

INFORMATION & COMMUNICATION TECHNOLOGIES AUTHORITY



**Level 12, The Celicourt, 6 Sir Celicourt Antelme Street,
Port Louis, MAURITIUS**

Ref.: ICTA/DEA/TD/1/2009

10 December 2009

THE TELECOMMUNICATION DIRECTIVE 1 OF 2009

The Information & Communication Technologies Authority (hereinafter referred to as the **Authority**) in exercise of its statutory functions under the Information & Communication Technologies Act 2001 (as amended), and notwithstanding the obligations already specified in the Dealer's Licence, hereby issues the following Directive, pursuant to sections 16(c) and 16(d) combined with sections 18(1)(n), 18(1)(o), 18(1)(u) and sections 24, 26(a) and 26(e) of the said Act.

1. Short title and Commencement

- (i) This Directive shall be called "The Telecommunication Directive 1 of 2009 – (TD 1 of 2009)".
- (ii) The Telecommunication Directive 1 of 2009 shall come into effect on **14 December 2009**.

2. Scope

This Directive provides for additional obligations on licensed Dealers with a view to protecting consumers' interests with regard to the purchase of radiocommunication/telecommunication equipment.

3. Additional general obligations of licensed Dealers

- 3.1 The licensed Dealer shall ensure that their suppliers/distributors of radiocommunication/telecommunication equipment are either the manufacturer or duly authorised representatives of the manufacturer.
- 3.2 The Authority shall issue to every licensed Dealer a Certificate, renewable annually subject to compliance with all terms and conditions of his Licence and any such directives issued by the Authority.
- 3.3 The Dealer shall affix in a conspicuous place at each and every of its retail places the Certificate, or a copy thereof, issued by the Authority.
- 3.4 The Certificate shall be valid and shall only be used in conjunction with a valid Dealer's licence.
- 3.5 Revocation and termination of the licence, subject to Section 25(5) of the Act shall render the Certificate null and void.
- 3.6 All agents and/or resellers of a licensed Dealer shall be required to apply and take out a Dealer's licence from the Authority for the selling or reselling of any radiocommunication/telecommunication equipment to the public.
- 3.7 The Licensed Dealer shall at all times provide good quality service to his consumers, including a warranty period of at least one year on the radiocommunication/telecommunication equipment purchased.

- 3.8 The terms and conditions associated with the one-year warranty shall be clearly specified to the consumer prior to any purchase.
- 3.9 Where the Licensed Dealer does not provide warranty recognized by the product manufacturer same shall be indicated clearly to the consumer prior to the purchase.
- 3.10 No person shall effect any repair or hold a workshop for repairs of any radiocommunication/telecommunication equipment unless he is the holder of -
1. a Dealer's licence from the Authority;
 2. necessary accreditations and authorisations to intervene, to the level of accredited competency as determined by the manufacturer, on the faulty equipment.
- 3.11 Where faulty equipment is being repaired by the Licensed Dealer or sent for repairs to a third-party workshop, the Dealer shall ensure that the personnel of the workshop (or the workshop itself) hold the necessary accreditations and authorisations to intervene, to the level of accredited competency as determined by the manufacturer, on the faulty equipment.
- 3.12 Customs Clearance of radiocommunication/telecommunication equipment imported for commercialisation and / or use in Mauritius are subject to the following requirements:-

Type of Equipment	Requirements / Documents to be produced at Customs
Radiocommunication/telecommunication equipment, including GSM/GPRS and 3G (UMTS and CDMA) mobile phones, imported in bulk for sale, except:- <ul style="list-style-type: none"> ▪ Corded fixed line telephones ▪ Fax machines ▪ Analog modems (intended for use in personal and laptop computers) 	<ul style="list-style-type: none"> ▪ Valid Dealer's Licence ▪ Type approval Certificate of equipment
Radiocommunication/ telecommunication equipment imported in reasonable quantities for personal use, except:- <ul style="list-style-type: none"> ▪ Corded fixed line telephones ▪ Fax machines ▪ GSM/GPRS and 3G (UMTS and CDMA) mobile phones ▪ Analog modems (intended for use in personal and laptop computers) 	<ul style="list-style-type: none"> ▪ Type approval Certificate of equipment ▪ Licence authorising the use of the said equipment, as may be appropriate
Following radiocommunication/ telecommunication equipment imported in bulk for sale:- <ul style="list-style-type: none"> ▪ Corded fixed line telephones ▪ Fax machines ▪ Analog modems (intended for use in personal and laptop computers) 	<ul style="list-style-type: none"> ▪ Valid Dealer's Licence
Spare parts intended for wireless equipment imported in bulk for sale	<ul style="list-style-type: none"> ▪ Valid Dealer's Licence
IT equipment such as Ethernet Cards, Routers and hubs, except wireless devices	<ul style="list-style-type: none"> ▪ None

3.13 Where the Authority does not require type-approval of an equipment, the Licensed Dealer shall ensure that he is at all times in possession of the Declaration(s) of Conformity to European or International standards in respect of the equipment.

3.14 An authorised officer of the Authority may request the licensed Dealer to produce the Declaration(s) of Conformity to European or International standards in respect of such equipment for which type-approval is not required.

4. Additional obligations on licensed Dealers pertaining to the sale of mobile phones

4.1 Licensed Dealers shall only sell, expose or offer for sale or hire genuine GSM/GPRS and 3G (UMTS and CDMA) mobile phones that have been type approved by the ICT Authority.

4.2 Licensed Dealers shall only sell, expose or offer for sale or hire GSM/GPRS and 3G (UMTS) mobile phones that have the appropriate International Mobile Equipment Identity (IMEI).

4.3 Subject to Directive 4.4, licensed Dealers shall in respect of those mobile phones make and model not published in the list of type approved equipment maintained on the Authority’s website and prior to importing same, apply for type approval to the Authority.

4.4 Notwithstanding Directive 4.3, where a licenced Dealer has, prior to the coming into effect of this Directive, been dealing in any mobile phones of make and model not published in the list of type approved equipment maintained on the Authority’s website, he shall **within 6 months** after the coming into effect of this Directive apply for type approval for same to the Authority.

4.5 Application for type approval shall be made on the application form available on the ICT Authority’s website and shall be accompanied with the appropriate Declaration of Conformities to the specified standards in support of same.

5. Additional obligations on licensed Dealers pertaining to the importation of mobile phones

5.1 Subject to Directive 5.2, mobile phones imported and sold in Mauritius shall comply with the following standards:-

Mobile Type	Standard(s)
GSM (900 / 1800)	ETSI EN 301 511 (Radio), EN 301 489-7 (EMC), IEC 60950 (safety)
UMTS	ETSI EN 301 908-1 and ETSI EN 301 908-2 (Radio), EN 301 489-24 (EMC), IEC 60950 (safety)
CDMA2000	TIA/EIA 97C

5.2 Notwithstanding Directive 5.1, effective as from the **1st February 2010**, no mobile phones shall be imported in Mauritius without having received the prior type approval of the Authority.

5.3 Mobile phones imported and sold in Mauritius as from the **1st July 2010**, shall contain information regarding the maximum Specific Absorption Rate (SAR) affixed on the box and in their user’s manual or on a separate sheet in the mobile phone box.

5.4 The SAR limit for mobile phones shall be **2 W/kg** of tissue (averaged over 10 grams).


Mr. T. Dwarka
Chairman




Dr M. K. Oolun
Executive Director

To: All Licensed Dealers