

Mauritius Standards Bureau (National Management Systems Certification Scheme) Regulations 2008

GN No. 109 of 2008

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THE MAURITIUS STANDARDS BUREAU ACT

Regulations made by the Council under section 33 of the Mauritius Standards Bureau Act

1. These regulations may be cited as the **Mauritius Standards Bureau (National Management Systems Certification Scheme) Regulations 2008**.

2. In these regulations -

"Act" means the Mauritius Standards Bureau Act;

"assessment" -

(a) means a verification of the effectiveness of the management system operated by an applicant or a registered firm through the examination of materials, processes, finished products, methods of test, records, systems, services and other activities established by the applicant or registered firm within its management system;

(b) includes document review, onsite audits and preparation of the audit report;

"management system" means the organisational structure, responsibilities, procedures, processes and resources for compliance with the appropriate National Management Systems Certification Scheme;

"MS 133" means the Mauritian Standard for the implementation and Management of a Hazard Analysis and Critical Control Point (HACCP) System established under section 18 of the Act;

"MS ISO 9001" means the Mauritian Standard for Quality Management Systems established under section 18 of the Act;

"MS ISO 14001" means the Mauritian Standard for Environmental Management Systems established under section 18 of the Act;

"MS ISO 22000" means the Mauritian Standard for Food Safety Management Systems established under section 18 of the Act;

"MS ISO/IEC 27001" means the Mauritian Standard for Information Technology - Security Techniques - Information Security Management Systems established under section 18 of the Act;

"National Management Systems Certification Scheme" means -

- (a) the Mauritius Standards Bureau, National Quality Management System Certification Scheme (NQMSCS) relating to MS ISO 9001;
- (b) the Mauritius Standards Bureau, National Food Safety Management System Certification Scheme (NFSMSCS) relating to MS ISO 22000 or MS 133;
- (c) the Mauritius Standards Bureau, National Information Security Management System Certification Scheme (NISMSCS) relating to MS ISO/IEC 27001;
- (d) the Mauritius Standards Bureau, National Environmental Management System Certification Scheme (NEMSCS) relating to MS ISO 14001,

as approved by Council;

"registered firm" means a person or a firm holding a valid certificate of registration granted under regulation 6.

3. The MSB registered firm symbol under section 23 of the Act in respect of MS ISO 9001, MS 133, MS ISO 22000, MS ISO/IEC 27001 and MS ISO 14001 shall be as specified in the First Schedule.

- 4.** (1) Every application for a certificate of registration shall be -
- (a) submitted to the Director in the form specified in the Second Schedule;
 - (b) accompanied by a non-refundable application fee as specified in the Third Schedule;
 - (c) valid for a period of 12 months as from the date of application.

- (2) There shall be a separate application for a certificate of registration in respect of every site of operation, location or premises.

5. The Director may, on receipt of an application under regulation 4 require -
 - (a) the production of a manual which shall include or make reference to the management system and outline the structure of the documentation used in the management system, covering the requirements of the relevant standards specified in the National Management Systems Certification Scheme;
 - (b) the payment of an assessment fee as specified in the Third Schedule;
 - (c) the provision of all reasonable facilities to authorised officers for the purpose of conducting assessment at the applicant's premises;
 - (d) such other information as is relevant to the application.

6. On receipt of an application under regulation 4, the Council may, if it is satisfied that the management system of the firm complies with the relevant standard, grant a certificate of registration to the applicant subject to such terms and condition as it thinks fit.

7.
 - (1) A certificate of registration under section 22 of the Act shall be in the form approved by Council and shall be granted upon payment of the appropriate fee specified in the Third Schedule.
 - (2) Every certificate of registration shall be subject to the terms and conditions under which it has been granted.
 - (3) A certificate of registration shall be valid for a period of 3 years of its date of issue and may be renewed for a further period of 3 years on payment of the renewal fee specified in the Third Schedule.
 - (4) No certificate of registration shall be transferable or assignable, except with the approval of the Director.

- (5) The Director may, where he is satisfied that a certificate of registration has been destroyed, lost or defaced, issue a duplicate certificate of registration on payment of the fee specified in the Third Schedule.

- 8.** (1) An authorised officer may, at any reasonable time, enter the premises of a registered firm for the purpose of conducting an assessment.

(2) The Director may require the payment of an assessment fee as specified in the Third Schedule for the purpose of conducting an assessment under paragraph (1).
- 9.** (1) No registered firm shall claim compliance with the National Management Systems Certification Scheme, except -

 - (a) for the site of operation, location or premises for which a certificate of registration is issued;
 - (b) for the manufacture of goods or operation of processes or provision of services as stated in the certificate of registration.

(2) Every registered firm shall establish, document and maintain a management system on the terms and conditions under which the certificate of registration has been granted.

(3) Every registered firm shall ensure that the management system, in respect of which a certificate of registration has been granted, conforms at all times to the relevant standard.

(4) No registered firm shall use the MSB registered firm symbol -

 - (a) except together with the registered firm's name, certificate number, and the relevant standard;
 - (b) in such manner as to convey or to be likely to convey the impression that the product is certified by the Mauritius Standards Bureau.

(5) No registered firm shall use or make any statement with reference to the MSB registered firm symbol, in a manner which may be misleading.
- 10.** (1) The Council may suspend or revoke a certificate of registration where it is satisfied that the registered firm has -

- (a) failed to comply with any term or condition of the certificate of registration;
- (b) contravened any provision of the Act or of these regulations;
- (c) failed to pay any fee under these regulations.

(2) Any registered firm whose certificate of registration has been suspended or revoked shall

- (a) forthwith discontinue the use of the MSB registered firm symbol or any material or document containing any reference to it;
- (b) immediately return the certificate of registration to the Director.

11. Any person who contravenes these regulations shall commit an offence, and shall on conviction be liable to a fine not exceeding 10,000 rupees.

12. The Mauritius Standards Bureau (National Quality System Certification Scheme) Regulations 1995, are revoked.

Made by the Council on 31 October 2007 and approved by the Minister on 9 June 2008.

FIRST SCHEDULE

omitted

SECOND SCHEDULE

(Regulation 4)

Application form for a certificate of registration under section 22 of the Mauritius Standards Bureau Act

Name of
applicant.....

...

Address.....
.....
.....

Applicant's representative
.....
.....
.....

Address of factory or
premises.....

Description of goods, processes or services for which registration is sought
.....
.....
.....

Relevant
standard.....
...

I/We undertake to pay all fees which may be claimed under these regulations, irrespective of the decision regarding this application.

In the event of being granted a certificate, I/We undertake to conform to the Mauritius Standards Bureau (National Management Systems Certification Scheme) Regulations 2008 and in particular to pay all the fees required under these regulations.

.....
Signature of applicant or applicant's representative

Position.....

Date.....

THIRD SCHEDULE

(Regulations 4, 5, 7 and 8)

| Table of fees | | Rs |
|----------------------|--|-----------|
| 1. | For an application | 8,000 |
| 2. | Assessment fee per man-day | 8,000 |
| 3. | For a triennial certificate of registration | 16,000 |
| 4. | For renewal of a certificate of registration | 16,000 |
| 5. | For a duplicate certificate of registration | 1,000 |