

Mauritius Agricultural Marketing (National Wholesale Market) Regulations 2023

GN No. 101 of 2023

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THE MAURITIUS AGRICULTURAL MARKETING ACT

Regulations made by the Minister, on the advice of the Mauritius Agricultural Board, under section 27 of the Mauritius Agricultural Marketing Act

1. Citation

These regulations may be cited as the **Mauritius Agricultural Marketing (National Wholesale Market) Regulations 2023**.

2. Interpretation

In these regulations –

"Act" means the Mauritius Agricultural Marketing Act;

"buyer" means a person who purchases articles at the NWM;

"NWM" means National Wholesale Market;

"Operations Committee" means the Operations Committee set up under regulation 3;

"Standard Operations Procedures" or "SOP" means the Standard Operations Procedures referred to in regulation 3;

"stall" means such space as the Board may allot to a user;

"supplier" means –

(a) a grower who supplies his articles at the NWM; and

(b) includes such other person as a grower may authorise to supply his articles at the NWM;

"transporter" means an agent contracted by a buyer or supplier –

(a) to transport his articles to the NWM; and

(b) to carry out, on his behalf, such other dealings as he may authorise;

"wholesale" means the sale, in bulk, of vegetables, fruits and flowers, either through auction or at an agreed price negotiated between either the auctioneer or market agent, and the buyer.

3. Operations Committee

(1) There is set up, for the purpose of the NWM, an Operations Committee which shall, on behalf of the Board –

(a) set up the parameters and procedures for a framework to establish minimum prices for articles traded in the NWM;

- (b) give directives, orders or make recommendations on any issue of general interest that may arise and require urgent attention;
- (c) prepare the Standard Operations Procedures for the NWM;
- (d) perform such other cognate functions as the Board may, in consultation with the Ministry, determine.

(2) The Operations Committee shall consist of –

- (a) a representative of the Ministry, as Chairperson;
- (b) a representative of the Ministry responsible for the subject of consumer protection;
- (c) a representative of the Ministry responsible for the subject of finance;
- (d) a representative of the Ministry responsible for the subject of health;
- (e) a representative of the Food and Agricultural Research and Extension Institute;
- (f) a representative of the Small Farmers Welfare Fund;
- (g) 2 representatives of the suppliers of agricultural articles, one from among the corporate growers and one from among the small growers;
- (h) a representative of the market agents; and
- (i) a representative of the auctioneers.

(3) The Committee shall regulate its meetings and proceedings in such manner as it may determine.

(4) The Committee shall meet at least once every month at such time and place as the Chairperson may determine.

(5) At any meeting of the Committee, 6 members shall constitute a quorum.

(6) At any meeting of the Committee, every member shall have one vote and in the event of equality of votes, the Chairperson shall have a casting vote.

(7) The Committee may co-opt any person who may be of assistance in relation to any matter before it and the co-opted member shall not have the right to vote at any meeting of the Committee.

(8) Every member or co-opted member shall be paid such fees or allowances as the Minister may determine.

4. Standard Operations Procedures

(1) There shall be, for the purpose of the NWM, a manual to be known as the Standard Operations Procedures.

(2) The Operations Committee shall, with the approval of the Board, prepare the SOP.

- (3) The SOP shall –
- (a) provide for the hours of opening of the NWM;
 - (b) the different types of users who shall have access to the NWM and the role of each type of user;
 - (c) set the duties and responsibilities of a user and the manner of conducting his business in the NWM, including the keeping of records;
 - (d) require a user to furnish such information with respect to his business activities in the NWM as may be necessary;
 - (e) set such procedures to be followed by users which may concern them with respect to such operations, transactions and activities in the NWM;
 - (f) the manner by which a person who intends to have access to the NWM may register himself, the period during which a registration shall be valid, the procedure for its renewal and the circumstance in which a registration may be suspended or revoked;
 - (g) provide that the NWM shall be kept clean and any waste should be disposed of in such receptacles as may be provided;
 - (h) provide that stale and untidy fruits and vegetables shall not be brought in the NWM;
 - (i) provide the type of users who will be provided parking space and the type of vehicles that may be authorised in the parking area;
 - (j) provide that any user who causes damage to the NWM or to any structure in the NWM shall commit an offence and shall be prosecuted in accordance with the law applicable; and
 - (k) provide for such other matters as may be incidental or connected to the NWM.

(4) The SOP shall be published and maintained by the Board and shall be amended as and when required –

- (a) to cater for any further needs of the users; and
- (b) to provide to the user such updated information as may be necessary.

5. Auctioneer and market agent

(1) Any person who intends to be appointed as an auctioneer or a market agent at the NWM shall make an application to the Board in such manner as it may determine.

(2) The Board may grant or reject the application.

6. Applicable fees

For the purpose of section 25B of the Act –

- (a) the registration fee, in respect of a supplier, an auctioneer, a market agent, a buyer or a transporter, shall be as specified in the Schedule;
- (b) the licence fee, in respect of an auctioneer or a market agent, shall be as specified in the Schedule;
- (c) the fee for the issue of an access card to a supplier, an auctioneer, a market agent, a buyer or a transporter shall be as specified in the Schedule;
- (d) the entrance fee shall be as specified in the Schedule;
- (e) the fee for the renting of a stall shall be as specified in the Schedule;
- (f) the commission to be paid by a supplier to an auctioneer and a market agent shall be as specified in the Schedule.

7. These regulations shall come into operation on 20 July 2023.

Made by Minister, on the advice of the Mauritius Agricultural Board, on 11 July 2023.

SCHEDULE
[Regulation 6]
FEES

| | (Rs) |
|--|---|
| 1. Registration fee | 100 |
| 2. Licence fee | 1,000 |
| 3. Access card | 100 |
| 4. Entrance fee for – | |
| (a) a single entry | 50 |
| (b) a period of – | |
| (i) 3 months | 400 |
| (ii) 6 months | 600 |
| (iii) 12 months | 1,000 |
| 5. Rental for stall | 1,200 per day |
| 6. Commission paid by supplier to auctioneer/market agent | Not exceeding 8% of sales transaction |