

THE CONSUMER PROTECTION ACT

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

1. These regulations may be cited as the Consumer Protection (Safety Requirements) Regulations 2014.

2. In these regulations -

“Act” means the Consumer Protection Act;

“BS” means British Standard;

“certificate of conformity” means a document from a conformity assessment body certifying that the controlled good comply with the corresponding safety standard;

“conformity assessment body”

(a) means a body that performs conformity assessment services and which is recognized as such under the laws of the exporting country; and

(b) includes the MSB;

“controlled goods” means any good of a type, class or description specified in the second column of the Schedule;

“data storage device” means any article or device from which information is capable of being reproduced, with or without the aid of any other article or device;

“Director-General” means the Director-General of the Mauritius Revenue Authority established under the Mauritius Revenue Authority Act;

“electronic” means, relating to technology, having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities;

“EN” means European Norm;

“enforcement authority” means the Ministry to which the responsibility for the subject of consumer protection is assigned;

“freeport zone” shall have the same meaning as in the Freeport Act;

“IEC” means the International Electrotechnical Commission;

“ISO” means the International Organisation for Standardisation;

“MS” means the standard as defined in section 2 of the Mauritius Standards Bureau Act;

“MSB” means the Mauritius Standards Bureau;

“risks to health and safety” includes –

- (a) in relation to a person, the risk to the person of death, shock or injury caused directly by the controlled goods or originating from the controlled goods;
- (b) in relation to property, the risk to the property of –
 - (i) damage caused by the controlled goods; or
 - (ii) loss or damage caused directly by controlled goods or originating from the controlled goods;

“safety standards” means the standards specified in the fourth column of the Schedule;

“supplier” includes the manufacturer, importer or seller, as appropriate.

3. These regulations shall not apply to –
 - (a) household and personal effects of a passenger;
 - (b) samples of no commercial value involving no transfer of funds;
 - (c) gifts for personal use; and
 - (d) controlled goods entering the Freeport zone.
4. Controlled good shall satisfy the corresponding safety standards as per the Schedule.
5. (1) Subject to paragraph (2), no person shall import controlled goods unless it is covered by an original certificate of conformity issued by a recognized body in the country of origin and duly certified by the Mauritius Standards Bureau.

(2) Where the controlled goods are not covered by an original certificate of conformity at the time of importation, a test report shall be obtained from the Mauritius Standards Bureau prior to the clearance of the goods from the Customs;

(3) For the purposes of paragraph (2), the importer shall cause the controlled goods to be tested by the Mauritius Standards Bureau or any other recognized body under the supervision of an authorised officer and upon payment (deposit) of a fee of 100,000 rupees to the Accountant-General as well as the prescribed fee for the test.

(4) Where controlled goods which are not covered by an original certificate of conformity are not claimed or removed from customs control within 2 months of being landed, the Director-General may cause these controlled goods to be destroyed or disposed of in a manner as to render them commercially valueless at the expense of the importer under customs supervision.

6. (1) Where the enforcement authority has reasonable grounds to believe that controlled goods are not in compliance with the applicable safety standards, or is not safe for use or consumption or may pose risks to health and safety, it may cause these goods to be tested.

(2) Where, following testing under paragraph (1), the controlled goods are found to be not in compliance with the applicable safety standards, or not safe for use or consumption or may pose risks to health and safety, the costs of the test shall be borne by the supplier.

7. Where a supplier requests that testing is carried out upon controlled goods to ascertain their conformity with the applicable safety standards or whether they are not safe for use or consumption or pose risks to health and safety, the costs of the test shall be borne by the supplier.

8. (1) Where a supplier becomes aware that the controlled goods he has supplied are not in conformity with the applicable safety standards, or are not safe for use or consumption, or pose risks to health and safety, he shall –

- (a) forthwith, take all the necessary steps to eliminate these risks, including the recalling of the controlled goods where appropriate; and
- (b) notify the enforcement authority.

(2) A notice under paragraph (1)(b) shall provide -

- (a) adequate information to allow the enforcement authority to identify the controlled goods or batch of controlled goods in question;
- (b) a full description of the risks that the controlled goods present;
- (c) all available information relevant for identification and traceability of the controlled goods; and
- (d) a description of actions undertaken to eliminate risks to the consumer.

(3) A supplier shall provide such assistance as may be necessary to the enforcement authority in any action taken to avoid the risks to health and safety posed by controlled goods which he supplies or has supplied.

9. Notwithstanding that the controlled goods are covered by an original certificate of conformity, or conform to the required standards, the enforcement authority may issue a prohibition notice under section 5 of the Act and remove and seize the controlled goods at the cost of the supplier.

10. Where the Minister has maintained a prohibition notice under section 5(5) of the Act, the person who has been served with the prohibition notice shall -

- (a) forthwith recall the controlled good at his own expense;
- (b) to the extent possible, contact consumers who have purchased the controlled goods in order to inform them of the recall;
- (c) publish a notice, in such form and such manner as is likely to bring to the attention of purchasers of the controlled goods the risk the goods pose and the fact of the recall, in at least 2 local newspapers of wide circulation;
- (d) make such arrangements as are appropriate for the collection or return of the controlled goods, from consumers who have purchased them, for their disposal.

11. (1) The enforcement authority may apply to a Court for an order of forfeiture of controlled goods on the ground that the controlled goods are unsafe for use or consumption or do not meet the applicable safety standards.

(2) Where controlled goods are forfeited under paragraph (1), the Court –

- (a) shall order that they shall be destroyed; and
- (b) may give directions as to the manner in which they are to be destroyed.

12. Where an authorized officer has reasonable grounds for suspecting that an offence has been committed in relation to these regulations, he may, in the exercise of the powers conferred upon him by section 7 of the Act –

- (a) require any manufacturer or supplier to submit all necessary information relating to the controlled goods, including any record;
- (b) require any record which is stored in an electronic form and is accessible from the premises to be produced in a non-encrypted or legible and comprehensible form, in a data storage device;
- (c) take copies of, or of an entry in, any record produced by virtue of sub-paragraphs (a) and (b).

13. These regulations shall come into operation on 2014.

Made by the Minister on2014.

**CONTROLLED GOODS
AND THE APPLICABLE SAFETY STANDARDS**

**PART I – DOMESTIC OR HOUSEHOLD APPLIANCES AND SIMILAR ELECTRICAL
APPLIANCES**

Item no	Description of goods	Headings/HS codes	Safety standards
1	Hair Dryers	8516.31	MS IEC 60335-2-23 Household and similar electrical appliances- Safety Part 2-23: Particular requirements for appliances for skin or hair care
2	Electric Smoothing Irons	Proposed 8516.4011, 8516.4091	MS IEC 60335-2-3 Household and similar electrical appliances- Safety Part 2-3: Particular requirements for electric irons
3	Room Air Conditioner Mobile Air Conditioner	8415.101, 8415.102, 8415.109, 8415.8111, 8415.8112, 8415.8119 Proposed 8516.821	MS IEC 60335-2-40 Household and similar electrical appliances- Safety Part 2-40: Particular requirements for electric heat pumps, air conditioners and dehumidifiers
4	Portable Electric Immersion Heater	Proposed 8516.102	MS IEC 60335-2-74 Household and similar electrical appliances- Safety Part 2-74: Particular requirements for portable immersion heaters
5	Table Fan, Pedestal Fan, Wall Fan, Ceiling Fan, Duct Fan, Extraction Fan and Partition Fan	8414.51 8414.51 8414.51 8414.51 Proposed 8414.591	MS IEC 60335-2-80 Household and similar electrical appliances- Safety Part 2-80: Particular requirements for fans

Item no	Description of goods	Headings/HS codes	Safety standards
6	Ovens (fixed) Grills (fixed) Griddle (fixed) Induction Hob	8516.6011,8516.6012,8516.6013 Proposed 8516.6021 Proposed 8516.791 Proposed 8516.6021	MS IEC 60335-2-6 Household and similar electrical appliances- Safety Part 2-6: Particular requirements for stationary cooking ranges, hobs, ovens and similar appliances
7	Microwave Oven	8516.50	MS IEC 60335-2-25 Household and similar electrical appliances- Safety Part 2-25: Particular requirements for microwave ovens, including combination microwave ovens
8	Coffee or Tea Maker Slow Cooker Kettle Rice Cooker Bottle Warmer and Sterilizer	8516.71 Proposed 8516.6021 Proposed 8516.791 Proposed 8516.791 Proposed 8516.791	MS IEC 60335-2-15 Household and similar electrical appliances- Safety Part 2-15: Particular requirements for appliances for heating liquids
9	Food Mixer Blender Mincer Egg Beater Grain Grinder Juicer	Proposed 8509.401 Proposed 8509.401 Proposed 8509.401 Proposed 8509.401 Proposed 8509.401 Proposed 8509.401	MS IEC 60335-2-14 Household and similar electrical appliances- Safety Part 2-14: Particular requirements for kitchen machines

Item no	Description of goods	Headings/HS codes	Safety standards
10	Toaster Grill (Portable) Roaster Hot plate Oven (Portable)	8516.72 Proposed 8516.6021 Proposed 8516.6021 Proposed 8516.791 Proposed 8516.6021	MS IEC 60335-2-9 Household and similar electrical appliances - Safety Part 2-9: Particular requirements for grills, toasters and similar portable cooking appliances
11	Deep fat fryer, Wok Frying pan	Proposed 8516.791 Proposed 8516.791 Proposed 8516.791	MS IEC 60335-2-13 Household and similar electrical appliances - Safety Part 2-13: Particular requirements for deep fat fryers, frying pans and similar appliances
12	Refrigerator Freezer	8418.101, 8418.109, 8418.211, 8418.219, 8418.291, 8418.299 8418.30, 8418.40	MS IEC 60335-2-24 Household and similar electrical appliances - Safety Part 2-24: Particular requirements for refrigerating appliances, ice-cream appliances and ice makers
13	Vacuum cleaner	8508.11; 8508.19; 8508.60	MS IEC 60335-2-2 Household and similar electrical appliances - Safety Part 2-2: Particular requirements for vacuum cleaners and water-suction cleaning appliances
14	Dish Washing Machine	8422.111, 8422.119	IEC 60335-2-5 Household and similar electrical appliances - Safety Part 2-5: Particular requirements for dishwashers
15	Clothes Washing Machine	8450.11, 8450.12, 8450.19, 8450.20	MS IEC 60335-2-7 Household and similar electrical appliances - Safety Part 2-7: Particular requirements for washing machine
16	Instantaneous Electric Water Heater	Proposed 8516.101	IEC 60335-2-35 Household and similar electrical appliances - Safety - Part 2-35: Particular requirements for instantaneous water heaters
17	Electric Storage Water Heater	Proposed 8516.101	IEC 60335-2-21 Household and similar electrical appliances - Safety - Part 2-21: Particular requirements for storage water heaters

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18	Spin Extractor (Centrifugal Clothes Dryer)	8421.121, 8421.129	IEC 60335-2-4 Household and similar electrical appliances - Safety - Part 2-4: Particular requirements for spin extractors
19	Electric Shavers, Hair Clippers	8510.10, 8510.20	IEC 60335-2-8 Household and similar electrical appliances - Safety - Part 2-8: Particular requirements for shavers, hair clippers and similar appliances
20	Floor Scrubber	<i>Proposed 8509.801</i>	IEC 60335-2-10 Household and similar electrical appliances - Safety - Part 2-10: Particular requirements for floor treatment machines and wet scrubbing machines
21	Tumble Dryers	<i>Proposed 8451.211</i>	MS IEC 60335-2-11 Household and similar electrical appliances - Safety - Part 2-11 Particular requirements for tumble dryers
22	Warming Plates (Plate Warmers)	<i>Proposed 8516.791</i>	IEC 60335-2-12 Household and similar electrical appliances - Safety - Part 2-12: Particular requirements for warming plates and similar appliances
23	Electrically Heated Blankets	6301.10	IEC 60335-2-17 Household and similar electrical appliances - Safety - Part 2-17: Particular requirements for blankets, pads, clothing and similar flexible heating appliances
24	Electric Clocks	<i>Proposed 9103.101, 9105.111, 9105.211, 9105.911</i>	IEC 60335-2-26 Household and similar electrical appliances - Safety - Part 2-26: Particular requirements for clocks
25	Sewing Machines	<i>Proposed 8452.101</i>	IEC 60335-2-28 Household and similar electrical appliances - Safety - Part 2-28: Particular requirements for sewing machines
26			
27	Room Heaters	<i>Proposed 8516.211, 8516.291</i>	IEC 60335-2-30 Household and similar electrical appliances - Safety - Part 2-30: Particular requirements for room heaters
28	Hoods	<i>Proposed 8414.601, 8414.801</i>	IEC 60335-2-31 Household and similar electrical appliances - Safety - Part 2-31: Particular requirements for range hoods
29	Massage Appliances	<i>Proposed 9019.1091</i>	IEC 60335-2-32 Household and similar electrical appliances - Safety - Part 2-32: Particular requirements for massage appliances

Item no	Description of goods	Headings/HS codes	Safety standards
30	Domestic Electric Water Pumps	Proposed 8413.191, 8413.501, 8413.601, 8413.701	IEC 60335-2-41 Household and similar electrical appliances - Safety - Part 2-41: Particular requirements for pumps for liquids having a temperature not exceeding 35 °C
31			
32	Whirlpool Baths	9019.1040	IEC 60335-2-60 Household and similar electrical appliances - Safety - Part 2-60: Particular requirements for whirlpool baths and whirlpool spas
33	Outdoor Barbecues	Proposed 8516.6021	IEC 60335-2-78 Safety of household and similar electrical appliances - Part 2-78: Particular requirements for outdoor barbecues
34	Evaporative Air Cooler	8479.60	IEC 60335-2-98 Safety of household and similar electrical appliances - Part 2-98: Particular requirements for humidifiers
35	High Pressure Cleaners	Proposed 8424.892	IEC 60335-2-79 Safety of household and similar electrical appliances - Part 2-79: Particular requirements for high pressure cleaners and steam cleaners
36	Television Radio Receiver	8528.7291,8528.7299, 8528.739 8527.91, 8527.92	MS IEC 60065 Audio, video and similar electronic apparatus - Safety requirements
37	Laptops	Proposed 8471.301	IEC 60950-1 Information technology equipment - Safety - Part 1: General requirements

PART II – ELECTRICAL ACCESSORIES

Item no	Description of goods	Headings/HS codes	Safety standards
1	Mains 3 pin 'Rectangular type' Mains Plug of 13 amps (BS) type	Proposed 8536.691	MS 148-1 (BS 1363-1) 13 A plugs, socket-outlets, adaptors and connection units- Part 1: Specification for rewirable and non-rewirable 13 A fused plugs
2	Mains Socket-outlets of 13 amps (BS) type	Proposed 8536.691	MS 148-2 (BS 1363-2) 13 A plugs, socket-outlets, adaptors and connection units- Part 2: Specification for 13 A switched and unswitched socket-outlets
3	<i>Multi-way Adaptor of 13 amps (BS) type</i>	Proposed 8536.691	MS 148-3 (BS 1363-3) 13 A plugs, socket-outlets, adaptors and connection units- Part 3: Specification for adaptors
4	Fuse not exceeding 13 amps for use in Mains Plug	Proposed 8436.101	MS 149 (BS 1362) Specification for general purpose fuse links for domestic and similar purposes (primarily for use in plugs)
5	Table Lamp and Floor Standing lamp	9405.201, 9405.203, 9405.209	MS IEC 60598-2-4 Luminaires- Part 2: Particular requirements - Section 4: Portable general purpose luminaires
6	Lighting Chains using Incandescent Lamps for use in Christmas Tree or other decorative use	9405.301; 9405.309	MS IEC 60598-2-20 Luminaires- Part 2-20: Particular requirements - Lighting chains
7	General Purpose Wall Switch	Proposed 8536.5091	MS IEC 60669-1 Switches for household and similar fixed-electrical installations - Part 1: General requirements
8	Dimmer Switch	Proposed 8536.5092	IEC 60669-2-1 Switches for household and similar fixed-electrical installations - Part 2-1: Particular requirements-Electronic switches
9	Electronic Ballast for Fluorescent Lamp	8504.10	IEC 61347-2-3 Lamp control gear- Part 2-3: Particular requirements for a.c. and/or d.c. supplied electronic control gear for fluorescent lamps

Item no	Description of goods	Headings/HS codes	Safety standards
10	Magnetic Ballast for Fluorescent Lamp	8504.10	IEC 61347-2-8 Lamp control gear- Part 2-8: Particular requirements for ballasts for fluorescent lamps
11	Isolating Dry type for Down-Light Fitting	Proposed 8504.311	MS IEC 61558-2-6 Safety of power transformers, power supply units and similar- Part 2-6: Particular requirements for safety isolating transformers for general use; or IEC 61347-2-2 Lamp control gear- Part 2-2: Particular requirements for d.c. or a.c. supplied electronic step-down converters for filament lamps IEC 61347-2-13 Lamp control gear- Part 2-3: Particular requirements for a.c. and/or d.c. supplied electronic control gear for LED modules
12	Adaptors	Proposed 8504.401	MS IEC 61558-2-6 Safety of power transformers, power supply units and similar- Part 2-6: Particular requirements for safety isolating transformers for general use; or MS IEC 61558-2-16 Safety of transformers, reactors, power supply units and similar products for supply voltages up to 1 100 V - Part 2-16: Particular requirements and tests for switch mode power supply units and transformers for switch mode power supply units MS IEC 60065 Audio, video and similar electronic apparatus- Safety requirements; IEC 60950-1 Information technology equipment-Safety Part 1: General requirements
13	Electronic Ballast for LED Modules		Included in Item no. 11
14	LED Modules	8541.409	IEC 62031 LED Modules for general lighting-safety specifications

Item no	Description of goods	Headings/HS codes	Safety standards
15	Self Ballasted LED Lamps	Proposed 8539.3921	IEC 62560 Self-ballasted LED-lamps for general lighting services > 50V-Safety specifications.
16	Lamp Holders	8536.61	IEC 61184 Bayonet lampholders IEC 60238 Edison screw lampholders
17	Circuit Breaker for Overload (Miniature Circuit Breakers)	Proposed 8536.201	IEC 60898-1 Electrical accessories - Circuit-breakers for overcurrent protection for household and similar installations - Part 1: Circuit-breakers for a.c. operation IEC 60947-2 Low-voltage switchgear and controlgear - Part 2: Circuit-breakers
18	Disconnectors and Switch-Disconnectors	Proposed 8536.301	IEC 60947-3 Low-voltage switchgear and controlgear - Part 3: Switches, disconnectors, switch-disconnectors and fuse-combination units
19	Conduits for Electrical Installations (Excluding Metallic types)	Proposed 3925.903 3917.21, 3917.22, 3917.23, 3917.29, 3917.31, 3917.32, 3917.33, 3917.39	MS IEC 61386-1 Conduit systems for cable management - Part 1: General requirements MS IEC 61386-21 Conduit systems for cable management - Part 21: Particular requirements - Rigid conduit systems MS IEC 61386-22 Conduit systems for cable management - Part 22: Particular requirements - Pliable conduit systems MS IEC 61386-23 Conduit systems for cable management - Part 23: Particular requirements - Flexible conduit systems
20	Boxes and Enclosures	Proposed 8538.901	IEC 60670-1 Boxes and enclosures for electrical accessories for household and similar fixed electrical installations - Part 1: General requirements
21	Cords Sets	Proposed 8544.4291	IEC 60799 Electrical accessories – Cord sets and interconnection cord sets
22	Cable Reels	Proposed 8544.4292	IEC 61242 Electrical accessories - Cable reels for household and similar purposes

Item no	Description of goods	Headings/HS codes	Safety standards
23	Fused Connection Units	<i>Proposed 8536.691</i>	MS 148-4 (BS 1363-3) 13 A plugs, socket-outlets, adaptors and connection units- Part 3: Specification for 13A connection un its switched and un-switched
24	Cord Switch	<i>Proposed 8536.5093</i>	IEC 61058-2-1 Switches for appliances - Part 2-1: Particular requirements for cord switches

PART III – DOMESTIC OR HOUSEHOLD NON-ELECTRICAL APPLIANCES & ACCESSORIES

Item no	Description of goods	Headings/HS codes	Safety standards
1	Gas-fired Instantaneous Water Heater	8419.111	MS 157 (EN 26) Gas-fired instantaneous water heater for the production of domestic hot water, fitted with atmospheric burners
2	Gas Cooker	7321.11	MS 150-1 (EN 30-1-1) Domestic cooking appliances burning gas fuel - Part 1-1: Safety – General
3	Gas Canister	<i>Proposed 2711.121, 2711.1391, 2711.191</i>	MS 151 (EN 417) Non-refillable metallic gas cartridges for liquefied petroleum gas, with or without a valve, for use with portable appliances - Construction, inspection, testing and marking.
4	Portable Cooking Gas Appliance	7321.11	MS 152 (EN 521) Specifications for dedicated liquefied petroleum gas - Portable vapour pressure liquefied petroleum gas appliances
5	LPG Gas System Hose	3917.21, 3917.22, 3917.23, 3917.29, 3917.31, 3917.32, 3917.33, 3917.39, 3917.40 <i>Proposed 4009.1191, 4009.1291, 4009.2191, 4009.2291, 4009.3191, 4009.3291, 4009.4191, 4009.4291</i>	MS 137 Rubber and plastics tubing and hoses for liquefied petroleum gas (LPG) – Specifications
6	Regulator and Valve	<i>Proposed 8481.101, 9026.801</i>	MS 147 Low pressure, non-adjustable regulators for use with butane and liquefied petroleum gas (LPG) – Specifications