

**Consumer Protection (Control of Manufacture and Sale of Bread)
(Amendment) Regulations 2023**

GN No. 164 of 2023

Government Gazette of Mauritius No. 94 of 4 November 2023

**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 (Control of Manufacture and Sale of Bread) (Amendment) Regulations 2023.

2. In these regulations -

"principal regulations" means the Consumer Protection (Control of Manufacture and Sale of Bread) Regulations 2018.

3. Regulation 2 of the principal regulations is amended -

(a) in the definition of "bread", by deleting the word "Schedule" and replacing it by the words "First Schedule";

(b) by inserting, in the appropriate alphabetical order, the following new definitions -

"Director-General" means the Director-General of the Mauritius Revenue Authority;

"Ministry" means the Ministry responsible for the subject of consumer protection;

(c) by adding the following new definition, the full stop at the end of the definition of "MS 37" being deleted and replaced by a semicolon -

"subsidy" means the amount specified in the fifth column of the Second Schedule.

4. Regulation 3 of the principal regulations is amended by deleting the word "Schedule" wherever it appears and replacing it by the words "First Schedule".

5. Regulation 7 of the principal regulations is amended by revoking paragraph (1) and replacing it by the following paragraph -

(1) Every baker shall keep a daily record of -

(a) the number of bags of flour manipulated daily;

- (b) the quantity of every type of bread manufactured daily;
- (c) the name and post of each worker present daily and his respective daily hours of work;
- (d) the quantity of diesel utilised in the production of scheduled bread;
- (e) the name and address of every bread seller who purchases bread from the baker and the quantity of bread supplied to the bread seller; and
- (f) the daily revenue generated per type of bread sold.

6. Regulation 11 of the principal regulations is amended by deleting the word "Schedule" and replacing it by the words "First Schedule".

7. The principal regulations are amended by inserting, after regulation 10, the following new regulation -

10A. (1) (a) The Director-General shall, every month, pay to a baker a subsidy in respect of every bread manufactured.

(b) The subsidy payable in respect of the type of bread specified in the second column of the Second Schedule shall be as specified in the fifth column of that Schedule.

(2) (a) A baker shall make an application electronically to the Director-General, for every month in respect of which a subsidy is payable, in such form and manner as the Director-General may determine, giving details as required under subparagraph (b).

(b) For the purpose of subparagraph (a) the baker shall -

- (i) specify the number of breads he has manufactured during the month in respect of which the subsidy is claimed; and
- (ii) such other particulars as the Director-General may require.

(3) No subsidy shall be payable in respect of a month where the application under paragraph (2) is made 3 months after the end of that month.

(4) The Director-General shall approve or reject an application made under paragraph (2) after verifications on the basis of information available to him.

(5) Where the Director-General approves an application, the subsidy shall be credited into such bank account as the baker may provide.

(6) (a) Where the Director-General rejects an application under paragraph (4), he may pay that part of the subsidy that, in his opinion, is payable to the baker and he shall inform the Ministry accordingly.

(b) The Ministry shall, on being informed under subparagraph (a), carry out an audit to determine the amount of subsidy payable to the baker, the number of each type of scheduled bread manufactured and shall inform the Director-General accordingly.

(c) Where the Ministry informs the Director-General of the amount of subsidy payable in respect of a month, the Director-General shall accordingly credit the bank account of the baker.

(7) (a) The Ministry may, not later than 4 years after payment of a subsidy is made, request for such information or document as he may require from the baker to ascertain the correctness of the information provided in his application under paragraph (2).

(b) The baker shall provide the Ministry with such information and document as may be required.

(8) Where a baker —

(a) is paid any sum in excess of the amount of subsidy to which he is entitled; or

(b) has provided false, incorrect, incomplete or inaccurate information to the Director-General,

the Director-General may recover any excess amount -

a.

(i) by making such deductions from any subsequent subsidy payable to the baker; or

(ii) by sending a claim to the baker for repayment of the excess subsidy, within 28 days of the date of the claim.

(9) Where a baker is paid any subsidy to which he is not entitled or qualified to receive or was disqualified from receiving, the amount of the subsidy may be recovered by the Director-General in the same manner as income tax is recoverable under Part IVC of the Mauritius Revenue Authority Act.

(10) (a) Subject to subparagraphs (b) and (c), where a subsidy is paid in a bank account under paragraph (5) or (6), and it is subsequently found that the subsidy should not have been so paid, the bank shall, on receipt of a notice in writing from the Director-

General, refund the amount so paid to the Director-General and debit the bank account accordingly.

(b) Where a bank account is closed, the bank shall not be required to refund to the Director-General the amount paid under paragraph (5).

(c) Where the amount standing in the bank account is less than the amount paid under paragraph (5) or (6), the bank shall refund only the amount standing in the bank account.

(11) Notwithstanding any other enactment but subject to paragraph (12), where a refund is made under paragraph (10), no action shall lie against the bank in respect of the amount so refunded.

(12) Paragraph (11) shall not prejudice the right of any interested person to claim from the Director-General the amount refunded to him under paragraph (10).

8. The principal regulations are amended by adding the Second Schedule set out in the Schedule to these regulations, the existing Schedule to the principal regulations being numbered as the First Schedule.

9. These regulations shall be deemed to have come into operation on 1 October 2022.

Made by the Minister on 27 October 2023.

SCHEDULE

[Regulation 7]

SECOND SCHEDULE

[Regulations 2 and 10A(1)(b)]

SUBSIDY PAYABLE IN RESPECT OF EACH TYPE OF BREAD

SN	Type of bread	Weight (gm)	Maximum retail price in Mauritius and Rodrigues (Rs.cs)	Subsidy per scheduled bread produced (Rs.cs)
1.	Maison	100	2.60	0.09
2.	Rond	100	2.60	0.09
3.	Baguette	100	2.70	0.09
4.	Baguette	200	5.40	0.18
5.	Baguette (made from whole wheat flour)	400	10.80	0.36
6.	Baguette (made from white wheaten flour)	400	10.80	0.36
7.	Moule	200	5.20	0.18
8.	Moule	500	13	0.45
9.	Moule	1,000	26	0.90
10.	Moule	1,500	39	1.35
11.	Moule	2,000	52	1.80