

## Draft

Government Notice No ..... of 2015

### THE CONSUMER PROTECTION ACT

#### Regulations made by the Minister under sections 4 (1) of the Consumer Protection Act

1. These regulations may be cited as the Plastic Products for Water Supply, Drainage and Sewerage (Mauritian Standard Specifications) Regulations 2015

2. In these regulations -

“Certificate” means a Certificate of Conformity;

“certificate of conformity” means a document from a conformity assessment body certifying that the plastic products comply with the corresponding standard;

“cistern” means

(i) One-Piece Cistern

Rectangular or vertical cylindrical fixed container used for holding water at atmospheric pressure at a maximum temperature of 39°C;

(ii) Sectional Tank

Rectangular fixed container assembled from panels for the storage of water at atmospheric pressure at a maximum temperature of 39°C;

“distributor” means any person engaged in the distribution and storage of plastic products and glass fibre reinforced cisterns, used for water supply, drainage and sewerage installations;

“EN” means the European Norm;

“Importer” means a person who imports plastic products and glass fibre reinforced cisterns, used for water supply, drainage and sewerage installations;

“Inspection chamber” means a drainage or sewerage fitting -

(a) used for connecting drainage or sewerage installations or for changing the direction of drainage or sewerage runs; and

(b) having riser shafts, with a minimum outside diameter of 200 mm and have a maximum inside diameter of less than 800 mm, connected to it.

“ISO” means the appropriate standard established by the international

Organisation for Standardisation;

“manhole” means a drainage or sewerage fitting used –

- (a) to connect drainage or sewerage installation; or
- (b) to change the direction of drainage or sewerage runs, which terminates at ground level with a riser shaft of 800 mm minimum inner diameter;

“manufacturer” means any person engages in the manufacture of plastic products and glass fibre reinforced cisterns;

“Mauritius Standards Bureau (MSB)” has the same meaning as in the Mauritius Standards Bureau Act;

“MS” means the Mauritian Standard;

“PE’ means polyethylene;

“plastic” means a material which contains as an essential ingredient, a high polymer and which at some state in its processing into finished products can be shaped by flow;

“plastic products’ means the products specified in the first column of Schedule to these regulations, and include part or parts thereof;

“polymer” means a substance composed of molecules characterized by the multiple repetition of one or more species of atoms linked to each other in amounts sufficient to provide a set of properties;

“Poly Vinyl Chloride” means a plastic based on vinyl chloride;

“Polyethylene” means a plastic based on polymers of ethylene;

“PP” means Polypropylene;

“PVC” means Poly Vinyl Chloride;

“PVC-U” means unplasticized PVC;

“shallow inspection chamber” means an inspection chamber which -

- (a) has a maximum depth of 1.25 metres from the invert of the drain to the top of the riser terminating at ground level; and
- (b) permits the introduction of cleaning, inspection and test equipment, and the removal of debris;

“structured-wall ancillary fittings’ means fittings which have an optimized design with regard to material usage.

3. (1) Subject to paragraph (2), no person shall
- (a) import, distribute, manufacture, or have in his possession a plastic product that does not comply with the appropriate standard specified in the Schedule;
  - (b) import or manufacture a plastic product unless he has been issued with an original Certificate of Conformity issued by recognized body in the country of origin and duly certified by the MSB.

(c) Notwithstanding sub para (a) and (b), the Permanent Secretary may authorize an importer to clear the plastic products from the Customs provided the whole consignment is kept sealed under the custody of the Enforcement Authority until the MSB issues a letter of recommendation to the importer.

(2) where the plastic products are not covered by an original Certificate of Conformity at the time of import, a recommendation letter shall be obtained from the MSB prior to the supply of the goods.

(3) Where the MSB is satisfied that the plastic product to be manufactured or imported complies with the appropriate standard, it shall issue a letter of recommendation to the manufacturer or importer.

(4) where the plastic products fail to comply with the corresponding standards, the Enforcement Authority may cause **in consultation with the importer** the plastic products to be exported, destroyed or disposed of in a manner as to render them commercially valueless at the expense of the importer or manufacturer under the supervision of the Enforcement Authority.

4. Every importer or manufacturer shall –

Subject to paragraph 3(2)

- (a) cause a sample of any plastic product imported or manufactured by him to be inspected and tested by the MSB and pays the prescribed fee for the test;
- (b) keep a record of the results of tests conducted under paragraph (a); and
- (c) produce such record, on demand, to an authorised officer.

5. Every distributor shall, on demand, provide to a purchaser of a plastic product, or to an authorised officer, a certificate of conformity or test report showing the results of any tests carried out on a sample of the plastic products, in accordance with regulation 4.

6. These regulations shall not apply to –
  - (a) household and personal effects of a passenger;
  - (b) controlled goods entering the Freeport zone; and
  - (c) controlled goods shipped on ..... or before....
7. The Plastic and Polyethylene Pipes and fittings (Mauritius Standard Specifications) Regulations 2007 are revoked.
8. These regulations shall come into operation on... (moratorium period – **6 months**)

Made by the Minister on .....2015

## Schedule

[Regulations 2 and 3]

No.	Description	Applicable Standards	HS CODES
1	Plastics piping systems for water supply and for buried and above-ground drainage and sewerage under pressure-Unplasticized poly (vinyl chloride) (PVC-U)	MS ISO 1452	3917.31 3917.23
2	Plastics piping systems for soil and waste discharge (low and high temperature) inside buildings – Unplasticized poly (vinyl chloride) (PVC-U)	MS ISO 3633	3917.23
3	Plastics piping systems for non-pressure underground drainage and sewerage – Unplasticized poly (vinyl chloride) (PVC-U)	MS ISO 4435	3917.23
4.	Plastics Piping systems – Polyethylene (PE) pipes and fittings for water supply	MS ISO 4427	3917.21 3917.40
5	Plastics pipes and fittings – Mechanical-joint compression fittings for use with polyethylene pressure pipes in water supply systems	MS ISO 14236	3917.40
6.	Plastics piping systems for non-pressure underground drainage and sewerage – Structuredwall piping systems of unplasticized poly(vinyl chloride) (PVC-U), polypropylene (PP) and polyethylene (PE)	MS EN 13476	3917.21 3917.22 3917.23 3917.40
7	Plastics piping systems for non-pressure underground drainage and sewerage – unplasticized poly(vinyl chloride) (PVC-U), polypropylene (PP) and polyethylene (PE)_	MS EN 13598	3917.21 3917.22 3917.23 3917.40
8	Specification for glass fibre reinforced cisterns of one-piece and sectional construction, for the storage, above ground, of cold water.	MS EN 13280	3925.10
9	Polyethylene storage tanks for water and chemicals	MS 179	3925.10