



## **CONSOLIDATED ICTA DIRECTIVES**

### **A. PREAMBLE**

Pursuant to section 17(3) of the ICT Act 2001, as amended, ICTA is empowered to issue such directives and guidelines, and do such acts and things, as are incidental or conducive to the attainment of its objects and the discharge of its functions.

Over the past 20 years, the ICTA has issued several telecommunication orders and telecommunication directives to its operators. In order to provide a more user-friendly framework, the ICTA has decided to consolidate all the directives that are still valid as at date, while removing obsolete provisions contained therein where applicable, in order to provide a timely update and improved access to the industry to key decisions that are currently in force.

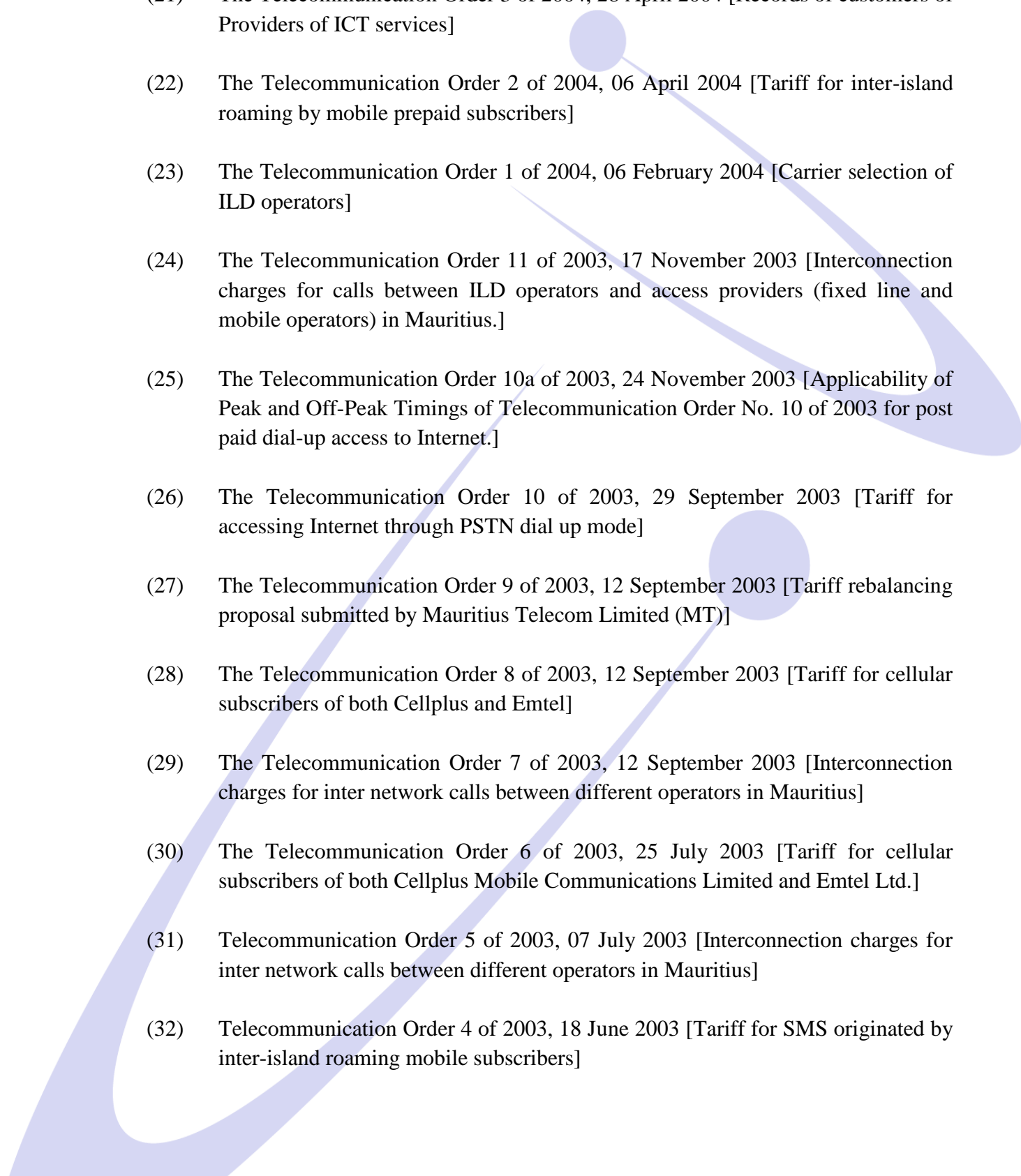
### **B. SHORT TITLE**

The following directives shall be cited as the Consolidated ICTA Directives 2022.

### **C. EFFECTIVE DATE**

The Consolidated ICTA Directives 2022 shall come into operation on 5 July 2022 and replace the following Telecommunication Orders and Telecommunications Directives:

- (1) The Telecommunication Directive 1 of 2017, 24 November 2017
- (2) The Telecommunication Directive 2 of 2017, 24 November 2017
- (3) The Telecommunication Directive 1 of 2014, 24 September 2014
- (4) The Telecommunication Directive 1 of 2013, 11 February 2013
- (5) The Telecommunication Directive 1 of 2012, 12 April 2012
- (6) The Telecommunication Directive 1 of 2011, 19 January 2011
- (7) The Telecommunication Directive 2 of 2011, 26 May 2011
- (8) The Telecommunication Directive 2 of 2010, 23 April 2010
- (9) The Telecommunication Directive 1 of 2009, 10 December 2009
- (10) The Telecommunication Directive 2 of 2009, 10 December 2009
- (11) The Telecommunication Directive 1 of 2008, 30 April 2008
- (12) The Telecommunication Directive 2 of 2008, 08 August 2008
- (13) The Telecommunication Directive 3 of 2008, 08 August 2008
- (14) The Telecommunication Order 1 of 2006, 12 January 2006
- (15) The Telecommunication Order 2 of 2006, 12 January 2006
- (16) The Telecommunication Order 3 of 2006, 19 May 2006
- (17) The Telecommunication Order 7 of 2004, 31 December 2004
- (18) The Telecommunication Order 6 of 2004, 2 December 2004

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- (19) The Telecommunication Order 5 of 2004, 20 September 2004 [Interconnection usage charges (IUC) for inter-mobile network calls, and calls from a fixed network to a mobile network]
  - (20) The Telecommunication Order 4 of 2004, 13 May 2004 [Tariff for International Direct Dialing (IDD) Calls]
  - (21) The Telecommunication Order 3 of 2004, 28 April 2004 [Records of customers of Providers of ICT services]
  - (22) The Telecommunication Order 2 of 2004, 06 April 2004 [Tariff for inter-island roaming by mobile prepaid subscribers]
  - (23) The Telecommunication Order 1 of 2004, 06 February 2004 [Carrier selection of ILD operators]
  - (24) The Telecommunication Order 11 of 2003, 17 November 2003 [Interconnection charges for calls between ILD operators and access providers (fixed line and mobile operators) in Mauritius.]
  - (25) The Telecommunication Order 10a of 2003, 24 November 2003 [Applicability of Peak and Off-Peak Timings of Telecommunication Order No. 10 of 2003 for post paid dial-up access to Internet.]
  - (26) The Telecommunication Order 10 of 2003, 29 September 2003 [Tariff for accessing Internet through PSTN dial up mode]
  - (27) The Telecommunication Order 9 of 2003, 12 September 2003 [Tariff rebalancing proposal submitted by Mauritius Telecom Limited (MT)]
  - (28) The Telecommunication Order 8 of 2003, 12 September 2003 [Tariff for cellular subscribers of both Cellplus and Emtel]
  - (29) The Telecommunication Order 7 of 2003, 12 September 2003 [Interconnection charges for inter network calls between different operators in Mauritius]
  - (30) The Telecommunication Order 6 of 2003, 25 July 2003 [Tariff for cellular subscribers of both Cellplus Mobile Communications Limited and Emtel Ltd.]
  - (31) Telecommunication Order 5 of 2003, 07 July 2003 [Interconnection charges for inter network calls between different operators in Mauritius]
  - (32) Telecommunication Order 4 of 2003, 18 June 2003 [Tariff for SMS originated by inter-island roaming mobile subscribers]


- (33) Telecommunication Order 3 of 2003, 23 May 2003 [Tariffs for calls by pre paid subscribers of different mobile networks operating in Mauritius]
- (34) Telecommunication Order 2 of 2003, 14 May 2003 [Tariff for inter-island roaming by mobile subscribers]
- (35) Telecommunication Order 1 of 2003, 7 April 2003 [Tariffs for calls between post paid subscribers of different mobile networks operating in Mauritius]

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## **GLOSSARY**

<b>ADC</b>	Access Deficit Charge
<b>CPP</b>	Calling Party Pays
<b>EIR</b>	Equipment Identity Register
<b>ICT Act</b>	Information and Communication Technologies Act of 2001 (as amended)
<b>ICTA</b>	Information and Communication Technologies Authority
<b>IDD</b>	International Direct Dialling
<b>IEC</b>	International Electrotechnical Commission
<b>ILD</b>	International Long Distance
<b>IMEI</b>	International Mobile Equipment Identity
<b>ISO</b>	International Organization for Standardization
<b>ITSP</b>	Internet Telephony Service Provider
<b>IUC</b>	Interconnection Usage Charge(s)
<b>MQA</b>	Mauritius Qualification Authority
<b>MT</b>	Mauritius Telecom Ltd
<b>PCO</b>	Public Call Offices
<b>PLMN</b>	Public Land Mobile Network
<b>PSTN</b>	Public Switched Telephone Network
<b>TD</b>	Telecommunication Directive
<b>TO</b>	Telecommunication Order

	<b>CHAPTER 1 – VOICE INTERCONNECTION</b>	
	<b>Service:</b>	<b>Voice Interconnection - Conveyance of Calls</b>
	<b>Applicability:</b>	<b>PLMN, PSTN, ILD and ITSP licence holders</b>
	<b>Replaces TD1 of 2008, TD3 of 2008 &amp; TD2 of 2011</b>	

## 1. Explanatory Note

1.1.As part of the implementation of its statutory objects and functions in relation to its regulatory mandate on interconnection, the ICTA had issued a number of orders & directives over the period 2003 to 2011 in order to prescribe the IUC for the conveyance of calls on fixed and mobile access networks in the Republic of Mauritius.

1.2.For ease of reference, the ICTA has as part of the present directive:

- a) regrouped all the IUC prescribed in relation to the origination, transit and termination of voice calls on fixed and mobile access networks, that shall continue to be applicable to eligible licensed operators in the Republic of Mauritius.
- b) removed the IUC prescribed in relation to dial-up internet calls, which pertains to a service that is no longer being commercialised by eligible licensed operators.
- c) consolidated the charging principles applicable for the prescription of the IUC for voice calls on fixed and mobile access networks.

## 2. Charging Principles

2.1.Where an IUC has been prescribed in respect of a service by way of a directive, no other additional charges may be levied on the consumers, by the network licensee or public operator receiving IUC for the supply of interconnection, in respect of such service.

2.2.The net IUC payable shall comprise origination, termination and transit of voice calls, as identified in this directive.

2.3.The nature and routing of calls shall determine the applicability of origination, termination and transit charges constituting the net IUC to be paid by one public operator to another, as specified in this directive.

## 3. Interconnection Usage Charges for inter network calls

3.1.The IUC in respect of origination and termination of voice calls in fixed and mobile access networks are regrouped and prescribed at **Table 1**.

3.2.The transit charges for routing of ILD calls from, or, to mobile network through a fixed line network, and the transit charges for inter-island calls are prescribed at **Table 2**.

3.3.In line with the Government Policy direction, no ADC is prescribed for the below-cost access charges (also known as line rentals) of the incumbent fixed line operator, Mauritius Telecom Ltd.

### **Applicable Interconnection Usage Charges for Conveyance of Voice Calls**

**Table 1 - Origination & Termination Charges**

<b>Call Type</b>	<b>Prescribed IUC (per minute)</b>	<b>Payable by</b>	<b>Payable to</b>
Fixed to Fixed	Rs 0.38	Fixed (Originating)	Fixed (Terminating)
Mobile to Fixed	Rs 0.38	Mobile (Originating)	Fixed (Terminating)
ILD to Fixed	Rs 0.38	ILD	Fixed (Terminating)
Fixed to ILD/ITSP	Rs 0.38	ILD/ITSP	Fixed (Originating)
Fixed to Mobile	Rs 0.60	Fixed (Originating)	Mobile (Terminating)
Mobile to Mobile	Rs 0.60	Mobile (Originating)	Mobile (Terminating)
ILD to Mobile	Rs 0.60	ILD	Mobile (Terminating)
Mobile to ILD/ITSP	Rs 0.60	ILD/ITSP	Mobile (Originating)

**Table 2 - Transit Charges**


<b>Call Type</b>	<b>Prescribed IUC (per minute)</b>
I. Inter-Island Calls	Rs 1.80
II. International Calls routed through another access network	Rs 0.15

#### **Notes:**

- (i) The payment of IUC shall be made directly between the operators concerned.
- (ii) The above uniform rates shall apply to all incoming and outgoing calls to and from the respective network.
- (iii) The origination rates as set out above in Table 1 shall also apply to calls made from the PCO.



- (iv) The rates are prescribed on a per-minute basis; the billing, however, shall be made on cumulative seconds.
- (v) The IUC for dial-up Internet calls which was previously determined at Rs0.10 per minute, is no more applicable as dial-up internet services are no longer commercialised by eligible licensed operators.
- (vi) The inter-operator billing cycle for IUC shall be negotiated and agreed mutually between the two operators concerned.
- (vii) For inter-island calls, the transit charges as per Table 2 above, where applicable, shall be in addition to the IUC specified in Table 1 above.
- (viii) The transit charges specified at I and II (under Table 2) above are the maximum payable for transiting the respective calls. The operators are free to negotiate a lower rate in accordance with the provisions of the Act.
- (ix) The transit charges given at II (under Table 2) above are payable by ILD operator / ITSP or the access provider, at whose preference the transit route is employed.
- (x) The transit charges are specified as a separate charge in this directive and are part of the total IUC payable.

	<b>CHAPTER 2 – TARIFF FOR VOICE TELEPHONY</b>	
	<b>Service:</b>	<b>Fixed Wired Access Lines for Voice Telephony</b>
	<b>Applicability:</b>	<b>Mauritius Telecom Ltd by way of its PSTN licence</b>
	<b>Replaces TO1 of 2003, TO2 of 2003, TO3 of 2003, TO4 of 2003, TO8 of 2003, TO9 of 2003, TO10 of 2003, TO10a of 2003, TO2 of 2004, TO6 of 2004</b>	

## 1. Explanatory Note

1.1. As part of the implementation of its statutory objects and functions in relation to its regulatory mandate on tariffs, the ICTA had issued a number of orders over the period 2003 to 2004 in respect of tariff related matters in the Republic of Mauritius.

1.2. For ease of reference, the ICTA has as part of the present directive:


- a) removed all the TO on tariffs which are no longer applicable in view of the Government decision to implement the CPP regime since 01 October 2004 as well as the subsequent tariff validations for relevant information and communication services supplied by eligible licensed operators.
- b) removed all the TO in respect of tariffs for Dial-up access to Internet, which pertains to a service that is no longer being commercialised by eligible licensed operators.
- c) removed all the TO in respect of tariffs for IDD Calls given that subsequent tariffs have been duly approved for the provision of IDD service by licensed operators, further to the processing of respective tariff applications to date as per the requirements of Section 31 of the ICT Act 2001.
- d) maintained the determination in respect of the applicable monthly rentals for the fixed wired access lines of residential and business users arising from the Tariff Rebalancing exercise for MT.
- e) removed the determination on local call charges, IDD call charges and inter island call charges arising from the Tariff Rebalancing exercise for MT in consideration of the subsequent tariff approval granted further to the processing of respective tariff applications to date as per the requirements of Section 31 of the ICT Act.

## 2. Applicable Tariffs for Fixed Wired Access Lines for Voice Telephony of MT

The applicable tariffs in terms of the monthly fixed line rentals for residential and business connections determined by the ICTA for MT are prescribed at **Table 1** next:

***Table 1 - Monthly rental for fixed wired access lines for voice telephony service of MT***

<b>Category:</b>	<b>Monthly Rental (VAT Exclusive)</b>
Residential line	Rs 90.00
Business line	Rs 225.00

	<b>CHAPTER 3 - CARRIER SELECTION</b>	
	<b>Service:</b>	<b>International Direct Dialling (IDD) calls</b>
	<b>Applicability:</b>	<b>PLMN, PSTN, ILD Licensees</b>
	<b>Replaces TO 1 of 2004 and TO 7 of 2004</b>	

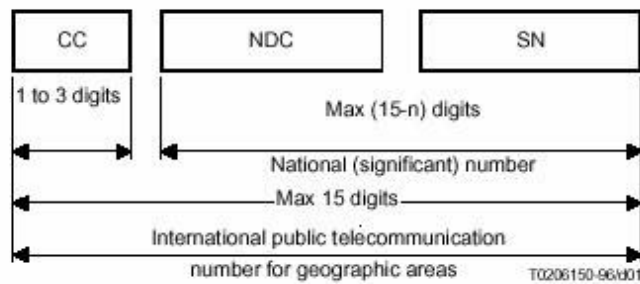
## 1. Explanatory Note

The ICTA in the exercise of the powers conferred upon it under the ICT Act 2001, hereby makes the following determination in respect of the method for Carrier Selection of ILD operators for the purpose of making international telecommunication calls from Mauritius. This Chapter sets out the mechanism for Carrier Selection (i.e. selection of ILD operators) for the purpose of making IDD calls from Mauritius.

## 2. Definitions

2.1.A **telecommunications numbering plan** means a plan that specifies the format and structure of the numbers used within that plan for the purpose of telecommunication. It typically consists of decimal digits segmented into groups in order to identify specific elements used for identification, routing and charging capabilities. A telecommunications numbering plan should provide for enough capacity for the intended lifetime of the plan, which is usually a minimum of 20 years to ensure stability.

2.2.E.164 is an international standard, developed by the International Telecommunications Union (ITU), which defines international telecommunication numbering structure. According to this standard the structure of a telephone number is of the format described hereunder:



CC Country Code for geographic areas  
 NDC National Destination Code (optional)  
 SN Subscriber Number  
 n Number of digits in the country code

NOTE – National and international prefixes are not part of the international public telecommunication number for geographic areas.

- 2.3. **Carrier Selection** is the mechanism that allows customers to choose among carrier network providers to carry their international telecommunication calls essentially, but not exclusively, by dialling the appropriate carrier identification code before dialling the international number.
- 2.4.A **Carrier** means a licenced ILD operator who operates a network to offer ILD services to customers who are connected to the network through access providers.
- 2.5. **Default carrier** means the international carrier that is automatically selected to route an international call, and where the user has not expressly selected any carrier. The choice of the default carrier is made by the access provider.
- 2.6. **Pre-selected carrier** means the international carrier that is automatically selected to route an international call when the '00' access code, rather than the call by call selection is used, and where the user has beforehand expressly chosen a carrier as the pre-selected carrier to route all his international call upon the use of '00'. The choice of the pre-selected carrier should be communicated by the users to the access provider.
- 2.7. **Pre-selection** means using the pre-selected carrier method to make international calls.
- 2.8. **Access provider** means a licenced PSTN, or PLMN provider.
- 2.9. **Call-by-call selection** is a carrier network selection mechanism for the purpose of making an international call. The consumer, who may use either a fixed phone or a mobile phone, has the possibility of selecting the carrier of his choice by dialling a specific code to select that carrier. In this method of selection, for every international call made by the consumer a different carrier, or the same one, may be selected at will.

### 3. Call by Call Selection

3.1. Call-by-call selection shall be implemented by all **access providers** (public fixed and mobile operators) in the following manner:

- a) the ILD operators shall be accessed by means of a carrier prefix consisting of a Carrier Access Code of **one** digit long and a Carrier Identification Code of **two** digits long, bearing format '**0XY**', where '**X**' stands for digits between 2 and 9 inclusive, and '**Y**' stands for digits between 0 and 9 inclusive;
- b) When using **Call-by-Call selection** method, the dialling format shall be:

**Carrier Prefix (0XY) + Country Code + National (significant)  
Number in the called  
country**

- i. **no access provider** shall be allowed to define a default carrier that is to be accessed by '00';
- ii. PLMN operators shall accept international numbers dialled with the preceding "+" sign for IDD and such calls shall be routed to the carrier provider defined by the PLMN operator.
- iii. '00' shall be used for IDD from payphones only and calls shall be routed to the licensed ILD operator defined by the duly licensed payphone service provider.

### 4. Carrier Pre-selection on mobile networks

PLMN operators shall be authorised to implement **Carrier Pre-Selection**, as a method of carrier selection, to allow their subscribers to select the carrier network of a specified ILD operator of their choice, for the purpose of making International Direct Dialling (IDD) calls, using the '**00**' international access number followed by an international telecommunication number conforming to the **ITU-T E.164** numbering standard, subject to the following conditions:

- a) Pre-selection shall be implemented in such a way that it is possible for the customer to freely define his preferred carrier, from among duly licensed operators in operation;
- b) Where a subscriber has pre-selected a carrier and dials '00', the call shall be routed to the network of the pre-selected carrier;
- c) A consumer shall pre-select his carrier in a signed document wherein the different options are clearly set out;
- d) The choice of a given carrier by the subscriber shall not preclude him from opting for another carrier from time to time;

- e) The '00' access number shall be used by subscribers only after they have pre-selected their carrier;
- f) Calls made by subscribers who have not pre-selected a carrier, but all the same use '00' access number, shall not be allowed through;
- g) Where a subscriber has pre-selected a specific carrier, he should still be allowed to choose any other carrier on a Call-by-Call basis by using the carrier prefix assigned to the other carrier by the ICTA;
- h) Access providers shall have a valid interconnection agreement with all licensed ILD operators currently in operation.



## CHAPTER 4 - CURTAILING MOBILE PHONE THEFT

<b>Service:</b>	<b>Public Land Mobile Service</b>
<b>Applicability:</b>	<b>PLMN Licensees</b>
<b>Replaces TD 2 of 2009 and TD 2 of 2010</b>	

### 1. Explanatory Note

1.1.The ICTA in exercise of its statutory functions under the ICT Act 2001 (as amended), and notwithstanding the obligations already specified in the PLMN licence, hereby issues the following Directive, pursuant to section 16(c) combined with sections 18(1)(a) and 18(1)(o) and sections 26(b) and 26(e) of the ICT Act.

1.2.This Chapter sets out obligations on licensed PLMN operators with a view to curtailing mobile phone theft in Mauritius.

### 2. Obligations for licensed PLMN Operators

2.1.All PLMN operators shall set up an EIR on their networks.

2.2.The EIR shall be used for the purpose of blacklisting the IMEI of stolen/lost mobile phones in accordance with this section.

2.3.PLMN operators shall blacklist IMEI of reported stolen/lost phones subject to presentation of the appropriate Police memo by their subscribers, followed by the subscribers' written consent to do so.

2.4.PLMN operators shall share information on blacklisted IMEI with other licenced PLMN operators subject to the subscribers' consent.

2.5.The following procedure shall be adopted for blacklisting of reported stolen/lost mobile phones:

- a) A person reports the case of a mobile phone theft or loss to the Police;
- b) The person in his declaration consents that his phone be blacklisted by all operators and that his phone IMEI will be communicated to all operators for blacklisting of same;
- c) The Police provides a memo to the person;
- d) The person presents the memo to the PLMN operator to whom he is subscribed;



- e) The PLMN operator requests the person to fill in a form where the person again consents that his phone be blacklisted and that his IMEI will be communicated to other operators for blacklisting;
- f) The PLMN operator once satisfied with the information and request received, blacklists the phone on its EIR and communicates that information to other PLMN operators for blacklisting on their networks.

2.6. Any mobile phone without an IMEI shall, be blacklisted by PLMN operators.

### **3. Procedure for Removing a Mobile Phone from the EIR blacklist**


3.1. Where a mobile telephone set which has been blacklisted by virtue of its IMEI in accordance with Section 2 above, is reported stolen or lost with the Police, and the mobile telephone owner makes a formal request to his PLMN operator for the removal of the stolen or lost mobile telephone set from the blacklist, the PLMN operator shall attend to the request as per the procedures and under the terms and conditions detailed below.

3.2. A mobile telephone owner may request that his mobile telephone set, reported stolen or lost with the Police, be removed from the blacklist only where his mobile telephone set has been found and recovered either by the Police or by any person who has duly reported the matter to the police.

3.3. The following procedure shall be adopted by PLMN operators for removing from the blacklist of the EIR any mobile telephone set reported lost and subsequently recovered by its owner:

- a) A person reports that he has found and recovered his lost/misplaced mobile phone or the Police informs a person that his stolen mobile phone has been found;
- b) The Police provides a memo to the person specifying how the phone has been found;
- c) The person presents the memo to his service provider;
- d) The service provider requests the person to fill in a form where the person consents that his phone will be removed from the blacklist and that his IMEI will be communicated to other operators for removal from their respective blacklist;
- e) The service provider once satisfied with the information and request received, removes the phone from the blacklist and communicates that information to other service providers for removal from their respective blacklist.

3.4. Where a person has misplaced his mobile phone and same is thereafter found, the service provider may apply a charge at its discretion. The said charge shall only cover the administrative cost incurred by the service provider in removing the found mobile phone from the blacklist.

	<b>CHAPTER 5 - RECORD KEEPING OF CUSTOMERS BY ICT SERVICE PROVIDERS</b>	
	<b>Service:</b>	<b>All information and communication service, including telecommunication service</b>
	<b>Applicability:</b>	<b>All licensees for ICT Services</b>
	<b>Replaces TO 3 of 2006</b>	

## 1. Explanatory Note

1.1. The ICTA in the exercise of its statutory functions under the ICT Act 2001 as amended issues the following Directive pursuant to section 17(3) combined with section 18(m) of the ICT Act 2001.

1.2. This Chapter sets out obligations on public operators/service providers, duly licensed under the ICT Act 2001, engaged in providing to the public an information and communication service, including a telecommunication service.

1.3. Specifically, for the Public Land Mobile Service, the provisions of the present chapter shall be applicable until the Information and Communication Technologies (Registration of SIM) Regulations 2021, as amended by the Information and Communication Technologies (Registration of SIM) (Amendment) Regulations 2022, enter into force.

**Amendment- The provisions outlined in Directive 1.3 is applicable to the Public Land Mobile Service operators until 31 October 2023, after which they will be replaced by the requirements of the Information and Communication Technologies (Registration of SIM) Regulations 2023.**


## 2. Keeping of records of customers

2.1. Any public operator/service provider, duly licensed under the ICT Act 2001, engaged in providing an information and communication service, including a telecommunication service, to the public, shall keep records of details and particulars of all his Customers.

2.2. The records shall contain such details and particulars as shall allow the identity of every Customer to be readily ascertainable.

2.3. No person accessing the services of a provider of an information and communication service, including a telecommunication service, shall have his service(s) activated, unless he has registered with his service provider pursuant to paragraphs 2.1 and 2.2 above.

- 2.4. It shall be the obligation of every person using an information and communication service, including a telecommunication service to inform the public operator/service provider as and when his records change so that records kept by the public operator/service provider is up to date.
- 2.5. Every public operator/service provider shall, by public notification inform all users of the service(s) provided by him that they are required to disclose to him full particulars of their identity prior to having the said services activated.
- 2.6. Every public operator/service provider shall take appropriate security measures for the prevention of unauthorized access to or disclosure of the data kept under paragraph 2.1.
- 2.7. The records kept under paragraph 2.1 shall be made available by the public operator/service provider for inspection, on request, in accordance with the Law.
- 2.8. To the extent that it is practically and technically possible, a public operator/service provider shall take all reasonable steps to ensure that no customer uses any service(s) which he supplies for an unlawful purpose.

	<b>CHAPTER 6 - OBLIGATIONS OF LICENSED DEALERS</b>	
	<b>Service:</b>	<b>Commercialisation of radiocommunication, telecommunication apparatus or devices and their spare parts</b>
	<b>Applicability:</b>	<b>Licensed Dealers</b>
	<b>Replaces TD 1 of 2014 and TD 1 of 2017</b>	

## 1. Explanatory Note

1.1. The Licensee granted with a Dealer's licence by the ICTA, is authorised to sell, expose or offer for sale or hire and repair radiocommunication or telecommunication apparatus or devices or their spare parts.

1.2. This Chapter highlights obligations of the licensed dealers with a view to protect consumer interests with regard to the purchase of radiocommunication/telecommunication apparatus or device and to the importation and commercialisation of spare parts and accessories.

## 2. Definitions

2.1. "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;

2.2. "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;

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

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

2.5. "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. 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 for the territory of Mauritius.

3.2. The ICTA shall issue to every licensed Dealer a Certificate, renewable annually subject to compliance with all the terms and conditions of his licence and any such directives issued by the ICTA.

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 ICTA.

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 ICT 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 ICTA 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, either from the manufacturer or duly authorised representatives of the manufacturer for the territory of Mauritius or from the Licensed Dealer.

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 recognised 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 holder of:

- a) A Dealer's licence from the ICTA;
- b) 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.

#### **4. Importation and Sales 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.

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

4.6. 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.

4.7. 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 ICTA upon request.

4.8. 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.

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

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

## **5. 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 MQA;
- 5.3. Licensed dealers shall ensure that their workshops are adequately equipped, have antistatic protection and have the appropriate equipment 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 unauthorized or illegal source, including lost or stolen equipment or equipment that has not been type-approved by the ICTA.
- 5.11. Licensed dealers shall endeavour demonstrating quality through ISO Certification.

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