

Government Notice No. 77 of 2006

**THE CONSUMER PROTECTION
(PRICE AND SUPPLIES CONTROL) ACT**

**Regulations made by the Minister under section 35 of the
Consumer Protection (Price and Supplies Control) Act**

1. These regulations may be cited as the Consumer Protection (Control of Price of Petroleum Products)(Amendment) Regulations 2006.

2. In these regulations –

“principal regulations” means the Consumer Protection (Control of Price of Petroleum Products) Regulations 2004.

3. Regulation 2 of the principal regulations is revoked and replaced by the following regulation –

2. In these regulations –

(1) “CIF” means –

(a) the weighted average C.I.F, in foreign currency, of consignment of petroleum product with Bill of Lading dates in the preceding quarter; and

(b) includes any consignment already loaded on board a vessel for importation in Mauritius whose Bill of Lading date is issued not later than 15 days of the end of the last month of the preceding quarter;

“Corporation” has the same meaning as in the State Trading Corporation Act;

“petroleum product” means the product specified in the First Schedule;

“Certification Committee” means the Committee established under regulation 9;

“windfall gain or loss” in respect of a quarter means any old stock of petroleum product purchased by entities responsible for the storage and distribution of petroleum products purchased at a lower or higher price, as the case may be, in the preceding quarter being carried forward to the new quarter to be sold at higher or lower new price, as the case may be, resulting in a gain or loss.

(2) (a) The meaning of “basic value” shall be the sum of—

- (i) the C.I.F price kilogram of Liquefied Petroleum Gas/or per litre of any other petroleum product, as the case may be, calculated in Mauritian rupees for the preceding quarter;
- (ii) the excise duty specified in Part I of the First Schedule of the Excise Act;
- (iii) any surplus or deficit, as the case may be, of the preceding quarter, calculated as being the difference between the C.I.F price referred to in paragraph (i) and the revised C.I.F price of the preceding quarter;
- (iv) any adjustment due to any difference between the estimated quantity, the exchange rate, any windfall gain or loss, and rounding of figures used to arrive

at the C.I.F price of the preceding quarter which requires revision of the figures;

- (v) any windfall gain or loss resulting from stockholding at the time of any previous price change;
 - (vi) any gain/loss carried forward from the preceding quarter; and
 - (vii) any gain on hedging in the preceding quarter.
- (b) The basic value of the Liquefied Petroleum Gas shall, in addition to the items specified in subparagraph (a), include the difference between the retail price calculated in accordance with the Fourth Schedule and the maximum allowable retail price referred to in regulation 8A(2).

4. Regulation 3 of the principal regulations is amended by inserting immediately after the words "Second Schedule" the words ",Third Schedule or Fourth Schedule, as the case may be".

5. Regulation 7 of the principal regulations is amended –

(a) by revoking paragraph (1) and replacing it by the following paragraph –

(1) Subject to paragraphs (2) to (7), the Corporation shall consider any adjustment in the retail price of –

- (a) a petroleum product, other than Liquefied Petroleum Gas, where the percentage of such adjustment is within the range of 2.5 to 20 per cent;
- (b) Liquefied Petroleum Gas where the percentage of such adjustment is within the range of 2.5 to 5.0 per cent.
- (b) by inserting immediately after paragraph (4) the following new paragraphs, the existing paragraph (5) being renumbered as paragraph (8) accordingly –
- (5) Paragraphs (3) and (4) shall not apply to an adjustment in the retail price of Liquefied Petroleum Gas.
- (6) For any price adjustment beyond 5 per cent in the case of Liquefied Petroleum Gas, a maximum price increase or decrease of 5 per cent, as the case may be, shall be considered.
- (7) Any excess of 5 per cent in the case of Liquefied Petroleum Gas shall be carried forward as an additional charge in the determination of the basic value for the succeeding quarter.
6. The principal regulations is amended by inserting immediately after regulation 8 the following new regulations –
- 8A** (1) The retail price of Liquefied Petroleum Gas for the quarter beginning on 01 July 2006 shall be 25 rupees per kilogram.
- (2) The maximum allowable increase in the retail price of Liquefied Petroleum Gas for any subsequent quarter shall not exceed 5 per cent of the retail price of the preceding quarter.