

THE MAURITIUS STANDARDS BUREAU ACT

Regulations made by the Council under section 33 of the Mauritius Standards Bureau Act

- 1 These regulations may be cited as the Mauritius Standards Bureau (Certification Mark) Regulations (GN 46 of 1996) (Amendments as per GN 126 of 2012, GN 41 of 2017 & GN 201 of 2021)
- 2 In these regulations –

 “principal regulations” means the Mauritius Standards Bureau (Certification Mark) Regulations 1996.

 “Act” means the Mauritius Standards Bureau Act 1993;

 “applicant” means any person applying to the Director for a licence;

 “assessment” means a verification of the effectiveness of the Quality Plan operated by an applicant or licensee through the examination of materials, processes, finished products, methods of test, records, systems services and other activities established by the applicant or licensee within his Quality Plan;

 “licensee” means a person who holds a valid licence under section 21 of the Act;

 “Quality Plan” means a document setting out the specific quality practices, resources and sequence of activities relevant to a particular product or process to ensure compliance with the appropriate standard.
- 3 The MSB certification mark shall be in the form specified in the First Schedule and may be accompanied by (a) an Eco-label logo where the applicable standard includes eco-label criteria or (b) the MauriGAP Logo where the applicable standard includes good agricultural practices.
- 4 (1) Every application for a licence under Mauricert shall be –
 - a) made to the Director in the form specified in the Second Schedule;
 - b) accompanied by a non-refundable application fee specified in paragraph 1 of the Third Schedule;
 - c) valid for a period of 12 months as from the date of application.(2) A separate application shall be made in respect of each standard and each factory or premises in respect of which a licence is sought.
(3) On receipt of an application under paragraph (1), the Director may require –
 - a) evidence to be produced to his satisfaction that –
 - i) the commodity or process in respect of which a licence is sought conforms to the appropriate standard;
 - ii) the applicant has in operation a Quality Plan which will adequately ensure that the commodity or process in respect of which a licence is sought will conform to the appropriate standard;
 - b) that all reasonable facilities be provided to an authorised officer to inspect the premises of the applicant for the purpose of –

- i) verifying the evidence produced by the applicant;
 - ii) selecting samples of the commodity for testing;
 - iii) checking the process or the mode of manufacture of the commodity and the records relating thereto;
 - iv) obtaining such other information as is relevant to the application;
 - c) the applicant to submit –
 - i) samples of the commodity for testing by the Bureau or such other testing authority as the Director considers appropriate;
 - ii) a copy of the applicant's Quality Plan in respect of the relevant commodity or process;
 - d) The applicant to pay such assessment, sampling and testing fees as may be determined by the Director.
- 5
- (1) A licence under section 21(2) of the Act shall be (a) in such form as the Standards Council may determine; (b) issued on payment of the non-refundable fee specified in the Third Schedule.
 - (2) No licence shall be granted except on payment of the appropriate fee specified in the Third Schedule.
 - (3) A licence –
 - a) may be issued in respect of more than one trade mark or brand name;
 - b) shall be issued in respect of each standard, factory or site;
 - c) shall be valid for a period of 3 years as from the date of issue; and
 - d) may be renewed on payment of the fee specified in paragraph 3 of the Third Schedule for a further period of 3 years.
 - (4) The Director may, where he is satisfied that a licence has been destroyed, lost or defaced, issue to the licensee a duplicate licence on payment of the fee specified in paragraph 4 of the Third Schedule.
- 6
- (1) The Council may suspend or revoke a licence where the licensee has –
 - a) used the mark and the Eco-label logo or MauriGAP logo in respect of a commodity or process which does not comply with the standard relating to it;
 - b) failed to provide reasonable facilities for inspection or testing;
 - c) failed to comply with any terms and conditions of the licence;
 - d) contravened any provision of the Act or of these regulations;
 - e) failed to pay any fee required under these regulations.
 - (2) Where the Council has suspended or revoked a licence –
 - a) the Director shall forthwith inform the licensee by notice in writing;
 - b) the licensee shall forthwith discontinue the use of the mark and the Eco-label logo or MauriGAP logo and shall –

- i) take necessary steps to have the mark and the Eco-label logo or MauriGAP logo, removed or erased from the commodity;
- ii) return the licence to the Director.

7 (1) Every licensee shall –

- a) apply the mark and the Eco-label logo or MauriGAP logo, in such a manner as to be easily visible on the commodity or any container, wrapping or binding of the commodity;
- b) apply, in addition to the mark and the Eco-label logo or MauriGAP logo in such a manner as to be easily visible beneath or beside the mark –
 - i) the number of the appropriate standard;
 - ii) the name of the licensee;
 - iii) the registered trade mark or brand name.

(2) Every licensee shall –

- a) ensure that the commodity or process in respect of which the mark and the Eco-label logo or MauriGAP logo, is used conforms at all times to the relevant standard;
- b) establish, maintain and document a Quality Plan applicable to the relevant commodity or process;
- c) maintain a complete and up to date record of the system of control for the purpose of establishing that control is consistently maintained;
- d) make available for inspection on demand by an authorised officer the document and record referred to in subparagraphs (b) and (c);
- e) permit the removal of the document or record from his premises to the Bureau of closer scrutiny.

(3) a) For the purposes of these regulations, the Director shall carry out one or more assessments as he considers necessary.

- b) Every licensee shall allow an authorised officer to select samples of the commodity for testing.
- c) Every licensee shall be required to pay assessment, sampling and testing fees together with such expenses incurred in the process as may be required by the Director.

(4) Any licensee who does not have a place of business in Mauritius shall appoint an agent and shall maintain the agent for the duration of the licence.

8 No licensee shall claim compliance with Mauricert other than –

- a) from the address stated on the licence;
- b) in respect of a commodity or process specified in the licence.

- 9 Any person who contravenes any of these regulations shall commit an offence and, shall, on conviction, be liable to a fine not exceeding 10 000 rupees.
- 10 The principal regulations came into operation on 12 April 1996.

Made by the Council on 9 April 1996 and approved by the Minister on 12 April 1996.
The last amendments to the regulations were made by the Minister, on the recommendation of the Standards Council on 20 August 2021 and came into operation on 26 August 2021

FIRST SCHEDULE
(Regulation 3)

MSB registered firm symbol



The MSB Certification Mark –

- a) shall be of a circular shape as described in the above design; representing the letters M, S and B;
- b) shall always make reference to the Mauritian Standard in respect of which a licence has been granted;
- c) may be larger or smaller than in the design but its parts shall keep the same proportions as in the design;
- d) may appear in any colour provided the colour is uniform throughout.
- e) may be accompanied by an Eco-label logo or



- f) MauriGAP logo



SECOND SCHEDULE
(regulation 4)

Application for a licence under section 21 of the
Mauritius Standards Bureau Act

Name of applicant.....

Address.....

.....

Applicant's representative.....

Designation.....

Address of factory or premises.....

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Description of commodity or process in respect of which a licence is sought

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Trade mark(s) or brand name(s) in respect of which a licence is sought

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Registration number.....

Relevant standard.....

I/We undertake to pay all fees which may be claimed under the Mauritius Standards Bureau (Certification Mark) Regulations 1996 irrespective of the decision regarding this application.

In the event of being granted a licence, I/We undertake to conform to the Mauritius Standards Bureau (Certification Mark) Regulations 1996 and to pay all the fees required under those regulations.

.....
Signature of applicant or applicant's representative

Position

Date

THIRD SCHEDULE
(Regulations 4 and 5)

Table of fees		Rs
1	For an application	5 000
2	For a biennial or triennial licence	15 000
3	For renewal of licence	15 000
4	For a duplicate licence	1 000
5	Assessment fee per man-day	8000