

**MAURITIUS BROADCASTING CORPORATION
(COLLECTION OF LICENCE FEES) ACT**

Act 56 of 1984 – 1 April 1985

ARRANGEMENT OF SECTIONS

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**MAURITIUS BROADCASTING CORPORATION
(COLLECTION OF LICENCE FEES) ACT**

1. Short title

This Act may be cited as the Mauritius Broadcasting Corporation (Collection of Licence Fees) Act.

2. Interpretation

In this Act—

“Board” means the Central Electricity Board constituted under the Central Electricity Board Act;

“Corporation” means the Mauritius Broadcasting Corporation established under the Mauritius Broadcasting Corporation Act;

“Director-General” means the Director-General of the Corporation;

“licence fee” means the fee specified in the First Schedule;

“Minister” means the Minister to whom responsibility for the subjects of information and broadcasting is assigned.

3. Persons liable to pay licence fees

(1) Subject to section 4 (4), every person who is liable to pay an electricity bill for domestic consumption shall pay the appropriate licence fee, unless—

- (a) he does not possess a television set; and

- (b) at the time of payment of the electricity bill, he makes a declaration in the form set out in the Second Schedule.

(2) The licence fee payable under this Act shall be—

- (a) paid monthly at the cash office of the Board along with the electricity bill and at any rate not later than 20 days after the issue of the bill;
- (b) credited by the Board to a licence account to be kept by the Board; and
- (c) remitted by the Board to the Corporation at such intervals and subject to such terms and conditions as may be agreed upon between the Board and the Corporation.

(3) Where the licence fee is not paid within the delay specified in subsection (2), a surcharge of 5 per cent will be leviable.

[S. 3 amended by Act 26 of 1992.]

4. Non-domestic licences

(1) Subject to subsection (4) no person in charge of a restaurant, hotel, café, shop, club or other business establishment shall have on the premises a television set unless he holds a licence to that effect.

(2) (a) Every person referred to in subsection (1) who has on the premises of the establishment a television set shall apply to the Director-General for a licence.

(b) A separate licence shall be required in respect of each television set on the premises of the establishment.

(3) No licence shall be issued except on payment of the appropriate licence fee.

(4) No person shall be liable to take out a licence or pay the licence fee under section 3 where he is a dealer in television sets and the sets are found on his trading premises.

[S. 4 amended by Act 26 of 1992.]

5. Liability of domestic consumers

Subject to section 4, every person on whose premises a television set is found shall be deemed to be in possession of the set and required to pay the appropriate licence fee.

6. Notification of sale or disposal

Where a dealer in television sets or a person who is in possession of a television set sells or otherwise disposes of any set in his possession he shall, not later than 14 days—

- (a) in the case of a dealer, after the end of the month in which the sale or disposal took place; and

(b) in any other case, after the sale or disposal, inform the Director-General of the sale or disposal in the form set out in the Third Schedule.

7. Search warrant and seizure

(1) Where a Magistrate is satisfied by information on oath that there is reasonable ground for suspecting that a person is in possession of a television set in respect of which no licence fee has been paid, he may issue a search warrant to any police officer not below the rank of Sergeant.

(2) A warrant issued under subsection (1) shall authorise the police officer named in the warrant to enter and inspect the premises specified in the warrant and seize any television set which appears to him to be unlicensed or in respect of which no licence fee has been paid.

(3) Any television set seized under subsection (2) may be sold by the Director-General unless, within one month of the seizure, the appropriate licence fee together with a surcharge of 50 per cent is paid in respect of the set or the set is proved to be licensed.

(4) The proceeds of any sale effected under subsection (3) shall, after deduction of the unpaid licence fee and all expenses connected with the sale, be refunded to the person from whom the set was seized.

(5) The Director-General or any person acting under his authority in writing shall not incur any liability, either civil or criminal, for anything done under this section.

8. Production of licence

The Director-General or any person authorised by him in writing on that behalf may require any person whom he believes is in possession of a television set to produce to him the licence or the receipt witnessing payment of the licence fee.

9. Offences and penalty

(1) Any person who—

- (a) fails to take out a licence or pay the licence fee as required under section 3 or 4;
- (b) makes a declaration under section 3 which is false or misleading in any material particular; or
- (c) contravenes this Act or any regulations made under it,

shall commit an offence.

(2) Any person who commits an offence under subsection (1) shall, on conviction, be liable to a fine of not less than 500 rupees nor more than 1,000 rupees.

(3) Notwithstanding subsection (2), any person who commits an offence under subsection (1) shall be liable to have his electricity supply disconnected by the Board.

[S. 9 amended by Act 26 of 1992.]

10. Exemption

The Minister may, on good cause shown, exempt from payment of the licence fee any person who makes an application to that effect.

11. Regulations

(1) The Minister may make such regulations as he thinks fit for the purposes of this Act.

(2) The Minister may, by regulations, amend the Schedule.

12. – 14. –

First Schedule

[Section 2]

FEES IN THE ISLAND OF MAURITIUS

	FEE (Rs)
Domestic	
(1) where the consumer has consumed not more than a total of 396 kilowatt hours of electricity according to the electricity bills issued to him by the Central Electricity Board in respect of the preceding year (January to December)	20 per month
(2) in any other case	150 per month
Non-domestic	20,000 per month or 150 per set, whichever is the lesser

FEES IN THE ISLAND OF RODRIGUES

Domestic	25 per month
Non-domestic	1,000 per annum

[First Sch. amended by Act 178 of 1989; Act 26 of 1992; GNs 11 of 1990, 247 of 1990 and 156 of 1994; repealed and replaced by GN 8 of 2002 w.e.f. 1 February 2002; GN 187 of 2013 w.e.f. 1 August 2013.]

SECOND SCHEDULE

[Section 3 (1) (b)]

**THE MAURITIUS BROADCASTING CORPORATION
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Surname of declarant

Any other name

Address

SECOND SCHEDULE—continued

DECLARATION

I declare that I am not in possession of any television set.
My household CEB Account Number is

.....
Signature of declarant

Date

THIRD SCHEDULE

[Section 6]

FORM A

**THE MAURITIUS BROADCASTING CORPORATION
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DISPOSAL OF TELEVISION SET

Surname of person selling or disposing
Any other name
Address.
Household CEB Account No.

This is to certify that I have disposed of a television set bearing serial No.
and of make on in favour of the person
named hereunder.

Surname of person acquiring
Any other name
Address

Household CEB No.

.....
Signature of person selling or disposing

Date

FORM B

**THE MAURITIUS BROADCASTING CORPORATION
(COLLECTION OF LICENCE FEES) ACT**

SALES OF TELEVISION SETS DURING*

The Director-General
Mauritius Broadcasting Corporation
Forest Side

I/We of
being a dealer in television sets do hereby give you notice that the persons named
below have each acquired a television set from me/us.

THIRD SCHEDULE—*continued*

Date of acquisition	Full name	Address	Make of TV set	Serial No.	Household CEB Account No.
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* Insert month and year

.....
Signature of dealer

Date
