

Consumer Protection (Licensing of authorised Dealers in Imported Second-hand Motor Vehicles) Regulations 2000

GN 38/2000

Repealed by [\[GN No. 38 of 2003\]](#)

Regulations made by the Minister under section 35 of the Consumer Protection (Price and Supplies Control) Act 1998

1. These regulations may be cited as the Consumer Protection (Licensing of authorised Dealers in Imported Second-hand Motor Vehicles) Regulations 2000.

2. In these regulations

“authorised dealer” means a company licensed as such under regulation 5;

“company” has the same meaning as in the Companies Act 1984;

“motor vehicle” has the same meaning as in the Road Traffic Act;

“Permanent Secretary” means the Permanent Secretary of the Ministry responsible for the subject of commerce;

“second-hand motor vehicle” means a used motor vehicle, except a used motorcycle or a used motor bus other than a used mini-bus, first registered in a country or place outside Mauritius.

Amended by [\[GN No. 88 of 2000\]](#); [\[GN No. 25 of 2001\]](#)

3. (1) Every company with an issued share capital of not less than one million rupees which intends to carry out the business of importation and sale of second-hand motor vehicles shall apply to the Permanent Secretary for a licence authorising him to do so.

(2) An application for a licence under paragraph (1) shall-

(a) be made in duplicate in the form specified in the First Schedule; and

(b) be accompanied by any licence to deal in second-hand motor vehicles required under any other enactment.

(3) No person, other than a company specified in paragraph (1) shall carry out the business of importation and sale of second-hand motor vehicles.

Amended by [\[GN No. 88 of 2000\]](#)

4. The Permanent Secretary may, on receipt of an application under regulation 3 -

(a) consult such person or authority as he considers necessary;

- (b) request the applicant to furnish such additional information or document as he may reasonably require in relation to the application.

Amended by [\[GN No. 88 of 2000\]](#)

- 5. (1) After considering the application and such other additional information obtained under regulation 4, the Permanent Secretary may –
 - (a) grant to the applicant a licence in the form specified in the Second Schedule on payment of a fee of 50,000 rupees for a period of 12 months subject to such conditions as shall be specified in the licence, including the condition that the trade premises of the applicant shall be easily accessible to the public and have the necessary facilities for the display of motor vehicles;
 - (b) reject the application where he is satisfied that the applicant has not complied with these regulations or is not otherwise fit to be granted a licence.
- (2) A licence granted under paragraph (1) –
 - (a) shall be valid for a period of 12 months;
 - (b) may, subject to paragraph (3), be renewed within 14 days after its expiry for a further period of 12 months.
- (3) (a) An application for the renewal of a licence shall be made by the authorised dealer in duplicate to the Permanent Secretary in the form specified in the Third Schedule and shall comply with regulation 3(2)(b).
- (b) A renewal shall be made in the form specified in the Second Schedule on payment of a fee of Rs 50,000 for a period of 12 months.

Amended by [\[GN No. 88 of 2000\]](#)

- 6. (1) Where an authorised dealer changes its business address, it shall, by registered letter, immediately inform the Permanent Secretary of the change of its business address and shall request an amendment of the address of the trade premises on its licence.
- (2) The Permanent Secretary may, on receipt of a request under paragraph (1) –
 - (a) amend the address of the trade premises on the licence of the authorised dealer; or
 - (b) reject the request, if the authorised dealer does not comply with the conditions specified in regulation 5(1)(a).

Amended by [\[GN No. 88 of 2000\]](#)

- 7. (1) Any person who contravenes a provision of these regulations shall commit an offence and shall on conviction, be liable to a fine not exceeding 100,000 rupees.

- (2) Where an authorised dealer has been convicted under paragraph(1), the Court may cancel his licence.

Amended by [\[GN No. 88 of 2000\]](#)

8. These regulations shall come into operation on 3 April 2000.

FIRST SCHEDULE
(regulation 3)

THE CONSUMER PROTECTION (LICENSING OF AUTHORISED DEALERS IN
IMPORTED SECOND-HAND MOTOR VEHICLES) REGULATIONS 2000

APPLICATION FOR A LICENCE OF AUTHORISED DEALER IN IMPORTED SECOND-HAND
MOTOR VEHICLES

1. PARTICULARS OF APPLICANT

(a) Name of company or proposed company *
(BLOCK LETTERS)

(b) Address or proposed address of office premises

.....
(BLOCK LETTERS)

(c) (i) Address or proposed address of licensed premises (showroom)**

.....
(BLOCK LETTERS) .

Number of vehicles that can be displayed in the showroom

.....(d) Names and addresses of shareholders
or proposed
shareholders [list to be attached.....]

(e) Names and addresses of directors or proposed directors [list to be attached]***

.....
.....

(f) Business experience of directors or proposed directors, including experience in the
second-hand motor vehicle trade

2. FINANCIAL STRUCTURE OF COMPANY OR PROPOSED COMPANY

(a) Issued share capital Rs

(b) Loan capital (a) Long-term....

(b) Short-term...

Total

- (b) Cash flow forecast for 12 months- a statement showing inflow, outflow and cash balances (to be attached)

3. ESTIMATED IMPORTS OF VEHICLES

(a) YEARLY

Type (car, van, trunk)	Quantity (units)	Exporting country	Approximate c.i.f value Rs
.....			
.....			
.....			

(b) IMPORTS AT ANY ONE TIME

Type (car, van, trunk)	Quantity (units)	Exporting country	Approximate c.i.f value Rs
.....			
.....			
.....			

4. CLEARANCE OF VEHICLES FROM CUSTOMS

- (a) To be kept in private bonded warehouse Yes ☐ No ☐*
If Yes, specify address and storage capacity
- (b) To be kept in public bonded warehouse Yes ☐ No ☐*

If yes, state the name of owner of the bonded warehouse and address -

(certificate from owner attesting the space available and the number of vehicles to be stored to be attached).

- (c) To be cleared from the customs against payment of all dues

Yes ☐ No ☐*

Tick as appropriate

5. DECLARATION

I hereby declare that the particulars given in this application and the documents attached herewith are, to the best of my knowledge and belief, true and correct and that the estimates given in this application have been made in good faith and with all due care. I undertake to comply with all the provisions of the Consumer Protection (Licensing of Authorised Dealers in Imported Second-hand Motor Vehicles) Regulations 2000.

Signature :Date Designation:

* Attach the certificate of incorporation if the company is already incorporated.

** Attach a site plan of the showroom showing its precise area and location.

***+Attach 'Bank Reference' Certificates for directors/proposed directors

Amended by [\[GN No. 88 of 2000\]](#)

SECOND SCHEDULE

(regulation 5)

THE CONSUMER PROTECTION (LICENSING OF AUTHORISED DEALERS IN IMPORTED
SECOND-HAND MOTOR VEHICLES) REGULATIONS 2000

LICENCE OF AUTHORISED DEALER IN IMPORTED SECOND-HAND MOTOR VEHICLES

1. M/s of
.....
is hereby licenced to operate as authorised dealer in imported second-hand motor vehicles
at..
2. Particulars of the licence-
 - (a) Amount Paid..

C.B. No..

Date
 - (b) Licence No

Duration of licence: from.. to..

Date of issue :

Note: This licence shall be valid subject to-

- (1) the Provisions of the Consumer Protection (Licensing of Authorised Dealers in Imported Second-hand Motor Vehicles) Regulations 2000; and
- (2) the conditions attached to this licence,
being strictly complied with by the licensee.

Permanent Secretary

Ministry of..

CONDITIONS ATTACHED TO LICENCE

1.

2.

3.

THIRD SCHEDULE
(regulation 5)

**THE CONSUMER PROTECTION (LICENSING OF AUTHORISED DEALERS IN IMPORTED
SECOND-HAND MOTOR VEHICLES) REGULATIONS 2000**

**RENEWAL OF LICENCE OF AUTHORISED DEALER IN IMPORTED SECOND-HAND MOTOR
VEHICLES**

The Permanent Secretary

Ministry of

1. I/We

(Name of applicant)

.....

of

.....
(Address)

carrying business at..

(Address of Trade Premises)

hereby apply for the renewal of the licence of authorised dealer in imported second-hand
motor vehicles issued to

me/us on..

under Licence No. and which expired on..

2. I/We inform you that the address of our trading premises has not changed/has been changed
to

Date :

Signature of applicant