Regulations. Issue of import permits, authorization for the holding of trade fairs and the control of operators in scrap metals fall under the purview of the Ministry of Industry and Commerce. Go to our page on Price Control Unit for updated regulations on prices of controlled commodities either under the maximum price, the maximum mark up or the Maximum Recommended retail Prices.

The Consumer Protection (Importation and Sale of Second-hand Motor Vehicles) Regulations 2004. GN 196/2004

THE CONSUMER PROTECTION (PRICE AND SUPPLIES CONTROL) ACT
Regulations made by the Minister under section 35 of the Consumer Protection (Price and Supplies Control)

Act

1. These regulations may be cited as the Consumer Protection (Importation and Sale of Second-hand Motor Vehicles) Regulations 2004.

2. In these regulations -

"Act" means the Consumer Protection (Price and Supplies Control) Act;

"authorised dealer" means a company licensed as such under regulation 6;

"business premises" means business premises which meet the requirements specified in regulation 3(2);

"company" has the same meaning as in the Companies Act 2001;

"motor vehicle" has the same meaning as in the Road Traffic Act;

"second-hand motor vehicle" means a used motor vehicle, other than a motorcycle, first registered in a foreign country.

3. (1) No person shall carry on the business of importation and sale of second-hand motor vehicles unless

the person is a company which -

- (a) has an issued share capital of not less than 2 million rupees;
- (b) holds a licence issued under regulation 6; and
- (c) operates from its business premises.

(2) For the purposes of these regulations, business premises shall consist of a showroom, or a closed

yard, or both, and an office which are -

- (a) destined solely for the display and sale of imported second-hand motor vehicles, and sale of spare parts;
- (b) separated from any other compound or building used for a purpose other than the purposes specified at subparagraph (a); and
- (c) easily accessible to the public and motor vehicles.

4. (1) Any company which intends to carry on the business of importation and sale of second-hand motor

vehicles shall apply to the Permanent Secretary for a licence authorising it to do so.

(2) An application for a licence under paragraph (1) shall -

- (a) be made in duplicate in the form specified in the First Schedule;
- (b) be accompanied by-
 - (i) any licence to deal in the importation and sale of second-hand motor vehicles required under any other enactment; and
 - (ii) a certificate attesting that the company has not been wound up; and
 - (iii) a declaration as to whether any director of the company has or has not been convicted of an offence involving fraud or dishonesty during a period of 10 years preceding the application.

5. The Permanent Secretary may, on receipt of an application under regulation 4 -

- (a) consult such person or authority as he considers necessary;
- (b) request the applicant to furnish such additional information or document as he may reasonably require in relation to the application; and
- (c) inspect the business premises to ensure whether it complies with the requirements of regulation

3(2).

6. (1) After considering the application and any information and document submitted in relation to the

application, the Permanent Secretary may -

- (a) grant the application and issue to the applicant a licence in the form specified in the Second Schedule in respect of premises specified in the licence and, subject to-
 - (i) the conditions specified in that Schedule;
 - (ii) the payment of a fee of 50,000 rupees; and
 - (iii) the submission of a security by means of a bank guarantee issued by a local bank, or a security by an insurance company registered under the Insurance Act in the appropriate form specified in Part I or Part II of the Third Schedule, for a sum of 2 million rupees in favour of the Government for a period of 24 months starting from the date of commencement of the validity of the licence; and
 - (iv) such other conditions as the Permanent Secretary may impose; or
- (b) reject the application, where he is satisfied that the applicant has not complied with these regulations or is not otherwise fit to be granted a licence.

(2) The Permanent Secretary shall, at the expense of the applicant, give notice of the grant of any

application under paragraph (1)(a) in the *Gazette* and in 2 daily newspapers.

(3) A licence issued under paragraph (1)-

(a) shall be valid for a period of 12 months; and

(b) may, subject to paragraphs (4) and (5), be renewed for further periods of 12 months.

(4) Subject to regulation 9, a licence granted under this regulation shall not be transferable.

(5) An application for the renewal of a licence shall be made by the authorised dealer in duplicate to the

Permanent Secretary in the form specified in the Fourth Schedule not less than 21 days before the

expiry date of the licence and the applicant shall comply with regulation 4(2)(b) and (c).

(6) The Permanent Secretary may, on receipt of an application under paragraph (5) apply the provisions of regulation 5.

(7) After considering an application under paragraph (5), the Permanent Secretary may -

(a) grant the application for renewal and issue to the applicant a licence in the form specified in the

Second Schedule subject to(

i) the condition specified in that Schedule;

(ii) the payment of a fee of 50,000 rupees;

(iii) the submission of a security by means of a bank guarantee issued by a local bank, or a security by an insurance company registered under the Insurance Act in the appropriate form specified in Part I or Part II of the Third Schedule, for a sum of 2 million rupees in favour of the Government for a period of 24 months starting from the date of commencement of the validity of the licence; and

Amended by [GN No. 92 of 2005]

(iv) such other conditions that the Permanent . Secretary may impose; or

(b) subject to paragraph (8), reject the application, where he is satisfied that the authorised dealer

has not complied with these regulations or is not otherwise fit to have its licence renewed.

(8) The Permanent Secretary shall not reject an application for renewal of a licence under paragraph (7)(b)

unless he has given the authorised dealer a reasonable opportunity to show cause why the application

should not be rejected.

(9) Where an authorised dealer applies for the renewal of its licence within a period of 21 days after the

date of expiry of its licence, the authorised dealer shall pay, in addition to the licence fee, a surcharge

of 10 per cent.

(10) Where an authorised dealer fails to apply for the renewal of its licence within 21 days after its expiry-

(a) the licence shall lapse; and

the Permanent Secretary shall, at the expense of the authorised dealer, publish a notice to that effect in

the *Gazette* and in 2 daily newspapers.

Amended by [GN No. 92 of 2005]

7. (1) The Permanent Secretary may cancel the licence of an authorised dealer -

(a) where the authorised dealer has -

(i) ceased its business;

(ii) given to the Permanent Secretary information which is false and misleading in a material particular;

(iii) breached any conditions of its licence;

failed to start its business within 6 months of the issue of a licence to it, or within such extended

period as the Permanent Secretary may allow;
contravened the Act or any regulations made under the Act;
(b) for such other reasons as are specified in these regulations;
(c) on any grounds on which he would have been entitled to reject an application for a licence or the renewal of a licence.

(2) Before the Permanent Secretary cancels a licence of an authorised dealer under these regulations, he

shall give written notice of his intention to do so to the authorised dealer and require him to make such

representations as he may deem fit as to why the licence must not be cancelled.

(3) The Permanent Secretary may, after considering the representations, and affording, where necessary,

an oral hearing to the authorised dealer, cancel the licence and inform the authorised dealer of his

decision and the reasons for his decision.

8. (1) Where an authorised dealer wishes to cease its business, it shall so inform the Permanent Secretary,

by registered post, 15 days prior to the date of projected cessation of its business.

(2) The Permanent Secretary shall, at the expense of the authorised dealer, publish in the *Gazette* and 2

daily newspapers -

(a) a notice of the projected cessation of business; and

(b) a notice requesting any person who claims to be entitled to a payment out of the amount of the

guarantee issued under regulation 6(1)(a)(iii) and 6(7)(a)(iii) to give notice of his claim to the Permanent Secretary within 3 months from the publication of the notice.

(3) The guarantee referred to in paragraph (2)(b) shall be discharged -

(a) where no claim has been received within the time limit specified in that paragraph;

(b) after the disposal of all claims made under paragraph (2) or regulation 14.

9. (1) Where an authorised dealer intends to change the address of its business premises, it shall notify the

Permanent Secretary, by registered post, of the intended change of address and shall apply for an

amendment of the address of the business premises on its licence.

(2) The notification under paragraph (1) shall be accompanied by any licence referred to in regulation

4(2)(b).

(3) The Permanent Secretary shall, at the expense of the authorised dealer, give notice of the proposed

amendment in the *Gazette* and 2 daily newspapers.

(4) The Permanent Secretary may, on receipt of a notification under paragraph (1) -

(a) apply the provisions of regulation 5;

(b) amend the address of the business premises on the licence of the authorised dealer; or

(c) reject the application for amendment, if the new business premises do not comply with the requirements of regulation 3(2).

10. (1) Where there is a transfer of shares of the authorised dealer or a change in directors, the company shall

forthwith inform the Permanent Secretary and submit documentary evidence to that effect.

(2) The authorised dealer shall inform the Permanent Secretary in writing whether any new director ha~

been convicted of an offence involving fraud and dishonesty during a period of 10 years preceding his appointment.

(3) Where a director has been convicted of an offence involving fraud or dishonesty, the Permanent Secretary shall require the authorised dealer to show cause why its licence must not be cancelled.

(4) Where the Permanent Secretary is satisfied that the authorised dealer is no longer a fit and proper company to continue holding a licence, he shall cancel the licence.

11. (1) Where an authorised dealer wishes to operate under a new company name, it shall notify the Permanent Secretary by registered post of the proposed change of name and shall apply for an amendment of its name on its licence.

(2) The notification under paragraph (1), shall be accompanied by a certificate issued by the competent authority attesting the change of name.

(3) The Permanent Secretary may, on receipt of an application under paragraph (1), apply the provisions of regulation 5 (a) and (b) and amend the name of the authorised dealer on the licence.

(4) Before amending the name of the authorised dealer on the licence, the Permanent Secretary shall

require the authorised dealer to furnish a fresh bank guarantee or a security given by an insurance

company registered under the Insurance Act in the form specified in the Third Schedule subscribed in

the proposed new name of the authorised dealer:

Amended by [GN No. 92 of 2005]

12. (1) An authorised dealer shall enter into a sale agreement, which shall be substantially in the form

specified in the Fifth Schedule, with a purchaser at the time of sale of an imported second-hand motor vehicle.

(2) An authorised dealer shall not sell or enter into any agreement under paragraph (1) in respect of a

second-hand motor vehicle which-

(a) has not been cleared from the Customs;

(b) is kept in bond under the supervision of the Comptroller of Customs;

(c) has been initially shipped under the name of another person; or

(d) has been cleared from the Customs under the name of another importer, including another authorised dealer.

(3) An authorised dealer shall not sell, keep, or offer for sale an imported second-hand motor vehicle at

any place other than its licensed business premises.

13. Notwithstanding regulation 12, an authorised dealer may enter into a Purchase Order Agreement substantially

in the form set out in the Sixth Schedule with a purchaser, where-

(a) the request for the importation of a specific second-hand motor vehicle has been made by the purchaser;

(b) the vehicle and the country from which the vehicle is to be consigned have been specified by

the purchaser;
the sale price of the vehicle has been agreed upon;
the time of the delivery of the vehicle has been specified.

14. (1) Where any person, other than a purchaser of a second-hand motor vehicle, contravenes any provision

of these regulations or breaches a Purchase Order Agreement or a Sale Agreement, he shall commit

an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 3 years.

(2) Where an authorised dealer is convicted under paragraph (1), the Court may, in addition to the

penalty provided, forfeit the bank guarantee or the security given the insurance company and submitted by the authorised dealer under these regulations and cancel its licence.

(3) Where any Court, tribunal or arbitrator orders or awards payment to be made by an authorised dealer

in favour of an aggrieved consumer, the bank guarantee subscribed by the authorised dealer or the

security submitted by the insurance company shall be applied towards such payment where the authorised dealer fails to comply with the order or award.

(4) (a) Where an authorised dealer fails to comply with an order or an award, the Permanent Secretary

shall serve a written notice on the authorised dealer requiring it to show cause why the bank guarantee subscribed or the insurance security given by it must not be used to pay any sum ordered or awarded in favour of a consumer.

(b) A notice served under this paragraph shall specify the amount of money to be paid out of the bank guarantee or the security given by the insurance company and the time period within which the authorised dealer has to comply with the order or award.

(5) Where the authorised dealer fails to comply with the notice referred to in paragraph (4) within the period specified in the notice, the Permanent Secretary shall, by written notice served on the bank which

has issued the bank guarantee or the insurance company which has given the insurance security, require the

bank or the insurance company, as the case may be, to pay to the aggrieved consumer the amount

representing any sum ordered or awarded under paragraph (3) within 10 days of the date of the notice; and

(6) Where a payment is effected under paragraph (5), the Permanent Secretary shall inform the authorised

dealer in writing and require him to submit a fresh bank guarantee or fresh insurance security in the

sum of 2 million rupees in favour of the Government of Mauritius, valid for the period starting from the

date of the payment made under paragraph (5) to a date 12 months after the expiry of the current

licence of the authorised dealer, failing which the Permanent Secretary may cancel the licence of the

authorised dealer.

Amended by [GN No. 92 of 2005]

15. (1) Where an authorised dealer has ceased its business or where the licence of an authorised dealer has

not been renewed or has lapsed under regulation 6 or has been cancelled under regulation 14(2) or for any other reason, the authorised dealer shall submit to the Permanent Secretary a return of its stock of imported second-hand vehicles.

(2) On receipt of the return referred to in paragraph (1), the Permanent Secretary may authorise the reexportation of the second-hand vehicles, or their registration with the National Transport Authority under the name of the authorised dealer.

(3) Any stock of imported second-hand motor vehicles held by an authorised dealer under paragraph (1) shall not be transferred to the business premises of another authorised dealer without the prior written authorisation of the Permanent Secretary.

16. The Consumer Protection (Licensing of Authorised Dealers in Imported Second-hand Motor Vehicles)

Regulations 2003 are revoked.

17. (1) A licence issued or renewed under the regulations referred to in regulation 16, and which is still in force at the time of coming into operation of these regulations, shall be deemed to have been issued or renewed under these regulations.

(2) An authorised dealer carrying on the business of imported and sale of second-hand motor vehicles under a licence issued or renewed under the regulations referred to in regulation 16 or renewed under the present regulations shall be exempted by the Permanent Secretary from complying with regulations 3(1)(a), 6(1)(a)(iii) and 6(7)(a)(iii) for a period of 3 months from the date of coming into operation of these regulations.

(3) Where an authorised dealer holding a licence under the regulations referred to in regulation 16, has failed to renew its licence within 15 days of the expiry of the licence, it shall make an application to the Permanent Secretary for the renewal of the licence within 21 days from the date of coming into operation of these regulations, failing which the licence shall lapse.

(4) An application made under paragraph (3) shall not be subject to any surcharge.

18. These regulations shall come into operation on the 01 December 2004.

Made by the Minister on Monday 29 November 2004.

FIRST SCHEDULE

(regulation 4)

THE CONSUMER PROTECTION (IMPORTATION AND SALE OF SECOND-HAND MOTOR VEHICLES)

REGULATIONS 2004

Application for a licence of Authorised Dealer in Importation and Sale of Second-hand Motor Vehicles

1. Particulars of Applicant

Name of company*.....

(Block Letters)

Address of registered office.....

(Block Letters)

Address of business premises
**

(Block Letters)

Names and addresses of shareholders [list to be attached].....

(e) Names and addresses of directors***

2. Financial Structure of Company

Issued share capital
Rs.....
Loan capital- (a) Long-term.....
(b) Short-term.....
Total.....

Bank certificate attesting a credit balance of not less than 2 million rupees or credit facilities of not less than 2 million rupees in favour of the company to be attached.

3. Estimated Imports of Vehicles

(a) Yearly

Type
(car, van truck)
Quantity
(units)
Exporting country Approximate c.i.f. value
Rs.
.....
.....
.....
.....
.....
.....
.....
.....

(b) Imports at anyone time

Type
(car, van truck)
Quantity
(units)
Exporting country Approximate c.i.f. value
Rs.

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

4. Clearance of Vehicles from Customs

(a) To be kept in bond under supervision of the Comptroller of Customs Yes No ****

If 'Yes', specify address and storage capacity.....

(b) To be kept in public bonded warehouse Yes No ****

If 'Yes', state the name of owner of the bonded warehouse and address- (certificate from owner attesting the space provided for and the number of vehicles to be stored to be attached).

(c) To be cleared from the customs against payment of all dues

Yes No ****

5. DECLARATION

I hereby declare that the particulars given in this application and the documents attached herewith are, to the best of my knowledge and belief, true and correct and that the estimates given in this application have been made in good faith and with all due care. I further declare that no director/director.....(****) has been convicted of an offence involving fraud or dishonesty during the last 10 years preceding this application. I undertake to comply with all the provisions of the Consumer Protection (Importation and Sale of Second-hand Motor Vehicles) Regulations 2004.
Signature:.....
Date:.....
Designation:.....

* Attach copy of the certificate of incorporation of the company.
** Attach plans showing the precise area and location of the business premises.
*** Attach "Bank Reference" Certificate for each Director.
**** Tick as appropriate

SECOND SCHEDULE
(regulation 6)
THE CONSUMER PROTECTION

(IMPORTATION AND SALE OF SECOND-HAND MOTOR VEHICLES) REGULATIONS 2004
Licence of Authorised Dealer in Importation and Sale of Second-hand motor Vehicles

1.
M/s.....
.....of
.....

(Name of authorized dealer)
is hereby licenced to operate as authorised dealer in imported second-hand motor vehicles at
.....

(Address of business premises)
2. Particulars of the licence-
(a) Amount Paid.....
C.B. No.
Date:.....
(b) Licence No.
Duration of Licence: from.....to.....
Date of issue:.....

Note: This licence shall be valid subject to -
(a) The condition that the authorised dealer shall ensure a reasonable availability of spare parts of models of motor vehicles which it may introduce on the local market; and
(b) Other conditions:
.....
.....
.....
.....

for Permanent Secretary
Ministry of Commerce and Co-operatives

THIRD SCHEDULE
(regulation 6)

THE CONSUMER PROTECTION (IMPORTATION AND SALE OF SECOND-HAND MOTOR VEHICLES) REGULATIONS 2004

PART I
BANK GUARANTEE

By this guarantee
the.....
(Insert name of bank)
is, pursuant to the Consumer Protection (Importation and Sale of Second-Hand Motor (Vehicles) Regulations 2004,
bound to the Government of Mauritius in the sum of 2 million rupees subject to the condition that
if
.....

(insert address of authorised dealer)
of.....
.....

(insert address of business premises)

does not contravene the Consumer Protection (Importation and Sale of Second-hand Motor Vehicles) Regulation

2004 or any other enactment governing the importation, sale, storage and registration of second-hand motor vehicles

and does not cause prejudice to any consumer in the operation of his business

by.....

(Insert date of expiry of bank guarantee) *

then this security shall be thereby discharged.

Dated this.....day of.....Two thousand

and.....

Signature.....

Designation.....

Name of Bank.....

Official seal of Bank

* 24 months after the date of commencement of validity of second-hand dealer licence.

PART II

SECURITY OF INSURANCE COMPANY

By this security

the.....

(insert name of Insurance Company)

is, pursuant to the Consumer Protection (Importation and Sale of Second-hand Motors Vehicles) Regulations 2004,

bound to the Government of Mauritius in the sum of 2 million rupees subject to the condition that if.....

(insert address of authorised dealer)

of.....

(insert address of business premises)

does not contravene the Consumer Protection (Importation and Sale of Second-hand Motor Vehicles) Regulation

2004 or any other enactment governing the importation, sale, storage and registration of second-hand motor vehicles

and does not cause prejudice to any consumer in the operation of his business

by.....

(Insert date of expiry of insurance security).

then this security shall be thereby discharged.

Dated this.....day of.....Two thousand

and.....

Signature.....

Designation.....

Name of Insurance Company.....

Official seal of Insurance Company

* 24 months after the date of commencement of validity of second-hand dealer licence.

Amended by [GN No. 92 of 2005]

FOURTH SCHEDULE

(regulation 6)

THE CONSUMER PROTECTION

(IMPORTATION AND SALE OF SECOND-HAND MOTOR VEHICLES) REGULATIONS 2004
Application for Renewal of Licence of Authorised Dealer in Importation and Sale of
Second-hand Motor
Vehicles

The Permanent Secretary
Ministry
of.....

1.
We.....

.....
(Name of authorised dealer)
of

.....
(Address)
carrying on business at

.....
(Address of business premises)

hereby apply for the renewal of our licence of authorised dealer in importation and sale of
second-hand motor
vehicles issued to us onbearing licence
No.....and valid
for the period.....to.....

2. We inform you that the address of our business premises has not changed.

3. Declaration.

I hereby declare that the particulars given in this application and the documents attached
herewith are, to the
best of my knowledge and belief, true and correct. I further declare that no
director/director.....* has been
convicted of an offence involving fraud or dishonesty during the last 10 years preceding this
application. I
undertake to comply with all the provisions of the Consumer Protection (Importation and Sale of
Second-hand
Motor Vehicles) Regulations 2004.

Signature of representative of authorised dealer:.....

Date:.....

Designation:.....

**Delete as appropriate*

FIFTH SCHEPULE

(regulation 12)

THE CONSUMER PROTECTION (IMPORTATION AND SALE OF SECOND-HAND MOTOR
VEHICLES)

REGULATIONS 2004

Sale Agreement

1. Declaration and Agreement

Sale Agreement made in duplicate this.....day
of.....

two thousand and.....

Between

M/s.....
.....

whose business premises is situated
at.....

(hereinafter called the "authorised dealer") and
Mr./Mrs./Ms.*

.....of.....
.....

[hereinafter called the "purchaser"].

Whereby

(a) the authorised dealer agrees to sell and deliver an imported second-hand motor vehicle to the purchaser with the following particulars -

Type of vehicle :

Make :

Model :

Year :

Colour :

Chassis No. :

(b) the purchaser confirms that he has been allowed by the authorised dealer to effect a test-drive

of the above-mentioned vehicle and agrees to purchase the vehicle for a total selling price of Rs.....(excluding/including insurance)* to be paid as follows:*

(i) payment in cash of the total selling price viz. Rs.....;
or

(ii) deposit of Rs..... Balance Rs.....
payable in total on.....or in.....instalments of

Rs.....on.....

(c) the purchaser has taken cognisance of the pre-shipment inspection certificate issued in the exporting country in respect of the above-mentioned vehicle.

2. Warranty

It has been further agreed between the authorised dealer and the purchaser as follows -

(a) The authorised dealer shall guarantee the vehicle and parts for a warranty period** of.....from the date of this agreement.

(b) The warranty covers the repairing or replacement free of charge, including labour costs, of any part

that is faulty and supply of materials needed to carry out the repairs under warranty.

The warranty shall not cover any defect which is due to lack of care, improper use, or is the result of an

accident.

.....
Signature of purchaser Signature of authorised dealer

Name:.....

Address:.....
.....

Tel. No.....

Date:.....

Name:.....

Address:.....
.....

Tel. No.....

Date:.....

* Delete as appropriate

** the warranty period shall be for a minimum of 6 months

SIXTH SCHEDULE

(regulation 13)

THE CONSUMER PROTECTION (IMPORTATION AND SALE OF SECOND-HAND MOTOR VEHICLES)

REGULATIONS 2004

PURCHASE ORDER AGREEMENT

1. Declaration and Agreement

Purchase Order Agreement made in duplicate this.....day

of.....

two thousand and

Between

M/

S.....

.....

Whose business premises is situated

at.....

(hereinafter called the "authorised dealer")

and.....

.....

[hereinafter called the "Purchaser")

Whereby

(a) the purchaser places an order with the authorised dealer for the importation of a second-hand motor

vehicle with the following particulars -

Type of vehicle:.....

Make:.....

Model:.....

Year:.....

Colour:.....

Country of origin :.....

Country from which vehicle is to be consigned:.....

*Options: air-conditioned, power steering, power mirrors, central locking, radio cassette, compact disc,

alloy wheel, anti lock brake system.

(b) the agreed sale price is.....rupees as per quotation dated.....from the authorised dealer.

(c) the purchaser effects a deposit, of.....rupees.

(d) the authorised dealer undertakes to deliver the vehicle to the purchaser at its showroom on or before

.....

.....

2. Rights of the parties

It has been further agreed between the authorised dealer and the purchaser that –

(a) the authorised dealer shall reimburse the purchaser the deposit effected under paragraph 1(c) together

with interest at the bank rate, if the imported vehicle is not as per specifications at 1(a) or is not delivered within the time limit specified at 1(d);

(b) if the purchaser refuses to purchase the vehicle after its importation, the authorised dealer may retain the deposit of Rupees..... (Rs.....) made by the purchaser under paragraph 1(c) and claim any reasonable additional expenses incurred by the authorised dealer to give effect to this purchase order agreement.

***delete as appropriate**

3. Other Conditions (at the option of the parties)

.....
.....
.....
.....
.....
.....

Signature of purchaser Signature of authorised dealer

Name:.....

Address:.....

.....

Tel. No.....

Date:.....

Name:.....

Address:.....

.....

Tel. No.....

Date:.....

Related documents:

Updated list of commodities under the Maximum prices

The list of Consumer Goods in respect of which the Maximum Wholesale and Retail Prices have to be determined is as follows:



- ▶ Bread
- ▶ Cement
- ▶ Cooking gas (Liquified Petroleum Gas)
- ▶ Fertilizers
- ▶ Flour, including whole wheat flour
- ▶ Petroleum products (including kerosene) {Go to the website of the [State Trading Corporation Mauritius](#) for relevant details}
- ▶ Rice (excluding luxury rice)



The relevant legislations are as follows:

Consumer
Protection
(Consumer
Goods)
(Maximum
Price)
(Amendment)
Regulations
2008
GN No. 284
of 2008
THE
CONSUMER
PROTECTION
(PRICE AND
SUPPLIES

CONTROL)
ACT

Regulations
made by the
Minister
under
Sections 3
and 35 of the
Consumer
Protection
(Price and
Supplies
Control) Act
1998

1. These regulations may be cited as the Consumer Protection (Consumer Goods) (Maximum Price) (Amendment) Regulations 2008.

In these
regulations

-

"principal
regulations"

2. means the
Consumer
Protection
(Consumer
Goods)
(Maximum
Price)
Regulations
1998.

3. The First Schedule to the principal regulations is revoked and replaced by the Schedule to these regulations.

4. These regulations shall come into operation on 1 January 2009.

Made by the Minister on 30 December 2008.

SCHEDULE
(Regulation 3)

FIRST SCHEDULE
(Regulation 2)

Consumer goods in respect of which the maximum
wholesale

and retail prices have to be determined

1. Bread
2. Cement

3. Fertilizers
4. Flour including whole wheat flour
5. Dual Purpose Kerosene (DPK)
6. Rice (excluding Luxury rice)

Updated List of goods in respect of which there is a maximum mark up

- ▶ A list of commodities controlled under the Maximum Mark Up Regulations is given hereunder:

Imported Commodities:-

- ▶ Tyres and tubes
- ▶ Pharmaceutical Products
- ▶ Timber
- ▶ Imported Fresh Fruits
- ▶ Infant Milk Powder
- ▶ Corned Beef
- ▶ Corned Mutton
- ▶ Pilchards



▶ **The relevant legislations are as follows:**

- ▶ [Government Notices 2004](#)
- ▶ [Government Notices 2005](#)
- ▶ [Government Notices 2008](#)

Government Notice No 174 of 2004

THE CONSUMER PROTECTION (PRICE AND SUPPLIES CONTROL) ACT

Regulations made by the Minister under section 35 of the Consumer Protection (Price and Supplies Control) Act

1. These regulations may be cited as the Consumer Protection (Consumer Goods) (Maximum Mark-Up) (Amendment No 2) Regulations 2004.
2. In these regulations -
"principal regulations" means the Consumer Protection (Consumer Goods) (Maximum Mark-Up) Regulations 1998.
3. The First Schedule to the principal regulations is repealed and replaced by the Schedule to these regulations.
4. These regulations shall be deemed to have come into operation on 14 October 2004.

Made by the Minister on Friday 15 October 2004.

SCHEDULE
(regulation 3)

FIRST SCHEDULE
(regulations 2 and 5)



	Maximum Mark-Up %	Special Allowance %
Imported fresh fruits	45 (inclusive of importer's and wholesale margin)	5
Infant Milk Powder	20	-
Pharmaceutical Products and Simple drugs	35 (inclusive of wholesale margin)	2
Timber	25	20
Tyres and Tubes	25	6

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Government Notice No 173 of 2005

THE CONSUMER PROTECTION (PRICE AND SUPPLIES CONTROL) ACT

Regulations made by the Minister under section 35 of the Consumer Protection (Price and Supplies Control) Act

1. These regulations may be cited as the Consumer Protection (Consumer Goods) (Maximum Mark-Up, (Amendment No 2) Regulations 2005.
2. In these regulations –
"principal regulations" means the Consumer Protection (Consumer Goods) (Maximum Mark-Up) Regulations 1998.
3. The First Schedule to the principal regulations is amended
(a) by deleting the following item-
Infant milk powder 20
And replacing it by the following item-
Infant milk powder 17

(b) by inserting in the appropriate alphabetical order, the following new items:

Corned Beef	19 (inclusive of 8% retailer's mark-up on wholesale price)	1
Corned mutton (Imported)	19 (inclusive of 8% retailer's mark-up on wholesale price)	1
Corned Mutton (locally manufactured) (ex-factory)	19 (inclusive of 8% retailer's mark-up on wholesale price)	-
Pilchards	19 (inclusive of 8% retailer's mark-up on wholesale price)	1

4. These regulations shall come into operation on 1 October 2005.

Made by the Minister on 30 September 2005.

THE CONSUMER PROTECTION
(PRICE AND SUPPLIES CONTROL) ACT

Regulations made by the Minister under section 35 of the Consumer Protection (Price and Supplies Control) Act

1. These regulations may be cited as the Consumer Protection (Consumer Goods) (Maximum Mark-Up) (Amendment) Regulations 2008.
 2. In these regulations –
"principal regulations" means the Consumer Protection (Consumer Goods) (Maximum Mark-Up) Regulations 1998.
 3. The First Schedule to the principal regulations is amended – by deleting the following item-
- | | | |
|--|----|----|
| Milk powder (imported prepacked) | 14 | - |
| milk powder (imported in prepacked laminate & locally packed in box) | 14 | 4 |
| milk powder (imported in bulk & locally packed in special plastic bags) | 14 | 5 |
| milk powder (imported in bulk & locally packed in laminate) | 14 | 7 |
| milk powder (imported in bulk & locally packed packed in laminate & box) | 14 | 10 |

These regulations shall come into operation on 15 September 2008.

Made by the Minister on 1 September 2008

Updated List of Goods under Maximum Recommended Retail Prices

▶ [THE MAXIMUM RECOMMENDED RETAIL PRICE CODE OF PRACTICE](#)

▶ Milk Powder as per regulations below:

▶ **Government Notices 2008**

▶ **Government Notice No 181 of 2008**

THE CONSUMER PROTECTION (PRICE AND SUPPLIES CONTROL) REGULATIONS

Regulations made by the Minister under Sections 53 and 54 of the Consumer Protection (Price and Supplies Control) Act 1998.

1. These regulations may be cited as the Consumer Protection (Maximum Recommended Retail Price) Regulations, 2008.
2. In these regulations -
 - “Act” means the Consumer Protection (Price and Supplies Control) Act 1998;
 - “Code of Practice” means the Code of Practice for the determination of the MRRP established under section 5 of the Act;
 - “ goods” means any goods other than controlled goods, specified in the Code of Practice;
 - “maximum recommended retail price” means the maximum retail at which goods imported or manufactured in the Republic of South Africa are available to the public;
 - “MRRP” means the maximum recommended retail price.
3. There is established for the purposes of section 5 of the Act the Code of Practice specified in the Schedule.

4.

Any person who –

(a) fails to comply with these regulations;

(b) fails to comply with any of the provision of the Code of Practice; or

(c) sells or offers for sale a good at a price which is higher than the maximum recommended retail price;

shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees.

5. These regulations shall come into operation on 8 September 2008.

Made by the Minister on 01 September 2008.

► THE MAXIMUM RECOMMENDED RETAIL PRICE CODE OF PRACTICE

SCHEDULE
(regulation 3)

THE MAXIMUM RECOMMENDED RETAIL PRICE

1. OBJECTIVE

This Code of Practice aims at -

(a) providing for the method to be adopted for the determination of the MRRP of goods other than services;

(b) ensuring transparency in the implementation of the MRRP system;

(c) offering goods at competitive prices to the consumer.

2. SCOPE

This Code of Practice shall apply to the goods listed in Annex 1

3. METHOD FOR DETERMINATION OF THE MAXIMUM RECOMMENDED RETAIL PRICE

(a) the C.I.F value calculated at the time of importation;

(b) the operating expenses and overheads;

(c) the quantity and the value of existing stock; and

(d) the wholesaler's and retailer's profit margins.

4. TERMS AND CONDITIONS FOR SUPPLY OF GOODS

(1) Every importer shall –

(a) emboss or print in indelible ink on every packaging of the goods the MRRP in a clear and legible manner.

- (b) where it is not practicable to affix the MRRP in the manner provided for in paragraph circulation;
- (c) ensure that there are adequate and regular supplies of goods at retail outlets.
- (2) The determination of the MRRP shall not preclude any trader from selling any goods at a price
- 5. SUBMISSION OF MRRP TO MINISTRY
 - (1) Every importer shall submit to the Permanent Secretary a copy of the workings of the MRRP
 - (2) Where the Permanent Secretary is not satisfied with the workings, he may request in writing accuracy of the MRRP, and the information shall be submitted to him by the importer within
 - (3) Where the Permanent Secretary is not satisfied with the recommended MRRP, he may request

Updated Prices of Controlled Commodities

- ▶ [Cement](#)
- ▶ [Bread](#)
- ▶ [Cooking Gas](#)
- ▶ [Flour](#)
- ▶ [Kerosene](#)
- ▶ [Mogas and Diesel](#)
- ▶ [Ration Rice](#)



▶ Cement

Consumer Protection (Control of Price of Taxable and Non-Taxable Goods)

(Amendment No. 4) Regulations 2010

▶ GN No. /2010

Government Gazette of Mauritius

THE CONSUMER PROTECTION (PRICE AND SUPPLIES CONTROL) ACT

Regulations made by the Minister under sections 3 and 35 of the
Consumer Protection (Price and Supplies Control) Act



1. These regulations may be cited as the Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 4) Regulations 2010.
2. In these regulations - "principal regulations" means the Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) Regulations 1998.
3. Part I of the First Schedule to the principal regulations is amended to read as follows-

Fort George	82.25	162.80
Port Louis	87.45	172.45
LPW RHill	88.55	174.35
UPW QBornes	89.05	175.30
UPW Cpe, FSide,Moka,Pamp/Triolet	89.65	176.25
R d Rempart, Flacq, B River, GPort RBelle, New Grove	90.35	177.55
GPort PI Magnien, Mahebourg, Grand Bay region	90.75	178.15
Savanne, Souillac	91.80	180.05
Savanne Chemin Grenier, Surinam	92.50	181.35

4. These regulations shall come into operation on 1 March 2010.

Made by the Minister on 26 February 2010.

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► Bread

Bread (Control of Manufacture and Sale) (Amendment No. 2) Regulations 2008

► GN No. 276 of 2008

Type	Min Mass in gram	Min length in cm	Max Moisture contents by %	Max Retail Price (Rs)
Maison	100 g	n/a	35%	2.50
Rond	100 g	n/a	35%	2.50
Baguette	100 g	13cm	30%	2.60
Baguette	200 g	27cm	30%	5.20
Baguette	400 g	53cm	30%	10.40
Moule	200 g	n/a	35%	5.00
Moule	500 g	n/a	35%	12.50
Moule	1000 g	n/a	40%	25.00
Moule	1500 g	n/a	40%	37.50
Moule	2000 g	n/a	40%	50.00

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▶ Cooking Gas

▶ GN No. 277 of 2008

Regulations made by the Minister under sections 3 and 35 of the Consumer Protection (Price and Supplies Control) Act

1. These regulations may be cited as **the Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 6) Regulations 2008.**

2. In these regulations -

"principal regulations" means the Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) Regulations 1998.

3. Part 2 of the First Schedule to the principal regulations is amended to read as follows:

5 kg net cylinder	119.50 per cylinder	125 per cylinder
6 kg net cylinder	143.40 per cylinder	150 per cylinder
12 kg net cylinder	286.80 per cylinder	300 per cylinder

4. These regulations shall come into operation on Monday 22nd December 2008.

Made by the Minister on 20th December 2008.

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▶ Flour

Regulations made by the Minister under section 35 of the Consumer Protection (Price and Supplies Control) Act 1998

1. These regulations may be cited as the **Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 5) Regulations 2008.**

2. In these regulations -

"principal regulations" means the Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) Regulations 1998.

3. Part II of the Second Schedule to the principal regulations is amended by

(a) deleting the following item:-

White Wheaten Flour and	665 per bag of	6.90
Whole Wheat Flour	50 kg net	per ½ kg net

(b) inserting the following item in its appropriate place:-

White Wheaten Flour and	560 per bag of	5.85
Whole Wheat Flour	50 kg net	per ½ kg net

4. These regulations shall apply to the Island of Mauritius only.

5. These regulations shall come into operation as from Monday 22nd December, 2008.

Made by the Minister on 20th December 2008.

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► **Mogas**

The prices of mogas and diesel are fixed every month under the Automatic Price Mechanism. Go to the website of the [State Trading Corporation Mauritius](#) for the updated prices.

► **Ration Rice**

► **GN 80/2006** effective as from 03.07.2006

Ration rice	511.00 per bag of 50kg	5.40 per ½ kg
	53.10 per bag of 5kg	56.00 per bag of 5kg

Consumer Protection (Control of Price of Taxable and Non-Taxable Goods)

(Amendment No. 3) Regulations 2008

► **GN No. 41 of 2008**

LEGAL SUPPLEMENT

to the Government Gazette of Mauritius No. 19 of 1 March 2008

THE CONSUMER PROTECTION (PRICE AND SUPPLIES CONTROL) ACT

Regulations made by the Minister under section 35 of the Consumer Protection

(Price and Supplies Control) Act 1998

1. These regulations may be cited as the Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 3) Regulations 2008.
2. In these regulations -

"principal regulations" means the Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) Regulations 1998.
3. Part I of the second schedule to the principal regulations is amended by inserting the following item in its appropriate place:-

Ration Rice	26.55 per bag of 2½ kg net	28.00 per bag of 2½ kg net

4. These regulations shall apply to the Island of Mauritius only.
5. These regulations shall come into operation as from 03 March, 2008.

Made by the Minister on 27 February, 2008.

