
Government Notice No. 143 of 2019

THE CONSUMER PROTECTION ACT

**Regulations made by the Minister under section 4(1)
of the Consumer Protection Act**

1. These regulations may be cited as the Plastic and Polyethylene Pipes and Fittings (Mauritius Standard Specifications) (Amendment) Regulations 2019.
2. In these regulations –
“principal regulations” means the Plastic and Polyethylene Pipes and Fittings (Mauritius Standard Specifications) Regulations 2007.
3. Regulation 2 of the principal regulations is amended –
 - (a) by inserting, in the appropriate alphabetical order, the following new definitions –
“applicable standards” means the standards specified in the third column of the Schedule;
“Bureau” means the Mauritius Standards Bureau established under the Mauritius Standards Bureau Act;
“certificate of conformity”, in relation to plastic and polyethylene pipes and fittings, means a document from a third-party conformity assessment body which certifies whether or not the plastic and polyethylene pipes and fittings comply with the applicable standards;
“conformity assessment body” –
 - (a) means a body or a certified laboratory which provides conformity assessment services and is recognised as such under the laws of its country; and

(b) includes the Bureau;

“conformity report”, in relation to plastic and polyethylene pipes and fittings, means a document issued by the Bureau which certifies whether or not the plastic and polyethylene pipes and fittings comply with the applicable standards;

“Director-General” has the same meaning as in the Mauritius Revenue Authority Act;

“effective date”, in relation to an application, means the date by which all required documents, information or samples are submitted;

“guidelines” means guidelines issued by the Bureau –

(a) setting out the requirements for, the applicable law relating to, and the procedures for, an application for a conformity report;

(b) listing all fees leviable in respect of a conformity report;

“import” has the same meaning as in the Customs Act;

(b) by adding the following new definitions, the full stop at the end of the definition of “ISO” being deleted and replaced by a semicolon –

“test report” means a report that contains the results of tests carried out on plastic and polyethylene pipes and fittings in accordance with test methods specified in the applicable standards;

“TradeNet” has the same meaning as in the Customs Act.

4. The principal regulations are amended by inserting, after regulation 3, the following new regulations –

3A. Any guidelines issued by the Bureau shall be available for consultation at the Bureau and shall be posted on the website of the Bureau.

3B. (1) Every importer of plastic and polyethylene pipes and fittings shall, through the TradeNet or in such other manner as the Bureau may determine, submit to the Bureau a certificate of conformity or test report.

(2) On receipt of the certificate of conformity or test report, the Bureau shall forthwith undertake a verification of the certificate of conformity or test report.

(3) The Bureau shall, not later than 2 working days after receipt of the certificate of conformity or test report, inform the Director-General, the enforcement authority and the importer as to whether or not the plastic and polyethylene pipes and fittings comply with the applicable standards.

(4) Where no certificate of conformity or test report is submitted by the importer or where the Bureau is, after verification, not satisfied with the certificate of conformity or test report submitted, the Bureau shall request the importer to apply for a conformity report.

3C. (1) An application for a conformity report shall –

- (a) be made through the TradeNet in such form as the Bureau may approve or in such other manner as the Bureau may determine;
- (b) be accompanied by such other document as may be required in the guidelines;
- (c) be subject to the payment of such fees as may be specified in the guidelines; and

- (d) be subject to such conditions as may be specified in the guidelines.

(2) On receipt of an application for a conformity report, the Bureau shall process the application and issue the conformity report not later than 2 working days after the effective date of receipt of the application.

3D. (1) Notwithstanding regulation 3B, where verification, testing or analysis of the plastic and polyethylene pipes and fittings is required, the Bureau shall issue the conformity report not later than 2 working days after –

- (a) verification of the plastic and polyethylene pipes and fittings; or
- (b) receipt of the certificate of conformity or test report,

as the case may be.

(2) The conformity report shall be issued on payment of any leviable fees as may be specified in the guidelines for the purpose of verification, testing or analysis.

(3) Where the plastic and polyethylene pipes and fittings are under Customs control, the authorised officer shall take the plastic and polyethylene pipes and fittings or sample of the plastic and polyethylene pipes and fittings, as the case may be, in accordance with section 25B(3) and (5) of the Customs Act.

3E. (1) For the purpose of regulations 3B(3), 3C(2) and 3D(1), the Bureau shall, through the TradeNet or in such other manner as the Bureau may determine, notify the Director-General, the enforcement authority and the importer, whether or not the plastic and polyethylene pipes and fittings comply with essential safety requirements.

(2) (a) For the purpose of regulations 3C(1)(c) and 3D(2), the fees may be paid to the Director-General through the TradeNet or in such other manner as the Director-General may determine.

(b) The Director-General shall, not later than 15 working days after the end of every month, remit the fees collected to the Bureau.

(3) The Director-General shall release the plastic and polyethylene pipes and fittings imported under these regulations in accordance with section 25B of the Customs Act.

5. These regulations shall come into operation on 31 August 2019.

Made by the Minister on 23 August 2019.
