

INFORMATION AND COMMUNICATION TECHNOLOGIES AUTHORITY

**12th Floor, The Celicourt, Sir Celicourt Antelme Street,
Port Louis, MAURITIUS**

Ref. ICTA/DEA/TD/1/2017

24 November 2017

THE TELECOMMUNICATION DIRECTIVE 1 OF 2017

The Information and Communication Technologies Authority, in the discharge of its statutory functions under the Information and Communication Technologies Act 2001 (the Act), and in addition to the obligations already specified in a Dealer's Licence, hereby issues the following Directive, pursuant to section 17(3) of the Act, combined with sections 16(c), 16(d), 18(1)(n), 18(1)(o), 18(1)(u), 24, 26(a) and 26(e) of the Act.

1. Short title

This Directive shall be cited as the Telecommunication Directive 1 of 2017 – (TD 1 of 2017).

2. Interpretation

"accessory" means a non-radio supplementary part or object of a radiocommunication/telecommunication apparatus or device, including a pouch, a casing, a screen, a wired microphone/speaker or an SD Card;

"Authority" means the Information and Communication Technologies Authority;

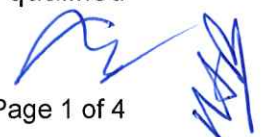
"licensed dealer" means a person or an entity –

- (a) engaged in activities such as importing, selling, exposing, offering for sale, hire and repair of telecommunication apparatus or device, or any of their spare parts; and
- (b) holding a dealer's licence issued by the Authority;

"spare part" means an essential replacement for a faulty component in a radiocommunication/telecommunication apparatus or device, including a secondary cell, battery or charger;

"unauthorised servicing" means any service rendered to alter the International Mobile Equipment Identity (IMEI) number or code of any mobile telephone;

"workshop" means a place where a licensed dealer is duly authorised to operate and is adequately equipped and staffed by such qualified



personnel for the repair, service or maintenance of radiocommunication/telecommunication apparatus or device.

3. Scope and objective

3.1 This Directive repeals and replaces the Telecommunication Directive 1 of 2010.

3.2 This Directive provides for additional obligations on licensed dealers with a view to protecting consumer interests with regard to the repair of radiocommunication/telecommunication apparatus or device and to the importation and commercialisation of their spare parts and accessories.

4. Additional obligations on licensed dealers regarding the importation and sale of spare parts and accessories

4.1 Licensed dealers shall ensure that the spare parts and accessories that they commercialise are of good quality and are safe for the public.

4.2 All products imported and sold by licensed dealers shall have their labels and instructions written in English or French.

4.3 Licensed dealers shall only import and sell secondary cells/batteries and battery chargers which may be clearly identified by their brand name or manufacturer and model number as being originals.

4.4 Licensed dealers shall only import and sell secondary cells/batteries that are of good quality and safe for the public and the environment and comply with the IEC 62133 standard.

4.4 Licensed dealers shall only import and sell battery chargers that comply with the IEC 60950 safety standard or other relevant European/International safety standard.

4.5 Licensed dealers shall request and obtain from their suppliers relevant compliance documents certifying that the secondary cells/batteries and chargers comply with the abovementioned standards.

4.6 Licensed dealers shall, at all times, keep in their possession relevant compliance documents certifying that the secondary cells/batteries and chargers comply with the abovementioned standards and shall make same available to the Authority upon request.

4.7 Licensed dealers shall submit a copy of their dealer's licence to Customs in order to clear their consignments of secondary cells/batteries and chargers.

4.8 Licensed dealers shall provide a warranty of at least 6 months on all spare parts and accessories sold.

4.9 No dealer's licence is required for the importation and sale of an accessory only.

5. Additional obligations on licensed dealers regarding service, repair and maintenance

5.1 The service, repair and maintenance of telecommunication/radiocommunication apparatus or devices shall be done in such reasonable and competent manner as to avoid either degradation or deviation from the normal operation of the apparatus or devices after service, repair and maintenance.

5.2 The minimum qualification for personnel who are directly in charge of service, repair and maintenance of telecommunication/radiocommunication apparatus or devices, including mobile telephones, shall hold a valid National Certificate Level 4 Consumer Electronics Servicing or National Certificate Level 4 Industrial Electronics, or its equivalent as certified by the Mauritius Qualification Authority (MQA);

5.3 Licensed dealers shall ensure that their workshops are adequately equipped, have antistatic protection and have the appropriate instrument to effect service, repair and maintenance of telecommunication/radiocommunication apparatus or devices.

5.4 Licensed dealers shall not have in their possession or inventory any equipment and/or software programme used for altering the IMEI code or number of any mobile telephone.

5.5 The service, repair and maintenance of telecommunication/radiocommunication apparatus or devices shall only be done in accordance with the manufacturer's policy pertaining to service, repair and maintenance.

5.6 Licensed dealers shall not effect a repair, especially at the electronic circuit level, where they do not have the competence and/or authorisation to do so.

5.7 Licensed dealers shall at all times make use of good quality and genuine spare parts and shall undertake service, repair and maintenance using good engineering practices and in such a manner that will guarantee the safety of the customer.

5.8 Licensed dealers shall strictly honour any guarantee or warranty declared or issued to the customer in relation to the nature of service rendered.

5.9 Licensed dealers shall not undertake unauthorised servicing.

5.10 Licensed dealers shall not accept for repair, servicing or maintenance telecommunication/radiocommunication apparatus or devices, including mobile telephones, that come from any unauthorised or illegal source, including lost or stolen equipment or equipment that has not been type-approved by the Authority.

5.11 Licensed dealers shall endeavour demonstrating quality through ISO certification.

6. Commencement

This Directive shall come into operation on 01 December 2017.


M. A. BOCUS
Chairman




R. SHAKYA
Executive Director

To: All Licensed dealers