

## **Toys (Safety) (Amendment). Regulations 2023**

**GN No. 151 of 2023**

**Government Gazette of Mauritius No. 89 of 7 October 2023**

### **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 **Toys (Safety) (Amendment) Regulations 2023**.
2. In these regulations –  
"principal regulations" means the Toys (Safety) Regulations 2021.
3. Regulation 2 of the principal regulations is amended –
  - (a) by deleting the definition of "toy" and replacing it by the following definition –  
"toy" –
    - (a) means a plaything or an item –
      - (i) regarded as providing amusement clearly intended for use in play by a child under the age of 14 years; and
      - (ii) which falls under Tariff Heading 95.03 of Part I of the First Schedule to the Customs Tariff Act; but
    - (b) does not include a product listed in the First Schedule;
  - (b) by inserting, in the appropriate alphabetical order, the following new definitions –  
"H.S. Code" has the same meaning as in the Customs Tariff Act;
  - (c) by adding the following new definition, the full stop at the end of the definition of "TradeNet" being deleted and replaced by a semicolon –  
"Verification of Certificate of Conformity" means a document issued by the Bureau which certifies whether or not a toy conforms with the requirements of the relevant toy safety standards.

4. Regulation 8 of the principal regulations is revoked and replaced by the following regulation –

#### **8. Clearance from Customs**

(1) For the purposes of these regulations, the Bureau shall issue a Conformity Report, a Test Report or a Verification of Certificate of Conformity to the importer of a toy, copy to the enforcement

authority and the Director-General through the TradeNet or in such other manner as the Bureau may determine, certifying that the toy –

- (a) complies with the Mauritian standard or any other regional or international standard acceptable by the Bureau;
- (b) does not comply with the Mauritian standard or any other regional or international standard acceptable by the Bureau.

(2) Where the Director-General is notified under paragraph (1)(a), he shall release or clear the toy in accordance with section 25B of the Customs Act.

(3) Where the enforcement authority is notified under paragraph (1)(b), it shall –

- (a) request the Director-General to seize the toy; or
- (b) order the importer of the toy to reship or dispose the toy at his own expense.

**5.** The First Schedule to the principal regulations is revoked and replaced by the First Schedule set out in the Schedule to these regulations.

**6.** These regulations shall come into operation on 17 October 2023.

Made by the Minister on 6 October 2023.

**SCHEDULE**

[Regulation 5]

**FIRST SCHEDULE**

[Regulation 2]

**PRODUCTS NOT CLASSIFIED AS TOYS**

	<b>H.S. Code</b>	<b>Products</b>
1.	9503.00.99	Toy slings and toy catapults
2.	9503 .00.92 9503.00.99	Detailed scale models for collectors
3.	9503.00.99	Flying toys
4.	9503.00.50	Puzzles