

Consumer Protection (Events) Regulations 2013

GN No. 2 of 2014

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Repealed by [GN No. 19 of 2016]

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 (Events) Regulations 2013.****
- 2. In these regulations —**

“book sales” means a fair where local participants exhibit and sell only books, or other printed or digital educational materials;

“event” —

(a) means a book sales, a trade fair, an international book sales, an industrial/business salon or an international trade fair; but

(b) excludes —

(i) an education fair, a job fair or a market fair;

(ii) a one-day event organised for fund raising purposes by an educational, a governmental, a non-governmental or a charitable institution;

“industrial/business salon” means a fair where local participants and one or more foreign participants, or foreign participants exhibit only one category of goods and services;

“international book sales” means a fair where local participants and one or more foreign

participants, or foreign participants exhibit and sell books, or other printed or digital educational materials;

“international trade fair” means a fair, other than a book sales, an international book sales, an industrial/business salon or a trade fair, where local participants and one or more foreign participants, or foreign participants exhibit and sell any category of goods and services;

“organiser” means a person who obtains a written authorisation to hold an event;

“participant” means a person to whom a stall in an event is allocated to by an organiser;

“trade fair” means a fair, other than a book sales, an international book sales, an industrial/business salon or an international trade fair, where local participants exhibit and sell any category of goods and services.

3. (1) A person wishing to hold an event shall, not less than 2 months before the proposed first day of the event, make an application to the Permanent Secretary in the form set out in the First Schedule.

(2) (a) Where an applicant complies with these regulations, the Permanent Secretary may authorise the applicant to hold an event—

- (i) on payment of the appropriate fee specified in the Second Schedule;
- (ii) on the conditions specified in the Third Schedule; and
- (iii) on such other conditions as the Permanent Secretary may determine.

(b) The following entities shall be exempted from payment of the fee referred to in subparagraph (a)(i) —

- (i) a co-operative society registered under the Cooperatives Act;

- (ii) a small enterprise and a medium enterprise referred to in the Small and Medium Enterprises Development Authority Act;
- (iii) the National Women's Council established under the National Women's Council Act;
- (iv) the National Women Entrepreneur Council established under the National Women Entrepreneur Council Act;
- (v) the Training and Employment of Disabled Persons Board established under the Training and Employment of Disabled Persons Board Act.

4. (1) No authorisation shall be given for the holding of an event—

- (a) for a period of not less than one day and not exceeding 10 days;
- (b) other than in the months of January, February, April, June, August and October;
- (c) to a person more than twice a year;
- (d) to a person who is the same director or is the shareholder in other companies more than twice a year;
- (e) where health related goods will be displayed or put for sale without having obtained prior written clearance from the Ministry responsible for the subject of health;
- (f) unless the full particulars of the beneficiary of the event is disclosed; and
- (g) to a person if he has negative previous report submitted by the Consumer Affairs Unit against him or has failed to comply with any conditions attached to an authorisation of a previous fair held within a period of 3 years prior to his application.

(2) No application shall be considered where an event entails the participation of a non-citizen unless prior written approval of the Prime Minister's Office is obtained.

(3) No person shall —

- (a) hold an event suggestive of a form of patronage from a State, an international organisation or a national organisation, unless he obtains a written authorisation from that State or organisation;
- (b) hold an event more than once monthly;
- (c) hold an event within a distance of 200 metres of hospitals, schools, places of worship or such other places as the Permanent Secretary may determine;
- (d) organise an event with a religious connotation; and
- (e) make any advertisement of an event without having obtained the prior authorisation of the Permanent Secretary.

(4) Every organiser shall, within 15 days after the holding of an event, submit to the Ministry a return in the form set out in the Fourth Schedule.

(5) Every participant shall, during an event —

- (a) affix the selling price of the goods and services offered for sale; and
- (b) issue serially numbered receipts for sales exceeding 500 rupees.

5. Any person who —

- (a) breaches any condition of his authorisation to hold an event; or
- (b) contravenes these regulations,

shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 3 years.

6. The Consumer Protection (Trade Fair and Exhibition) Regulations 2003 are revoked.
7. These regulations shall come into operation on 1 January 2014.

Made by the Minister on 16 December 2013.

FIRST SCHEDULE

[Regulation 3(1)]

APPLICATION FOR AUTHORISATION TO ORGANISE AN EVENT

1. Name of applicant
- Title
- Business address.....
- Telephone number.....
- Mobile number
- Fax number.....
- Email address.....
- National Identity Card Number
- Contact person

2. Title of event

Theme

Objectives

3. Proposed dates —

From to

4. Location details

(a) Address

(b) Type of building

(c) Owner of building

(d) Address of owner

(e) Area of buildingsquare metres

5. Rental paid by applicant.....

6. No. of stalls

7. No. of participants.....

Local

Foreign.....

8. Rental charges per stall

9. Entry fee

10. Estimated expenditure.....

11. List of goods and services to be exhibited/sold (*) (List may be attached separately)

.....

12. Measures to be taken in relation to the following (with supporting evidence where applicable) —

- (a) Security
- (b) After-event cleaning.....
- (c) Health
- (d) Sanitation.....
- (e) Provision of parking facilities.....
- (f) Stall number for the Consumer Affairs Unit and other Enforcement Authorities.....
- (g) After-sales service/assistance

13. Documents to be submitted —

- (a) copy of Business Registration Card/Certificate of Incorporation;
- (b) shareholding in other companies;
- (c) list of local participants, including number of stall allocated;
- (d) list of foreign participants, including number of stall allocated;
- (e) a site plan of the location, showing the stalls allocated and the names of the participants;
- (f) authorisation of owner of premises;

- (g) local Authority authorisation;
- (h) Insurance Cover (Fire and Allied Perils);
- (i) public liability insurance;
- (j) letter of confirmation from the Mauritius Revenue Authority that it has been notified of the holding of the event.

14. Declaration

I/We hereby declare that the particulars given in my/our application are, to the best of my/our knowledge and belief, true and correct, and that I/we shall comply with the Fair Trading Act and all other applicable laws.

Signature(s)

Name(s) of person(s) signing*

Title or capacity of person(s) signing*

(* Where applicant is a company or association)

National Identity card Number

Business/Company/Association Registered Number

Date

Seal



SECOND SCHEDULE

[Regulation 3(2)(a)(i)]

FEES

Event	No. of days	Fees Applicable (Rs)		
		Local participants only	Local participants and foreign participants	Foreign participants only
Book sales	1-10	-	-	-
Industrial/ Business salon	1-10	-	50,000	100,000
Trade fair	1-3	200,000	-	-
	4-10	400,000	-	-
International book sales	1-10	-	25,000	50,000
International trade fair	1-3	-	500,000	500,000
	4-10	-	850,000	850,000

THIRD SCHEDULE

[Regulation 3(2)(a)(ii)]

CONDITIONS

1. Every organiser and participant shall comply strictly with the laws relating to consumer protection and the Fair Trading Act.
2. The area of each stall shall not be less than 9 square metres, and walking space of not less than 2 metres shall be provided for the public between any 2 rows of stalls.
3. Every stall shall be occupied by not more than one participant and shall, in no circumstances, be sublet to any person, company or association other than the participant named in the application form.
4. The organiser shall provide a visible desk within the location where the event is held, for the Consumer Affairs Unit of the Ministry and other enforcement agencies to receive and attend to any public enquiry or complaint as well as to handle any contravention of the Consumer Protection (Events) Regulations 2013 and the Fair Trading Act 1979.
5. The organiser shall provide an identification badge to each participant, a sample of which shall be submitted to the Ministry not less than 2 weeks before the proposed first day of the event.
6. The organiser shall issue serially numbered entrance tickets and keep the counterfoil for a period not exceeding 5 years.
7. The full name, address, Tax Account Number (where applicable) and Business Registered Number of the participants as well as the passport number of foreign participants to be submitted by the organiser at least 2 months before the holding of the event.

FOURTH SCHEDULE

[Regulation 4(4)]

RETURN

1. Name of organiser
2. Title
3. Dates of event —
From to
4. Location Details —

(a) address
- (b) type of building
- (c) owner of building
- (d) address of owner
- (e) area of building square metre.....
5. Rental paid by organiser
6. No. of stalls
7. List of participants/stall number
8. Rental paid by participant
9. Entry fee collected
10. Expenditure incurred
11. List of goods sold/unsold (*) (*List may be attached separately*)
.....
12. Declaration

I/We hereby declare that the particulars given in my/our return are, to the best of my/our knowledge and belief, true and correct.

Signature(s)

Name(s) of person(s) signing*

Title or capacity of person(s) signing*

(* Where organiser is a company or association)

National Identity card Number

Date

Seal

