

Construction Industry Development Board (Compliance Notice and Penalty Fees)

Regulations 2022

GN No. 10 of 2022

Government Gazette of Mauritius No. 5 of 13 January 2022

THE CONSTRUCTION INDUSTRY DEVELOPMENT BOARD ACT

**Regulations made by the Minister, after consultation with
the Construction Industry Development Council,
under section 34 of the Construction
Industry Development Board Act**

- 1. These regulations may be cited as the Construction Industry Development Board (Compliance Notice and Penalty Fees) Regulations 2022.**
- 2. In these regulations —**
"Act" means the Construction Industry Development Board Act.
- 3. For the purpose of section 25A(2)(b) of the Act, the compliance notice shall be in the form set out in the First Schedule.**
- 4. For the purpose of section 25A(5)(a) of the Act, where the Council grants an application for registration, the applicant shall, in addition to the appropriate registration fee, pay the appropriate penalty fee specified in the Second Schedule.**
- 5. These regulations shall be deemed to have come into operation on 1 January 2022.**

Made by the Minister, after consultation with the Construction Industry Development Council, on 12 January 2022.

FIRST SCHEDULE

[Regulation 3]

THE CONSTRUCTION INDUSTRY DEVELOPMENT COUNCIL

COMPLIANCE NOTICE

(Issued in accordance with section 25A of the Construction Industry Development Board Act)

To:

.....
.....
.....
(Name and address of person)

TAKE NOTICE that you have been offering services as a consultant/contractor/service provider/supplier* without being registered as such under the Construction Industry Development Board Act.

You are hereby requested forthwith to —

- (a) stop offering services as a consultant/contractor/service provider/supplier*; and
- (b) make an application to be registered as a consultant/contractor/ service provider/supplier*.

A delay of 30 days from the time of the service of this notice is being granted to you within which an application shall be made.

Failure to make an application, the matter shall forthwith be referred to the Police.

You are reminded that offering services as a consultant/contractor/ service provider/supplier* without being registered as such under the Construction Industry and Development Board Act carries a fine not exceeding one million rupees and imprisonment for a term not exceeding 5 years.

Service of Notice

I hereby certify that a copy of the following notice was served in person upon the above named at

(address) on the (date).

.....

.....

Signature of Court Usher/Registered Usher

Signature of Offender

** Delete as appropriate*

SECOND SCHEDULE

[Regulation 4]

PENALTY FEES

	Penalty fees (Rs)
Consultant	
1. Consultant never registered and has been providing consultancy services for more than one year	100% of the annual registration fee payable for the field of specialisation
2. Consultant never registered and has been providing consultancy services for less than one year	50% of the annual registration fee payable for the field of specialisation
3. Consultant previously registered but has been providing consultancy services without renewal of registration and has failed to comply with regulation 6A of the Construction Industry Development Board (Registration of Consultants, Contractors, Service Providers and Suppliers) Regulations 2014	All arrears since last registration plus 10% thereof

Contractor	
1. Contractor never registered and has been undertaking construction works above one million rupees for more than one year	100% of the annual registration fee payable for the grade
2. Contractor never registered and has been undertaking construction works above one million rupees for less than one year	50% of the annual registration fee payable for the grade
3. Contractor previously registered but has been undertaking construction works without renewal of registration and has failed to comply with regulation 6A of the Construction Industry Development Board (Registration of Consultants, Contractors, Service Providers and Suppliers) Regulations 2014	All arrears since last registration plus 10% thereof
Service Provider	
1. Service Provider never registered and has been providing construction services for more than one year	100% of the registration fee payable
2. Service Provider never Registered and has been Providing construction services for less than one year	50% of the registration fee payable

<p>2. Service Provider previously registered but has been providing construction services without renewal of registration and has failed to comply with regulation 6A</p>	<p>All arrears since last registration plus 10% thereof</p>
<p>Supplier</p>	
<p>1. Supplier never registered and has been operating for more than one year</p>	<p>100% of the registration fee payable</p>
<p>2. Supplier never registered and has been operating for less than one year</p>	<p>50% of the registration fee payable</p>
<p>3. Supplier previously registered but has been operating without renewal of registration and has failed to comply with regulation 6A of the Construction Industry Development Board (Registration of Consultants, Contractors, Service Providers and Suppliers) Regulations 2014</p>	<p>All arrears since last registration plus 10% thereof</p>