

Government Notice No. 97 of 2000 (consolidated as at 03 January 2014)

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

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 (Export Control) Regulations 2000.

2. In these regulations –

“conflict diamond” means a rough diamond that is used by any rebel movement to finance any conflict aimed at undermining a legitimate Government:

“Comptroller” means the Comptroller of Customs;

“controlled goods” means –

- (i) the goods specified in the First Schedule; and
- (ii) for the purpose of export to the Islamic Republic of Pakistan in addition to the goods specified in the First Schedule, the goods specified in the Fifth Schedule.

“customs territory” means the territory of the state of Mauritius over which Customs authority is exercisable excluding a freeport zone;

“export” means –

- (a) means to take or cause to be taken out of the customs territory; and
- (b) in relation to rough diamonds means the taking or causing to be taken out from the State of Mauritius;

“export permit” means the export permit specified in regulation 4;

“Kimberley Process Certificate” means a forgery resistant document in the form set out in the Fourth Schedule issued in accordance with the requirements of the Kimberley Process Certification Scheme under regulation 5A;

“Kimberley Process Certification Scheme” means the scheme established in pursuance of the United Nations General Assembly Resolution 55/56 (2000) at Kimberley, South Africa, to prevent trade in conflict diamonds;

“Permanent Secretary” means the Permanent Secretary of the Ministry responsible for Commerce.

“Rough diamond” means a diamond that is unworked or simply sawn, cleared or bruted and which falls under the relevant Harmonised Commodity Description and Coding System 7102.10, 7102.21 and 7102.31;

3. No person shall export any controlled goods unless he holds an export permit.
4.
 - (1) Any person who exports any controlled goods, shall apply for an export permit from the Permanent Secretary.
 - (2) The application shall –
 - (a) be made in triplicate;
 - (b) be made in the form set out in the Second Schedule
 - (3) The permanent Secretary may on receipt of an application under paragraph (2) –
 - (a) request the applicant to furnish such additional information or document as he may reasonably require;
 - (b) subject to regulation (5), grant an export permit to the applicant on such terms and conditions as he deems fit;
 - (c) reject the application in case the applicant fails to comply with the provisions at paragraph (a).
5.
 - (1) No export permit shall be granted under regulation (4) in respect of controlled goods falling under H.S. Codes 02.01 to 02.10 unless the Permanent Secretary is satisfied that any process or place relating to the manufacture, packaging, canning, production, labelling or storage or any means of transportation, of the controlled goods is in conformity with such related norms, directives or requirements as are applicable in the importing country.
 - (2) A permit granted under paragraph (1) may be subject to such term and conditions as the Permanent Secretary may deem fit to impose.
- 5A
 - (1) No export permit shall be granted under regulation (4) in respect of rough diamonds unless the applicant-
 - (a) has registered himself with the Ministry;

- (b) has been issued with a Kimberley Process Certificate from the Permanent Secretary.
 - (2) The application for a Kimberley Process Certificate shall be made in the form set out in the Third Schedule.
 - (3) The Permanent Secretary may on receipt of an application under paragraph (2)-
 - (a) consult such person he considers necessary;
 - (b) request the applicant to furnish such additional information or document as he may reasonably require;
 - (c) issue a Kimberley Process Certificate to the applicant for a maximum validity period of not more than 60 calendar days from the date of issue, subject to such conditions as he may deem fit to impose including a condition that the rough diamonds be exported in a sealed tamper-proof container.
 - (4) The Permanent Secretary may reject an application submitted under paragraph (2) where-
 - (a) the applicant fails to comply with these regulations; and
 - (b) he has sufficient ground to believe that the rough diamonds to be exported have not been handled in accordance with the requirements of the Kimberley Process Certificate Scheme.
- 6. No controlled goods shall be taken out of the Customs territory, except on production of the original export permit to the Comptroller.
- 7. (1) An export permit –
 - (a) shall be valid for a maximum period of 6 months;
 - (b) shall not be transferable; and
 - (c) shall relate to the goods specified therein.

(2) No controlled goods shall be exported after the expiry date of the export permit.
- 8. (1) Notwithstanding the other provisions of these regulations, the Permanent Secretary may authorise the performance of any act or thing required to be done under these regulations to be made or done electronically through such computer system via the TradeNet, as may be approved by him.

- (2) For the purposes of these regulations, “TradeNet” has the same meaning as in the Customs (Use of Computer) Regulations 1997.
 - (3) With effect from such date as may be notified in the *Gazette*, the Permanent Secretary may direct that any matter, act or thing referred to in this regulation shall be made or done electronically or otherwise.
9.
 - (1) Subject to paragraph (2), the Export (Control) Regulations 1997 are revoked.
 - (2) The Export (Control) Regulations 1997 shall continue to apply to any matter relating to the export of a controlled article under an export permit issued prior to the coming into force of these regulations.

Made by the Minister on 12 July 2000

Government Notices 2000

FIRST SCHEDULE

(regulation 2)

Controlled goods for export

<i>H.S. Code</i>	<i>Description</i>
01.01-01.06	- Live animals (all species including birds)
02.01-02.10	- Meat and edible meat offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies (fresh, chilled, frozen)
07.01-07.12	- Vegetables (fresh and dried)
09.10	- Spices (ginger, saffron, turmeric and other spices classified under H.S. Code 09.10)
10.06	- Rice
11.01	- Wheat or Meslin flour
16.02	- Other prepared or preserved meat, meat offal or blood.
17.01	- Sugar
25.05	- Sand
25.21	- Limestone
25.23	- Portland Cement
30.01	- Organs (animals)
30.02	- Serum, samples of blood, biologicals needed for veterinary research vaccines (dead or live attenuated, freeze-dried or wet form)
50.01-63.10	- Textiles and textile articles for export to USA and Canada
67.01	- Bird's feathers
7102.10}	
7102.21}	- Rough diamonds
7102.31}	

SECOND SCHEDULE

(regulation 4)

EXPORT PERMIT

I. Application

I/We

.....
(name in block letters)

of.....

(address)

hereby apply for a permit to export the goods described hereunder –

Description of goods

H.S. Code

Country of origin

Type of packages

Number of packages

Weight/Volume of goods

Value FOB (in foreign currency)

Rate of exchange Value FOB (in rupees)

to

(name of consignee)

of.....

(address of consignee)

onday of19 The goods will be exported on

board and payment for an amount of

(state in foreign currency)

will be/has been effected through within days

(name of bank)

(state period)

from the date of exportation.

I/We undertake to observe the conditions under which this permit is issued.

Date

Signature of applicant

II. Approval – (for official use only)

Export authorised under Export Permit Ref

Permit valid up to

Conditions of Approval

.....

.....

Date:

Permanent Secretary

THIRD SCHEDULE
(Regulation 5A)

APPLICATION FOR A KIMBERLEY PROCESS CERTIFICATE

1. PARTICULARS OF APPLICANT

(a) Name:.....
(BLOCK LETTERS)

(b) Address:
(BLOCK LETTERS)

(c) Phone No.:..... Fax No.:.....

(d) Zone/Sector:.....
(Specify whether Export Process Zone or Freeport Area or local trade)

2. IMPORT DETAILS

Date of import:.....

Country of origin:.....
(insert mixed origin if more than one country)

Import permit Ref. No.:.....
(attach copy of permit if importer after 31 December 2002)

Kimberley Process Certificate

Number and date:.....

Exporter's name and address:.....

3. DETAILS OF ROUGH DIAMONDS (attach copy of Invoice to be sent abroad)

- Type
(insert whether defect, sawn, unchanged)

-H.S. Code:

-Weight (in carat):.....

-Value (USD):

-Value (MRS):

-Number of parcelsDate of export

-Name of aircraft

4. PURPOSE OF EXPORT:
(Specify whether return back to exporter as defect or after processing or for trade)

5. DETAILS OF CONSIGNEE

Name:.....
(BLOCK LETTERS)

Address:
(BLOCK LETTERS)

Phone No:Fax No.:

Final destination:
(insert name of airport)

6. *DECLARATION*

I hereby declare that the rough diamonds to be exported were handled in accordance with the provisions of the Kimberley Process Certification Scheme. I further 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.

Date:

Signature:.....

Designation:.....

Government Notices 2000

FIFTH SCHEDULE

(regulation 2)

Controlled goods for export to the Islamic Republic of Pakistan

<i>HS Codes</i>	<i>Description</i>
6103.3200	Men's or boys' jackets and blazers of cotton, knitted or crocheted
6103.4200	Men's or boys' trouser, bib, breech, short etc of cotton knitted/crocheted
6105.1000	Men's or boys' shirts of cotton, knitted or crocheted
6105.2000	Men's or boys' shirts of man-made fibres, knitted or crocheted
6108.3100	Women's or girls' nightdresses etc & pyjama of cotton, knitted/crocheted
6108.3900	Women's or girls' nightdresses etc of other textiles, nes, knitted/crocheted
6108.9100	Women's or girls' negligee, bathrobe, gown, etc of cotton, knitted/crocheted
6109.1000	T-shirts, singlets and other vests, of cotton, knitted or crocheted
6109.9090	T-shirt, singlet & other vest of other textile excl cotton, knitted/crocheted
6111.2000	Babies' garments & clothing accessory of cotton, knitted, crocheted
6112.3900	Men's/boy's swimwear of other textile excl synthetic fibre, knitted/crocheted
611241	Women's or girls' swimwear of synthetic fibres, knitted or crocheted
611249	Women's/girls' swimwear of other textile, knit/crocheted
6203.1100	Men's/boys' suit of wool or fine animal hair
6203.1910	Men's or boys' suit of cotton textile
6203.1990	Men's or boys' suit of other textile
603.3100	Men's or boys' jacket & blazer of wool/fine animal hair
6203.3200	Men's or boys' jackets and blazers of cotton
6203.3300	Men's or boys' jackets and blazers of synthetic fibres
6203.3900	Men's/boys' jackets & blazers of textile, nes, excl 620331
6203.4200	Men's/boys' trousers, bib, short etc of cotton
6203.4300	Men's/boys' trousers, bib & brace etc of synthetic fibre
6204.3200	Women's or girl' jackets of cotton
6204.6100	Women's/girls' trouser, bib, short etc of wool/animal hair
6204.6200	Women's/girls' trouser, bib, short etc, of cotton
6204.6210	Women's/girls' ghagra

6204.6220	Women's/girls' charara
6204.6300	Women's/girls' trouser, bib, short etc of synthetic fibre
6204.6310	Women's/girls' ghagra
6204.6320	Women's/girls' charara
6204.6900	Women's/girls' trouser, bib, short etc, of other textile
620520	Men's or boys' shirts of cotton, not knitted or crocheted
6205.9090	Men's or boys' shirts of textiles material
6206.3000	Women's/girls' blouses, shirts, shirt blouses, of cotton
6206.3010	Women's/girls' multani choli
6206.3020	Women's/girls' punjabi kameez
6206.3030	Women's/girls' baluchi kameez
6206.3040	Women's/girls' kurta
6206.4000	Women's/girls' blouses, shirts, etc, of man-made fibres
6206.4010	Women's/girls' multani choli
6206.4020	Women's/girls' punjabi kameez
6206.4030	Women's/girls' bauchi kameez
6206.4040	Women's/girls' kurta
6208.2100	Women's/girls' nightdress & pyjama of cotton
6209.2010	Babies' garment & clothing accessories of cotton
6209.3000	Babies' garment & clothing accessories of synthetic fibre
6212.1000	Brasseries, whether or not knitted or crocheted