

THE MAURITIUS BROADCASTING CORPORATION (COLLECTION OF LICENCE FEES) ACT
1984

Act 56/1984

Proclaimed by [\[Proclamation No. 5 of 1985\]](#) w.e.f 1st April 1985

ARRANGEMENT OF SECTIONS

Section

- | | |
|--|---|
| 1. Short title. | 8. Production of licence. |
| 2. Interpretation. | 9. Offences and penalty. |
| 3. Persons liable to pay licence fees. | 10. Exemption. |
| 4. Non-domestic licences. | 11. Regulations. |
| 5. Liability of domestic consumers. | 12. Consequential amendments. |
| 6. Notification of sale or disposal. | 13. Transitional provisions. |
| 7. Search warrant and seizure. | 14. Commencement. |

[FIRST SCHEDULE](#)
[SECOND SCHEDULE](#)
[THIRD SCHEDULE](#)

An Act

To provide for the licensing of television sets and the payment of licence fees to the Central Electricity Board or the Mauritius Broadcasting Corporation as appropriate

ENACTED by the Parliament of Mauritius, as follows-

1. Short title.

This Act may be cited as the Mauritius Broadcasting Corporation (Collection of Licence Fees) Act 1984.

2. Interpretation.

In this Act-

"Board" means the Central Electricity Board established under the Central Electricity Board Act;

"Corporation" means the Mauritius Broadcasting Corporation established under the Mauritius Broadcasting Corporation Act 1964;

"Director-General" means the Director-General of the Corporation;

"licence fee" means the fee specified in the First Schedule;

"Minister" means the Minister to whom responsibility for the subjects of Information and Broadcasting is assigned.

3. Persons liable to pay licence fees.

- (1) Subject to section 4(4), every person who is liable to pay an electricity bill for domestic consumption shall pay the appropriate licence fee, unless--
 - (a) he does not possess a television set; and
 - (b) at the time of payment of the electricity bill he makes a declaration in the form set out in the Second Schedule.
- (2) The licence fee payable under this Act shall -
 - (a) be paid monthly at the cash office of the Board along with the electricity bill and at any rate not later than 20 days after the issue of the bill;
 - (b) be credited by the Board to a Licence Account to be kept by the Board;
 - (c) be remitted by the Board to the Corporation at such intervals and subject to such terms and conditions as may be agreed upon between the Board and the Corporation.
- (3) Where the licence fee is not paid within the delay set out in sub- section (2), a surcharge of 5 percent will be leviable.

Amended by [\[Act No. 26 of 1992\]](#)

4. Non-domestic licences.

- (1) Subject to subsection (4) no person in charge of a restaurant, hotel, café, shop, club or other business establishment shall have on the premises a television set unless he holds a licence to that effect.
- (2)
 - (a) Every person referred to in subsection (1) who has on the premises of the establishment a television set shall apply to the Director-General for a licence.
 - (b) A separate licence shall be required in respect of each television set on the premises of the establishment.
- (3) No licence shall be issued except on payment of the appropriate licence fee.
- (4) No person shall be liable to take out a licence or pay the licence fee under section 3 where he is a dealer in television sets and the sets are found on his trading premises.

Amended by [\[Act No. 26 of 1992\]](#)

5. Liability of domestic consumers.

Subject to section 4, every person on whose premises a television set is found shall be deemed to be in possession of the set and required to pay the appropriate licence fee.

6. Notification of sale or disposal.

Where a dealer in television sets or a person who is in possession of a television set sells or otherwise disposes of any set in his possession he shall, not later than 14 days-

(a) in the case of a dealer, after the end of the month in which the sale or disposal took place;

(b) in any other case, after the sale or disposal,

inform the Director-General of the sale or disposal in the form set out in the Third Schedule.

7. Search warrant and seizure.

(1) Where a Magistrate is satisfied by information on oath that there is reasonable ground for suspecting that a person is in possession of a television set in respect of which no licence fee has been paid, he may issue a search warrant to any police officer not below the rank of sergeant.

(2) A warrant under subsection (1) shall authorise the police officer named in the warrant to enter and inspect the premises specified in the warrant and seize any television set which appears to him to be unlicensed or in respect of which no licence fee has been paid.

(3) Any television set seized under subsection (2) may be sold by the Director-General unless within one month of the seizure the appropriate licence fee together with a surcharge of 50% is paid in respect of the set or the set is proved to be licensed.

(4) The proceeds of any sale effected under subsection (3) shall, after deduction of the unpaid licence fee and all expenses connected with the sale, be refunded to the person from whom the set was seized.

(5) The Director-General or any person acting under his authority in writing shall not incur any liability, either civil or criminal, for anything done under this section.

8. Production of licence.

The Director-General or any person authorised by him in writing in that behalf may require any person who he believes is in possession of a television set to produce to him the licence or the receipt witnessing payment of the licence fee.

9. Offences and penalty.

(1) Any person who--

(a) fails to take out a licence or pay the licence fee as required by section 3 or section 4;

(b) makes a declaration under section 3 which is false or misleading in any material particular;

(c) contravenes any other provision of this Act or any regulation made under this Act,

shall commit an offence.

(2) Any person who, commits an offence under subsection (1) shall on conviction, be liable to a fine of not less than 500 rupees and not more than 1000 rupees.

(3) Notwithstanding subsection (2), any person who commits an offence under subsection (1) shall be liable to have its electricity supply disconnected by the Board.

Amended by [\[Act No. 26 of 1992\]](#)

10. Exemption.

The Minister may on good cause shown exempt from payment of the licence fee any person who makes an application to that effect.

11. Regulations.

(1) The Minister may make such regulations as he thinks fit for the purposes of this Act.

(2) The Minister may, by regulations, amend the Schedule.

12. Consequential amendments.

(1) The Central Electricity Board Act is amended-

(a) in section 10 by adding the following paragraph-

(d) to collect such licence fees as may be entrusted to it by the Minister;

(b) by inserting immediately after section 20 the following new section-

20A. Collection of licence fees.

The Board shall for and on behalf of the Mauritius Broadcasting Corporation collect such licence fees as may be entrusted to it on such terms and conditions as may be agreed upon the Board and the Corporation.

- (2) The Mauritius Broadcasting Corporation Act 1982 is amended by deleting section 25 and replacing it by the following section-

25. Licence Fees.

Every person shall, in relation to television broadcast by the Corporation, pay to the Corporation or to such other person as may be prescribed a licence fee in accordance with the Mauritius Broadcasting Corporation (Collection of Licence Fees) Act 1984.

- (3) The Radio Communication Regulations 1934 are amended-
 - (a) by deleting regulations 11, 12 and 13;
 - (b) by deleting item I (1) to (5) of Schedule A.

13. Transitional provisions.

Any person who holds a listener's, viewer's or omnibus receiving licence under the Radio Communication Regulations 1934 shall, on the commencement of this Act, be refunded the fee for the unexpired portion of the licence.

14. Commencement.

This Act shall come into operation on a day to be fixed by Proclamation.

FIRST SCHEDULE (section 2)

Fees in the Island of Mauritius

MBC Licence Fee Rs

Domestic

- (a) Where the consumer has consumed not more than a total of 396 kilowatt hours of electricity according to the electricity bills issued to him by the Central Electricity Board in respect of the preceding year (January to December)... .. 20 per month.

(b) in any other case 100 per month.
Non-Domestic ... 10,000 per month
or 100 per set, whichever is the lesser.

Fees in the Island of Rodrigues

MBC Licence Fee Rs
Domestic 25 per month.
Non-Domestic 500 per annum.

Amended by [\[GN No. 178 of 1989\]](#); [\[GN No. 11 of 1990\]](#); [\[GN No. 247 of 1990\]](#); [\[Act No. 26 of 1992\]](#); [\[GN No. 156 of 1994\]](#); [\[GN No. 8 of 2002\]](#)

SECOND SCHEDULE

(Section 3 (b))

The Mauritius Broadcasting Corporation (Collection of Licence Fees) Act 1984
(Section 3 (b))

Surname of declarant:
Any other name :
Address :

DECLARATION

I declare that I am not in possession of any television set.

My household CEB Account Number is

Date
Signature of declarant

THIRD SCHEDULE

(section 6)

The Mauritius Broadcasting Corporation (Collection of Licence Fees) Act 1984 (section 6)
DISPOSAL OF TELEVISION SET
FORM A

Surname of person selling or disposing

Any other name.....

Address.....

Household CEB Account No

This is to certify that I have disposed of a television set bearing serial No and of make on in favour of the person name hereunder.

Surname of person acquiring

Any other name.....

Address

Household CEB No.....

Date.....

Signature of person selling or disposing

The Mauritius Broadcasting Corporation (Collection of Licence Fees)

FOURTH SCHEDULE

(section 6)

The Mauritius Broadcasting Corporation (Collection of Licence Fees) Act 1984

FORM B

SALES OF TELEVISION SETS DURING*

The Director-General
Mauritius Broadcasting Corporation
Forest Side

I/We of being a dealer in television sets do hereby give you notice that the persons named below have each acquired a television set from me/us.

Date of Acquisition	Full name	Address	Make of TV set	Serial No.	Household CEB Account No.

*Insert month and year

Date

Signature of dealer

