



REPLIES TO QUESTIONNAIRE ON IMPORT LICENSING PROCEDURES

NOTIFICATION UNDER ARTICLE 7.3 OF THE AGREEMENT ON IMPORT LICENSING PROCEDURES (2019)

MAURITIUS

The following communication, dated 17 February 2020, is being circulated at the request of the delegation of Mauritius.

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1 MINISTER OF ENVIRONMENT, SOLID WASTE MANAGEMENT AND CLIMATE CHANGE

Outline of system

1. Mauritius has successfully implemented its Chlorofluorocarbons (CFC) Phase out Management Plan since 2005 and importation of CFCs have been completely banned. Presently, a Hydrochlorofluorocarbons (HCFC) Phase out Management Plan (HPMP) has been developed/approved in 2011 and importation of HCFC refrigerants is being controlled.

A quota system based on a baseline figure (the average amount of HCFC refrigerants imported in 2009 and 2010), has been set up/implemented, since 2013. In 2015, as required under the Montreal Protocol and as provided in the HPMP, a 10% reduction was applied to the baseline import and a quota system worked out accordingly.

Following request from importers of refrigerants, the National Ozone Unit of the Minister of Environment, Solid Waste Management and Climate Change issue a clearance to the importers. The Customs Department of the Mauritius Revenue Authority and the Dangerous Chemical Control Board (DCCB) of the Ministry of Health and Wellness are informed of our no-objection and DCCB issues the import permit for importation under the Dangerous Chemical Control Act, 2004. The Customs Department enforce the latter legislation.

Additionally, importation of equipment containing HCFC as refrigerant is banned, under the Consumer Protection (Supplies and Control) Regulations, 2013.

### **Purpose and coverage of licensing**

2. Importation of all HCFC refrigerants requires import permit.
3. The system applies to goods originating from anywhere in the world.
4. The Licensing system is to restrict the quantity of the HCFC refrigerants being imported based on the quota as defined in the HCFC Phase out Management Plan (HPMP).
5. The importation is controlled as per quota defined in the Hydrochlorofluorocarbons (HCFC) Phase out Management Plan (HPMP). It is to be noted that a Regulation under the Dangerous Chemical Control Act, has been prepared and is expected to be promulgated/in force shortly.

### **Procedures**

- 6.I All the importers of refrigerants have been informed of the quota system.
- II. Accordingly, the Quota is allocated. However, importers have to make the request for clearance for licence every time they intend to import. They need to indicate the amount as well as country of origin.
- III. Refrigerants are not produced locally. Unused allocations are not added to quotas for succeeding period. No, names of importers have not been made known to export promotion bodies of exporting countries, as no such request has been made. However, there would be no problem to communicate these details if ever there is such a request.
- IV. There are no specific conditions but preferably the importers should submit their request two working days before hand.
- V. There are no specific conditions but generally the requests are processed within two days.
- VI. No restriction, subject to importation is done within the same calendar year.
- VII. No. The National Ozone Unit (NOU) of the Minister of Environment, Solid Waste Management and Climate Change process only the no-objection and certifies that the refrigerant in question can be imported. It is the Dangerous Chemical Control Board of the Ministry of Health and Wellness which grants the Licence.
- VIII. It happens that some importers have exceeded their quotas and they made additional request. Then reallocation can be done if only the other importers have not fully used their quotas. A quota system has been established as from 2013 based on the average import during 2009-2010 for those importers who were registered during the said two years. A quota has also been assigned for new importers while being within the allowable baseline figure of import. Applications are examined on receipt.
- IX. For any importation of HCFC an import licence is obligatory.
- X No such mechanism.
- XI. No. The imported Refrigerant can be re-exported, but the exporters need to again get the clearance from the NOU and licence from the DCCB.

7.(a)-(d) N/A.

8. Application for a licence may be refused if the quota has been met. The importer is informed accordingly. The importer may contact the NOU and confirm whether unused allocation for other importers can be reallocated.

#### **Eligibility of importers to apply for a permit**

9. All persons, firms and institutions are eligible to apply for licences. The NOU does charge any registration fee. There is no published list of importers at the level of NOU.

#### **Documentation and other requirements for applications for permits**

10. The importer must send a letter to the NOU and copied to the DCCB and specify the following:

- Type of refrigerants.
- Type of container.
- Weight per unit.

Country from where it is imported.

Material Safety Data Sheets (MSDS) of the product can also be submitted by the importer, though not binding.

11. Production of clearance from DCCB is required prior to granting Customs release.

12. The NOU does charge any registration fee.

13. No fees and deposit are applicable.

#### **Conditions of licensing**

14. The licence is valid as from the date of issue to the date the Refrigerants are cleared from the Customs.

15. There is no penalty by the NOU in case of non-utilisation of the Licence.

16. Licences are not transferable between importers.

17. While issuing the clearance by the NOU, the importers are requested to also seek clearance from the DCCB.

#### **Other procedural requirements**

18. No other administrative procedures.

19. N/A.

## **2 MINISTRY OF INDUSTRY, COMMERCE AND CONSUMER PROTECTION (COMMERCE DIVISION)**

### **1. Motor vehicles and motorcycles**

#### **Outline of System**

1. Import permit system is regulated by the Consumer Protection (Control of Imports) Regulations 2017 establishing the list of goods subject to import control. The system is administered by the Trade Division, Ministry of Industry, Commerce and Consumer Protection.

For products subject to import control, it is related to second hand motor vehicles, whereby an individual or firm (other than an authorised dealer or a taxi owner/driver) is entitled to import one motor car every five years; an authorized dealer is not subject to any restriction; a taxi owner/driver

is entitled to import one motor car every four years; an individual or firm (other than an authorised dealer) is entitled to import one lorry/truck every five years; and an individual or firm (other than an authorised dealer) is entitled to import one van every five years. This information is available in the Consumer Protection (Control of Imports) Regulations 2017.

An individual or firm employing not less than 8 persons (other than an authorised dealer or a public transport operator) is entitled to import one second-hand bus every 5 years for each appropriate licence. Any imported second-hand bus imported by an authorised dealer shall be sold only to a person holding the appropriate licence.

For second-hand motorcycles – total restriction on importation for resale.

### **Purposes and Coverage of Import Permits**

2. Imports of restricted goods are subject to non-automatic licensing through an import permit being granted and issued.
3. The system applies to goods originating from all countries.
4. Import permits are enforced for reasons of security, sensitivity, health and environment.
5. Import control is regulated under the Consumer Protection (Control of Imports) Regulations 2017 and approval from the Minister responsible for Commerce has to be sought for any change in the list of restricted goods. With regards to an authorised dealer, the company must be a holder of a valid licence of an authorised dealer in importation and sale of second-hand motor vehicles as per the Consumer Protection (Importation and Sale of Second-hand Motor Vehicles) Regulations 2004.

### **Procedures**

6. N/A.
7. An application for an import permit has to be made prior to the importation of restricted goods and the import permit may be granted on the same day. For some controlled goods, appropriate recommendations are sought by the Ministry prior to approval of the permit.
8. The refusal to issue an import permit may occur where the importer fails to comply with any provision of the Consumer Protection (Control of Imports) Regulations 2017.

### **Eligibility of Importers to Apply for Permit**

9. All applications are made through the TradeLink System via a customs broker. A firm is presently registered in the system, free of charge, prior to sending its application. With regards to an authorised dealer, the company must be a holder of a valid licence of an authorised dealer in importation and sale of second-hand motor vehicles as per the Consumer Protection (Importation and Sale of Second-hand Motor Vehicles) Regulations 2004.

### **Documentational and Other Requirements for Application for Permit**

10. The documents required upon applications are based on what are being imported, for some goods, only the application is required while for other goods, the pro-forma invoice and additional documents may be requested.
11. Upon actual importation, an importer is required to submit the bill of lading and invoice as well as additional documents depending on what is being imported and coming from which countries.
12. There is no import permit fee or administrative charge.
13. There is no deposit or advance payment requirement associated with the issuance of permits.

### **Conditions of Import Permits**

14. An import permit is valid for a maximum period of 12 months.

15. There is no penalty for non-utilization of a permit or a portion of it.
16. The import permit is not transferable.
17. An import permit is subject to any conditions that the Permanent Secretary may impose.

#### **Other Procedural Requirements**

18. There are no other administrative procedures, apart from import permits required prior to importation of restricted goods specified in the Consumer Protection (Control of Imports), Regulations 2017.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

## **2. Restricted goods**

### **Outline of System**

1. Import permit system is regulated by the Consumer Protection (Control of Imports) Regulations 2017 establishing the list of goods subject to import control. The system is administered by the Trade Division, Ministry of Industry, Commerce and Consumer Protection.

### **Purposes and Coverage of Import Permits**

2. Imports of restricted goods are subject to non-automatic licensing through an import permit being granted and issued.
3. The system applies to goods originating from all countries.
4. Import permits are enforced for reasons of security, sensitivity, health and environment.
5. Import control is regulated under the Consumer Protection (Control of Imports) Regulations 2017 and approval from the Minister responsible for Commerce has to be sought for any change in the list of restricted goods.

### **Procedures**

6. N/A.
7. An application for an import permit has to be made prior to the importation of restricted goods and the import permit may be granted on the same day. For some controlled goods, appropriate recommendations are sought by the Ministry prior to approval of the permit.
8. The refusal to issue an import permit may occur where the importer fails to comply with any provision of the Consumer Protection (Control of Imports) Regulations 2017.

### **Eligibility of Importers to Apply for Permit**

9. All applications are made through the TradeLink System via a customs broker. A firm is presently registered in the system, free of charge, prior to sending its application.

### **Documentational and Other Requirements for Application for Permit**

10. The documents required upon applications are based on what are being imported, for some goods, only the application is required while for other goods, the pro-forma invoice and additional documents may be requested.

11. Upon actual importation, an importer is required to submit the bill of lading and invoice as well as additional documents depending on what is being imported and coming from which countries.

12. There is no import permit fee or administrative charge.

13. There is no deposit or advance payment requirement associated with the issuance of permits.

#### **Conditions of Import Permits**

14. An import permit is valid for a maximum period of 12 months.

15. There is no penalty for non-utilization of a permit or a portion of it.

16. The import permit is not transferable.

17. An import permit is subject to any conditions that the Permanent Secretary may impose.

#### **Other Procedural Requirements**

18. There are no other administrative procedures, apart from import permits required prior to importation of restricted goods specified in the Consumer Protection (Control of Imports), Regulations 2017.

19. Foreign exchange is automatically provided by the banking authorities for goods to be imported.

### **3 MINISTRY OF AGRO-INDUSTRY AND FOOD SECURITY**

#### **3.1 National Agricultural Products Regulatory Office (NAPRO)**

##### **Outline of System**

1. The National Agricultural Products Regulatory Office (NAPRO) came into operation in November 2013. NAPRO controls and regulates the import, export, production, and sale of regulated products in Mauritius. The National Agricultural Products Regulatory Office Act 2013 defines regulated products in the First Schedule as including tea and tea products and tobacco and tobacco products. NAPRO does not issue licence for importation of regulated products but issue Clearance Certificate for regulated products already imported into Mauritius.

##### **Purposes and coverage of licensing**

2. Import of:

- (i) Tea and tea products; and
- (ii) Tobacco and tobacco products are subject to import clearance (similar to automatic licensing), and the system has no trade restricting effects.

3. The system applies to goods originating in and coming from all countries.

4. The clearance system is for statistical purposes and to ensure that the products are in conformity with local regulations.

5. The system is under the National Agricultural Products Regulatory Office Act 2013, and the National Agricultural Products Regulations 2013.

##### **Procedures**

6. N/A.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country:

- (a) Applications may be made prior to import of goods. Applications are considered on receipt and information concerning filing of applications for clearances are provided at the Office, by phone and by mail upon request and usually processed on the same day or on the next working day.

- (b) The application may be approved immediately on request but authorization to remove the goods from the port or bonded Warehouse is conveyed after inspection.
- (c) There are no limitations as to the period of the year during which application for clearance may be made.
- (d) Consideration of applications for tea and tobacco products are effected by one administrative organ, NAPRO. However, for import of tea and tea products, the prospective importer must apply for a Plant Import Permit (PIP) from the National Plant Protection Office (NPPO). A PIP is generally issued by NAPRO upon approval from NAPRO for importation of tea and tea products. The consignment of tea and tea products should be accompanied by a Phytosanitary Certificate issued by the appropriate authority of the country of origin.

8. N/A.

#### **Eligibility of Importers to Apply for Clearance**

9. All persons, firms and institutions are eligible to apply. Clearance Certificates are issued to importers regardless of whether they are producers of like products or not.

#### **Documentation and Other Requirements for Application for Clearance**

10. The application form is available at the office of NAPRO and a model is available on the website of the Ministry.

11. Upon importation the importer is required to submit the approved application together with the invoice and bill of lading and a Phytosanitary Certificate for tea products.

12. There is an application and a clearance fee. Different fees are charged for different products and depend on the quantity of products imported (see attachment).

13. No deposit or advance payment is required.

#### **Conditions of Clearance**

14. The Clearance Certificate for the import of tea and tea products is valid for one month and that for tobacco and tobacco products is valid for six months as from date of issue. Request for extension may be considered on case to case basis.

15. There is no penalty for non-utilization of a clearance or part thereof, but the fee paid is not refundable.

16. Clearance Certificates are for the products specified in the application form.

17. Conditions for clearance are listed in the application form.

#### **Other procedural Requirements**

**18. For tea and tea products, prior to importation the prospective importer must be in possession of a Plant Import Permit issued by national Plant Protection Office (NPPO) which is delivered upon approval from NAPRO.**

**For tobacco and tobacco products, imported for sale in the local market, first time importers must have the approval from the Ministry of Health and Wellness with respect to packaging and labelling requirements.**

19. Foreign exchange is provided by banking authorities without impediments.

## 3.2 National Parks and Conservation Service (NPCS)

### Outline of System

1. Mauritius together with Madagascar and Indian Ocean Islands has been designated by the International Union for Conservation of Nature (IUCN) as a biodiversity hotspot. The majority of endemic Mauritian flora and fauna are considered threatened and with some 60 species of native plants believed to be already extinct.

Invasive Alien Species (IAS) which are introduced plants, animals and microorganisms represent the main threat to the biodiversity of Mauritius and its ecosystem. As a consequence, legislation and regulations have been enacted to control and monitor the entry of exotic wildlife.

Mauritius being party and compliant to the Convention on International Trade in Endangered Species of Flora and Fauna (CITES) also regulates trade with respect to CITES listed species.

The National Parks and Conservation Service (NPCS) is responsible for regulating both importation of exotic wildlife and CITES listed (prescribed) species through provisions of the Native Terrestrial Biodiversity and National Parks Act 2015.

### Purposes and coverage of licensing

#### 2. (a) **Import of CITES listed specimens**

In accordance to the provision of the Native Terrestrial Biodiversity and National Parks Act 2015 (NTBNPA), an import permit is needed for the importation of prescribed wildlife under CITES. In that respect CITES import permits are issued by NPCS as the CITES Management Authority of Mauritius against payment of a prescribed fee. In addition, export and Re-export CITES permits are issued by NPCS against payment of a prescribed fee.

#### (b) **Import of exotic wildlife other than domestic, livestock and fish**

"Exotic wildlife" is defined as any wildlife introduced in Mauritius as per NTBNPA 2015. In accordance to Section 35 of NTBNPA, a permit is needed for the importation of living animal other than domestic, livestock and fish. In that respect an Import Permit for Exotic Wildlife (IPEW) is delivered by the NPCS against payment of a prescribed fee.

3. The system applies to goods originating from all countries.

4. Yes, for CITES cases only.

5. The Native Terrestrial Biodiversity and National Parks Act 2015.

### Procedures

6. N/A.

7.(a) Information concerning filing of applications for clearances are provided at the Office, on the Ministry's website, by phone and by mail upon request.

(b) Minimum time for processing applications:

(a) CITES permit - three working days.

(b) IPEW permit - ten working days.

Maximum time for processing applications:

(a) CITES permit -ten working days.

(b) IPEW permit - 90 working days in case applications should receive clearance of National Invasive Alien Species Committee.

(c) N/A.



- (d) Written applications are submitted to Director (NPCS) for both categories of permits. Application forms for IPEW permit are also available at NPCS office.

8. Permits are refused in case of non-compliance of the NTBNPA 2015 and applicant is informed accordingly. In case of refusal of permits, the applicant can make an appeal to the Senior Chief Executive of Ministry of Agriculture and Food Security.

#### **Eligibility of importers to apply for licence**

9.(a) N/A.

- (b) All persons or firms having the required facilities for the specific trade are eligible.

There is a system of registration permitted of persons or firms to engage in importation. There is a registration fee as prescribed by the Native Terrestrial Biodiversity and National Parks Act 2015 (NTBNPA).

There is no published list of authorised importers.

#### **Documentation and other requirements for application for licence**

10. General information requirements for CITES and IPEW are as follows: Details on importer, scientific name of imported wildlife, age, country of origin.

11. Import permit from NPCS and Veterinary certificate.

12. A fee of Rs 300 is claimed for each CITES permit issued. A fee of Rs 50 is claimed for each IPEW permit issued.

13. Payment made upon application of import permit.

#### **Conditions of licence**

14.

- a) CITES Import permits are valid for 1 year.
- b) CITES Export and Re-export permits are valid for six months.
- c) Import Permit for Exotic Wildlife (IPEW) are valid for six months.

All permits are non-renewable. Applicants need to make fresh application against prescribed payment.

15. No penalty.

16. Non-transferrable.

17. Non-restrictive.

#### **Other procedural requirements**

18. Yes.

In case, application needs clearance from CITES Scientific Authority and/ or Invasive Alien Species Committee and approval of Ministry of Agriculture and Food Security, the time for processing of permits is extended and applicant is informed accordingly.

19. N/A.

### 3.3 Veterinary Services

#### Outline of System

1. All live animals, products of animal origins and meat and meat products imported in Mauritius should be accompanied by an Import Permit delivered by the Veterinary Services as stipulated in the Animal Disease Act 1925. Import permits are for delivered for domestic consumptions but in some cases there may be for transit purposes.

#### Purposes and Coverage of Import Permit

2. Import of:

- (a) Live animals;
- (b) Products of animal origins; and
- (c) Meat and meat products.

3. The system applies to the above-mentioned goods originating from all countries.

4. Import Permit design to protect the country against sanitary threat in line with the WTO SPS Agreement.

5. Animal Disease Act 1925 and subsequent regulations.

#### Procedures

6. N/A.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country:

- (a) In case of emergency, import permit may be granted in one day. Normal time for permit delivery is two weeks. Goods arriving at the port without an *import permit and health certificate* is not allowed.
- (b) Yes, provided all sanitary conditions are satisfied. Imports are allowed immediately upon the issue of permits. Minimum time for processing application: 7 days, maximum time 15 days.
- (c) No.
- (d) For most products mentioned under Number 2 above, a permit is delivered by the division of the Veterinary Services. In the case of animal feed (containing plant materials) and fodder the clearance of the NPPO is also required.

8. Imports permits are only refused in case of sanitary threats to the country. Applicants have the right of appeal and justifications are provided for any refusal.

#### Eligibility of Importers to Apply for Clearance

9. All persons are eligible to apply for import permits.

#### Documentation and Other Requirements for Application for Clearance

10. **Live animals**

- (a) Copy of all test certificates, veterinary certificate duly signed by official veterinarian of the exporting country, compliance with import permit conditions of the importing country and sanitary conditions of the exporting country.
- (b) Quarantine facilities if any.

**Animal Products**

- (a) Copy of all test certificates and sanitary conditions of exporting country.
- (b) Facility of storage.

11. Original of documents mentioned at (10) above. All relevant information for import of live animals, products of animal origins and meat and meat products are available on the website of the Ministry of Agro Industry and Food Security and for information leaflets at the Veterinary Services.

12. Import Fees:

- Horses – Rs 1,000 per animal.
- Cats and dogs – Rs 500 per animal.
- Caged birds – Rs 100 for every 10 birds or less.
- Cattle, goats and sheep – Rs 10 per animal.
- Other live animals – Rs 200 per animal.
- Meat intended for human consumption Rs 100/permit together with an additional sum of Rs 50 for each ton of meat or less.
- Other items – Rs 100 permit.
- Veterinary clearance fee (live animals and pets): Rs 500.

13. No deposit or advance payment.

**Conditions of Licensing**

14. Import Permit is valid for the following categories as follows:

- Live cattle and small ruminants: three months (live cattle, sheep and goat);
- Pet animal: six months (dog and cat);
- All other products (meat and meat products, products of animal origins) – up to two months.

15. No penalty.

16. Not transferable.

17. No other conditions.

**Other procedural Requirements**

18. No other administrative procedures prior to importation.

19. Foreign exchange is automatically provided by banking authorities for goods to be imported (no license is required as a pre-requisite). Foreign Exchange is always available for importers through direct application through the bank.

**3.4 National Plants and Protection Office (NPPO)****Outline of System**

The National Plant Protection Office (NPPO) of the Ministry of Agro Industry is a regulatory government plant protection body, mandated to protect the agricultural economy and biodiversity of Mauritius, from introduction of destructive exotic pests and diseases, through the Plant Protection Act (PPA), 2006.

Plants Import Permits (PIP) are issued under section 19 of the Plant Protection Act 2006 (PPA). As per Paragraph 19 (1)(a) of PPA, any person who imports or causes the importation of a plant, plant product or other regulated product shall apply for a plant import permit from the NPPO. PIP are issued for importation of plants, plant parts and plants products. These include fresh, dried, frozen fruits, vegetables and aromatic herbs, timber, wooden, rattan, bamboo articles, pulses, selected cereals, animal feeds, cotton, furniture, planting materials (seeds, cuttings, and young plants), fresh

cut flowers, and selected plant-based fertilizers and bio-fertilizers. Currently, each importation requires importers to be in possession of a valid PIP. A PIP is valid for 4 months.

Moreover, in line with Paragraph 19(4) of the PPA, a Plant Import Permit is also required for the Transiting and Landing/Shipping through the airport and seaport, of all items regulated under the Plant Protection Act (2006), including fruits, vegetables, cut flowers, seeds, planting material.

All PIPs are delivered for goods intended for domestic market unless for transit consignments.

### **Purposes and Coverage of Licensing**

2. A PIP is required for importation of plants, plant parts and plants products. These include fresh, dried, frozen fruits, vegetables and aromatic herbs, timber, wooden, rattan, bamboo articles, pulses, selected cereals, animal feeds, cotton, furniture, planting materials (seeds, cuttings, young plants), fresh cut flowers, and selected plant based fertilizers, bio-fertilizers and second-hand agricultural machinery.

3. The system applies to goods originating in and coming from all countries.

4. PIP is delivered for phytosanitary reasons.

5. Plants Protection Act 2006.

### **Procedures**

6. N/A.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country:

(a) Application for PIP is made sufficient time in advance to allow the importer to transmit the Plant Import Permit to the exporter to ensure compliance with the import phytosanitary requirements of the NPPO of Mauritius. In case of inadvertency, permit may be delivered within shorter time limits. No Goods are allowed without a PIP.

(b) Yes, a Fast Track System exist at NPPO and upon request by importer and with proper justification an application is processed provided all relevant documents are submitted. Minimum time for processing application: 5 working days. For regular permit and may be extended for new and high-risk products. Imports are allowed immediately upon granting of permits.

(c) No.

(d) For most products mentioned under Number 2 above permit is delivered by NPPO. In the case of animal feed (containing plant materials) and fodder the clearance of the Veterinary Services is also required. A biosecurity Technical Committee is set up to review issues where other agencies are involved. For other commodities recommendation from other Agencies may be required such as NAPRO for tea products, Division of Veterinary Services for animal feed (containing plant materials) and fodder.

8. Imports permits are only refused in case commodity to be imported represent phytosanitary threats to the country. Applicants have the right of appeal and justifications are provided for any refusal.

### **Eligibility of Importers to Apply for Clearance**

9. All persons, firms and institutions are eligible to apply for PIP.

### **Documentation and Other Requirements for Application for Clearance**

10. Name of importer, contact details, name of exporter, product name (scientific name), country of origin, and quantity.

11. Original of documents mentioned at (10) above. All relevant information for import of agricultural produce of plant origin including resources from the soil (e.g. rocks) are available online and for information leaflets at the NPPO.

12. There is no Application Fee applicable. It is to be noted that with the enactment of the Trade Facilitation Act of 2017, the application fee of Rs 50 previously being charged, is no longer being charged.

13. No deposit or advance payment required with the issue of PIP.

#### **Conditions of Licensing**

14. PIP is valid for a period of four months.

15. No penalty.

16. Not transferable.

17. Conditions of PIP is based on phytosanitary reasons.

#### **Other procedural Requirements**

18. For online permit system, the importers need to register with the Mauritius Revenue Authority and the NPPO.

19. Foreign exchange is automatically provided by banking authorities for goods to be imported (no license is required as a pre-requisite). Foreign Exchange is always available for importers through direct application through the bank.

## **4 MINISTRY OF HEALTH AND WELLNESS**

### **4.1 Dangerous Chemicals Control Board**

#### **Outline of System**

1. Import licensing system is regulated by Section 11 of the Dangerous Chemicals Control Act 2004. The licensing system is administrated by the Dangerous Chemicals Control Board under the Ministry of Health and Wellness.

#### **Purposes and coverage of licensing**

2. Dangerous Chemicals.

3. The system applies to goods originating from all countries.

4. To exercise control over import of dangerous chemicals.

5. Dangerous Chemicals Control Act 2004.

Licensing is statutorily required and is does not allow designation of products to be licensed to be subject to administration discretion. It is not possible to abolish the system without legislative approval.

#### **Procedures**

6. N/A.

7. Where there is no quantitative limit on importation of a product or on imports from a particular country:

(a) Yes, all application should be done prior to import.

- (b) Yes. However, the minimum time for processing an application is 1 week and the maximum time for processing an application is 3 weeks.
- (c) Yes, there is no time limit for submitting an application.
- (d) The Dangerous Chemicals Control Board is the sole authority for the issue of license under the Dangerous Chemicals Control Act 2004.

8. Issue of a licence may be refused if it is suspected that the import of the dangerous chemicals is not for legitimate use. There is no right of appeal in the event of a refusal of a licence.

#### **Eligibility of importers to apply for licence**

9. Only registered persons or companies.

#### **Documentation and other requirements for application of licence**

10. Yes. The application is available on the website of the Ministry of Health and Wellness.

11. Yes. A copy of the importing licence.

12. The fee for issue of import licence is Rs 200 (Mauritian rupees).

13. No deposit or advance payment is requested.

#### **Conditions of licensing**

14. Valid for 3 months.

15. No penalty.

16. Licences are not transferable between importers.

17. The issue of a licence is subject to any additional information which may be requested by the Board and any condition subsequently imposed by it.

#### **Other procedural requirements**

18. No other administrative procedures.

19. N/A.

### **4.2 Pharmacy Board**

#### **1. Import of Dangerous Drugs (Schedules II, III & IV)**

##### **Outline of the system**

1 The Pharmacy Board is the regulatory body under the Pharmacy Act solely responsible for the issue of licence/permit.

2. All medicines and pharmaceutical products must be registered with the Pharmacy Board prior to import and marketing in the country.

In addition, certain specific category of medicines and pharmaceutical products as well as chemicals requires a licence for their import. These include Dangerous drugs as defined under Section 3 of the Dangerous Drugs Act 2000.

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### **Purpose and coverage of licensing**

2. As regards to dangerous drugs, it is mandatory under the International Conventions that a permit be issued by the regulatory authority for the import/export of substances listed in Schedules II and III of the Dangerous Drugs Act 2000.

The substances listed in Schedule IV of the Dangerous Drugs Act 2000 are used in the manufacture of narcotic drugs and psychotropic substances as classified by the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, or otherwise, are included as precursors in Schedule IV.

They are also subject to regulatory control under the International Convention to prevent illicit trafficking and diversion to ensure that importation is for bona fide purposes.

3. The licensing system applies to goods coming from all countries

4. The licensing process is intended to exercise control over import as per international requirements to ensure that the goods are destined for legitimate use.

5. As mentioned above, they are governed by the provisions of the Pharmacy Act, 1983 and Dangerous Drugs Act 2000 as well as the respective regulations under the Acts. Being mandatory requirements, any amendments to the control measures will require amendments to the respective Acts.

### **Procedures**

6. Import of Schedules II, III and IV dangerous drugs are, subject to a yearly quota which is established as follows:

- I. At the end of every year, pharmaceutical wholesalers are required to submit a return of their transactions indicating opening stock, quantity purchased and sold during the current year and balance in hand.
- II. They are also required to submit their request in respect of their requirements for the subsequent year. Quota is worked out on the basis of the data submitted. Adjustments, if any, to the quota are effected in the course of the year, however, full justifications must be provided.
- III. The requirement at national level is worked out and submitted to the International Narcotics Control Board (INCB) in Vienna for the establishment of national quota especially for dangerous drugs Schedule II (narcotics) which are recorded and published. Unused quotas cannot be carried forward for a succeeding year.
- IV. Once quota is established, the issue of the import permit/certificate is effected within a couple of days of submission of request. The importer will have to forward a copy of the import permit/ certificate to the exporter who will forward a copy of same to the authority in the exporting country in view of obtaining an export licence to enable shipment of the consignment of the dangerous drugs.

Similarly, in the case of Schedule IV dangerous drugs (Precursor Chemicals), issue of a licence may be refused if it is suspected that the import of the chemicals is not for legitimate use. There is no right of appeal in the event of a refusal of a licence.

The application must be submitted at the beginning of the year when the yearly quota has been allocated. However, import may be effected in a staggered manner during the year.

7.
  - (a) N/A.
  - (b) N/A.
  - (c) An application can be submitted any time an import is to be effected during the year.

(d) The Pharmacy Board is the regulatory body under the Pharmacy Act solely responsible for the issue of clearance certificate.

8. An application for clearance may be refused in the case of importation of pharmaceutical products including dangerous drugs (Schedules II, III and IV), if the applicant is not a registered importer.

#### **Eligibility of importers to apply for licence**

9.(a) Pharmaceutical products can only be imported by registered wholesale pharmacies under the supervision of pharmacists. A list of registered pharmaceutical wholesalers is available at the Ministry of Health and Wellness.

#### **Documentation and other requirements for application for licence**

10. The applicant is required to submit the required information as per international procedures as recommended by WHO.

11. A copy of the import licence must be submitted along with the invoice.

12. A processing fee of MUR 1,500 and a registration fee of MUR 5,000 per product (non-refundable)

13. No deposit.

#### **Conditions of licensing**

14. The validity of a licence for pharmaceutical products is subject to renewable every year, upon payment of MUR 2,000.

15. There is no penalty for the non-utilisation of licence.

16. The licence is not transferable between importers.

17. For dangerous drugs (Precursor Chemicals) (Schedule IV), the procedure for the issue of permit/certificate follows the same pathway as for schedule II and III dangerous drugs except that the authority in the exporting country will issue a Pre- Export Notification (PEN) certificate requesting for confirmation from the authority of the importing country on the authenticity of the import prior to shipment. There is no such conditions that licences are issued exclusively for export only.

#### **Other procedural requirements**

18. No.

19. N/A.

## **2. Antibiotics, vaccines and therapeutic substances & Schedule I, Dangerous Drugs**

### **Outline of the system**

1. All medicines and pharmaceutical products must be registered with the Pharmacy Board prior to import and marketing in the country.

In addition, certain specific category of medicines and pharmaceutical products as well as chemicals requires a licence for their import. These include:

- Antibiotics, vaccines and any therapeutic substance.
- Schedule I, Dangerous Drugs.

The substances listed in Schedule I of the Dangerous Drugs Act are only meant for the use of Forensic Science Services in quantities not exceeding those strictly requested for the purpose in question. They are not subject to any quota.



### **Purpose and coverage of licensing**

2. For each consignment of an antibiotic, vaccine and a therapeutic substance, imported, the importer (Pharmaceutical Wholesaler) is required to submit an application for a permit as specified under Section 25 of the Pharmacy Act indicating the name of the product(s) and quantity in respect of each product being imported. An import permit is then delivered to the importer accordingly.

As regards to dangerous drugs, it is mandatory under the International Conventions that a permit be issued by the regulatory authority for the import of substances listed in Schedule I of the Dangerous Drugs Act 2000.

They are also subject to regulatory control under the International Convention to prevent illicit trafficking and diversion to ensure that importation is for bona fide purposes.

3. The licensing system applies to goods coming from all countries.

4. The licensing process is intended to exercise control over import as per international requirements to ensure that the goods are destined for legitimate use (medicinal, scientific, and educational).

5. As mentioned above, they are governed by the provisions of the Pharmacy Act, 1983 and Dangerous Drugs Act 2000 as well as the respective regulations under the Acts. Being mandatory requirements, any amendments to the control measures will require amendments to the respective Acts.

### **Procedures**

6. N/A.

7.

(a) It is advisable to apply for the permit/licence prior to import.

(b) Licence/permit may be issued immediately upon request and at time when goods have arrived at the port only in the case of therapeutic substances including antibiotics and vaccines, on a consignment basis.

For Schedule I dangerous drugs, an import licence/permit is issued within a couple of days of submission of request.

(c) There is no time limit for submitting an application for permit /licence in the case of therapeutic substances including antibiotics and vaccines, as well as for chemicals and substances listed in Schedule I of the Dangerous Drugs Act. An application can be submitted any time an import is to be effected during the year.

8. An application for licence/permit may be refused in the case of importation of pharmaceutical products including Schedule I, dangerous drugs if the applicant is not a registered pharmaceutical wholesaler, laboratory or an educational institution.

### **Eligibility of importers to apply for licence**

9. Any person, firm or institution is eligible to apply for licences. Issue of licence is applicable to both importers and producers of goods. Pharmaceutical wholesalers are registered entities with the Pharmacy Board. They also hold a trading licence from the local authorities. Similarly, the importers or dealers involved in the trade of chemicals need to be licenced by the local authorities.

### **Documentation and other requirements for application for licence**

10. The applicant is required to submit the required information as per international procedures as recommended by WHO.

11. A copy of the import licence must be submitted along with the invoice.

12. A processing fee of MUR 1,500 and a registration fee of MUR 5,000 per product (non-refundable).

13. No deposit.

#### **Conditions of licensing**

14. (i) The validity of the licence for import of schedule I, dangerous drugs and chemicals is 3 months from the date of issue. It may be extended upon request if there is a delay in supply for instance.

(ii) As regards import permit for vaccines, antibiotics, etc. the permit is issued on consignment basis at time of arrival of the goods.

15. There is no penalty for the non-utilisation of licence.

16. The licence is not transferable between importers.

17. The issue of a licence is subject to any additional information or clarification that maybe required in respect of same.

For Schedule I, dangerous drugs, the importer will have to forward a copy of the import permit/certificate to the exporter who will forward a copy of same to the authority in the exporting country in view of obtaining an export licence to enable shipment of the consignment of the dangerous drugs.

#### **Other procedural requirements**

18. All pharmaceutical products are required to be registered by the Pharmacy Board prior to import and marketing in Mauritius.

19. N/A.

**PART II – CLEARANCE FEES**

	<b>FEE (Rs)</b>
1. Application fee for any import intended for commercial purposes other than for meat and meat products	1,000
2. Importation of –	
(a) cigarettes –	
(i) exceeding 2,000 sticks	20 per 1,000 or part thereof
(ii) not exceeding 2,000 sticks	500
(b) cigarillos –	
(i) exceeding 1,000 sticks	20 per 1,000 or part thereof
(ii) not exceeding 1,000 sticks	500
(c) leaf tobacco, including cut-rag	1 per kg or part thereof
(d) smoking tobacco, including cut-rag	50 per kg or part thereof
(e) cigars	50 per kg or part thereof
(f) other tobacco products	110 per kg or part thereof
(g) black tea products for blending purposes	20 per kg or part thereof
(h) green tea products in packets of 1 kg or above	40 per kg or part thereof
(i) black tea products, green tea products and other tea products not exceeding 2 kgs and intended –	
(i) own consumption	} Nil
(ii) for gift or	
(iii) to be used as sample	
(j) other tea products	300 per kg or part thereof
(k) meat and meat products	Nil
3. Export of tea products	5,000 per contractual tea year
4. Duplicate of any clearance	10 per copy