

# **Consumer Protection (Scrap Metal) (Amendment) Regulations 2016**

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## **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 (Scrap Metal) (Amendment) Regulations 2016**.
- 2.** In these regulations -  
“principal regulations” means the Consumer Protection (Scrap Metal) Regulations 2007.
- 3.** Regulation 2 of the principal regulations is amended -
  - (a) by deleting the definitions of “export” and “scrap metal exporter”;
  - (b) in the definition of “licence”, by deleting the words “either” and “scrap metal exporter or”;
  - (c) in the definition of “licensee”, by deleting the words “either” and “a scrap metal exporter or”.
- 4.** The principal regulations are amended by inserting, after regulation 2, the following new regulation -
  - 2A.** No person shall export scrap metal.
- 5.** Regulation 3 of the principal regulations is amended -
  - (a) in paragraph (1), by deleting the words “export scrap metal or”;

(b) in paragraph (2), by deleting the words “export or”.

**6.** Regulation 4 of the principal regulations is amended -

(a) in paragraph (1), by deleting the words “Second and” and “respectively”;

(b) by revoking paragraph (2) and replacing it by the following paragraph -

(2) An application for a licence made under paragraph (1) shall be accompanied by a site plan indicating -

(a) the location of the place which the applicant intends to use as a scrapyard and its surface area;

(b) the location and distance of any residential property closest to the proposed scrapyard; and

(c) the existence of any access road to the proposed scrapyard.

**7.** Regulation 5 of the principal regulations is amended -

(a) in paragraph (1)(b)(iii), by deleting the words “scrap metal exporters or”;

(b) in paragraph (3), by deleting the words “Second to the” and replacing them by the words “Third, Fifth and”.

**8.** Regulation 6 of the principal regulations is revoked and replaced by the following regulation -

**6.** Where an application is granted under regulation 5(1)(a), the Permanent Secretary shall, on payment of a licence fee of 15,000 rupees, issue a licence in the form set out in the Fifth Schedule.

**9.** Regulation 7 of the principal regulations is amended, in paragraph (1), by deleting the

words “regulation 6(a) or (b)” and replacing them by the words “regulation 6”.

**10.** Regulation 8 of the principal regulations is revoked and replaced by the following regulation

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**8.** (1) An application for the renewal of a licence shall be made by the licensee to the Permanent Secretary within 30 days before the date of expiry of the licence.

(2) Where the Permanent Secretary is satisfied that the licensee complies with the requirements of these regulations, he may renew the licence on payment of a yearly licence fee of 15,000 rupees.

(3) Where an application for renewal is made after the expiry of the licence, the Permanent Secretary may, where the licensee complies with the requirements of these regulations, renew the licence on payment of the yearly licence fee of 15,000 rupees together with a surcharge of 35 per cent of the yearly licence fee.

**11.** Regulations 18 and 19 of the principal regulations are amended, in paragraph (1), by deleting the words “scrap metal exporter or”.

**12.** Regulation 22 of the principal regulations is amended -

(a) by revoking paragraphs (3) and (5);

(b) in paragraph (4), by deleting the words “or the Director-General of the Mauritius Revenue Authority”.

**13.** The Second and Fourth Schedules to the principal regulations are revoked.

**14.** (1) A licence to carry on the business as a scrap metal exporter shall expire on 30 June 2016.

(2) Where the holder of a licence to carry on the business as a scrap metal exporter has paid his yearly licence fee and the licence expires pursuant to paragraph (1), the Ministry shall pay to the licence holder the remainder of that licence fee.

Made by the Minister on 24 March 2016.