

*Government Notice No. 6 of 2016***THE CONSTRUCTION INDUSTRY DEVELOPMENT
BOARD ACT****Regulations made by the Minister, after consultation with the
Council, under section 34 of the Construction
Industry Development Board Act**

1. These regulations may be cited as the Construction Industry Development Board (Registration of Consultants and Contractors) (Amendment) Regulations 2015.
2. Regulation 2 of the principal regulations is amended –
 - (a) in the definition of “joint venture consultant”, by inserting, after the words “consultancy services”, the words “under a joint venture agreement”;
 - (b) in the definition of “joint venture contractor”, by inserting, after the words “construction works”, the words “under a joint venture agreement”;
 - (c) in the definition of “project manager”, by adding the following new paragraph, the word “or” at the end of paragraph (c)(ii)(B) being deleted and the word “or” being added at the end of paragraph (d)(ii)(B) –
 - (e) is registered with an association of project management which is a member of the International Project Management Association or such other international project management body as the Council may approve;
 - (d) by inserting, in the appropriate alphabetical order, the following new definitions, the full stop at the end of the

definition of “respective field” being deleted and replaced by a semicolon –

“highest value project” means a project with the highest contract amount;

“multidisciplinary firm” means a firm which provides consultancy services in not less than 2 of the fields specified in Part A of the Second Schedule to the Act;

“specialist contractor” means a contractor who is registered in an area of specialisation and is recognised to have specific capabilities to undertake works in that area.

3. Regulation 3 of the principal regulations is amended –

- (a) by revoking paragraphs (1) and (2) and replacing them by the following paragraphs –

(1) For the purpose of section 19 of the Act, an application for registration as a consultant or contractor, as the case may be, shall be made in such form as the Council may approve and shall be accompanied by the appropriate non-refundable processing fee specified in the Schedule.

(2) An application for registration of a multi-disciplinary firm shall be made in such form as the Council may approve and shall be accompanied by the appropriate non-refundable processing fee specified in the Schedule.

- (b) by revoking paragraph (3);

(c) in paragraph (4)(c), by deleting the words “the grant of the application shall lapse” and replacing them by the words “he shall be liable to a surcharge of 10 per cent of the registration fee”;

(d) in paragraph (5), by inserting, after the words “register him”, the words “as a specialist contractor”;

(e) by adding the following new paragraph –

(6) Where an applicant does not apply for an area of specialisation or is not granted an area of specialisation, he may undertake works in that area of specialisation where it is under the class of works and grade granted to him, but he shall not be registered as a specialist contractor in that area of specialisation.

4. Regulation 4 of the principal regulations is amended by adding the following new paragraph –

(4) For the purpose of the Act –

(a) (i) a person shall have control over a firm where he holds at least 51 per cent of the shares of the firm; or

(ii) where 50 per cent of the shares of a firm are held by one or more citizens of Mauritius and the other 50 per cent shares are held by one or more non-citizens, the control shall be taken to be held by the citizens of Mauritius;

(b) “relevant professional qualification” means qualification in the field of architecture, engineering, project management, quantity surveying or such other qualification as the Council may consider appropriate.

5. The principal regulations are amended by inserting, after regulation 10, the following new regulation –

10A. A foreign consultant or foreign contractor that was providing consultancy services, or undertaking construction works, in Mauritius in respect of a project immediately before 1 August 2014 shall not be liable to pay any of the appropriate fees specified in the Schedule in respect of that project where, on registration under these regulations, the project is not completed on 1 August 2014.

6. The Schedule to the principal regulations is revoked and replaced by the Schedule set out in the Schedule to these regulations.

7. (1) Subject to paragraph (2), these regulations shall be deemed to have come into operation on 15 December 2015.

(2) Regulation 5 shall be deemed to have come into operation on 1 August 2014.

Made by the Minister, after consultation with the Council, on 30 December 2015.

SCHEDULE

[Regulation 6]

SCHEDULE

[Regulations 3, 4, 5, 6 and 7]

PART I – FEES FOR REGISTRATION AS CONSULTANT

	(Rs)
1. Local consultant	
(1) Non-refundable processing fee per field of specialisation	500
(2) Registration fee and annual renewal fee per field of specialisation	10,000
(3) Copy of certificate of registration/changes in particulars in certificate of registration	1,000
2. Foreign consultant	
(1) Processing fee for provisional registration	NIL
(2) Processing fee for temporary registration	5,000
(3) Registration fee for the duration of the project	0.15% of the value of the contract
(4) Registration fee per field of specialisation for ongoing projects awarded before 1 August 2014	NIL
(5) Copy of certificate of registration/changes in particulars in certificate of registration	1,000

**PART II – FEES FOR REGISTRATION AS CONTRACTOR
UNDER BUILDING CONSTRUCTION WORKS AND CIVIL
ENGINEERING CONSTRUCTION WORKS**

	(Rs)
1. Local contractors	
(1) Non-refundable processing fee per class of works	1,000
(2) Registration fee and annual renewal fee for grade –	
(a) A	150,000
(b) B	75,000
(c) C	50,000
(d) D	35,000
(e) E	25,000
(f) F	10,000
(g) G	5,000
(h) H	2,500
(3) Registration fee for additional or for more than one class of works including mechanical works and electrical works	100% of the fee, whichever the higher, among the classes of works and 50% of the fees for each of the other classes of works
(4) Registration fee for an additional area of specialisation within any class of works	10% of the fee for the grade held
(5) Copy of certificate of registration/ changes in particulars in certificate of registration	1,000

2. Foreign contractors

- | | |
|--|---|
| (1) Processing fee for provisional registration | NIL |
| (2) Processing fee for temporary registration | 10,000 |
| (3) Registration fee for the duration of the project | 2,000 or 0.1 % of the value of the contract, whichever the higher |
| (4) Registration fee per class of works for an ongoing contract awarded before 1 August 2014 | NIL |
| (5) Copy of certificate of registration/ changes in particulars in certificate of registration | 1,000 |
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**PART III – FEES FOR REGISTRATION AS CONTRACTOR
UNDER MECHANICAL WORKS AND ELECTRICAL
WORKS**

	(Rs)
1. Local contractors	
(1) Non-refundable processing fee – per class of works	1,000
(2) Registration fee and annual renewal fee for grade –	
(a) A	40,000
(b) B	20,000
(c) C	15,000
(d) D	10,000
(e) E	7,000
(f) F	4,000
(g) G	2,000
(h) H	1,000
(3) Registration fee for additional or for more than one class of work including building construction works and civil engineering construction works	100% of the fee, whichever the higher, among the classes of works and 50% of the fees for each of the other classes of works
(4) Registration fee for an additional area of specialisation within any class of works	10% of the fee for the grade
(5) Copy of certificate of registration/ changes in particulars in certificate of registration	1,000

2. Foreign contractors
- | | |
|--|---|
| (1) Processing fee for provisional registration | NIL |
| (2) Processing fee for temporary registration | 10,000 |
| (3) Registration fee for the duration of the project | 2,000 or 0.1 % of the value of the contract, whichever the higher |
| (4) Registration fee per class of work for an ongoing contract awarded before 1 August 2014 | NIL |
| (5) Copy of certificate of registration/ changes in particulars in certificate of registration | 1,000 |
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**PART IV – FEES FOR REGISTRATION AS JOINT VENTURE CONSULTANT OR
JOINT VENTURE CONTRACTOR**

Joint venture	Provisional registration		Temporary registration	
	Processing fee (Rs)	Registration fee (Rs)	Processing fee (Rs)	Registration fee (Rs)
1. Consultant –				
(1) where all the parties are local consultants	NIL	NIL	500	5,000
(2) where the control rests with a foreign party to the joint venture	NIL	NIL	5,000	0.15% of the value of the contract
(3) where the control does not rest with a foreign party to the joint venture	NIL	NIL	2,500	0.1% of the value of the contract

Joint venture	Provisional registration		Temporary registration	
	Processing fee (Rs)	Registration fee (Rs)	Processing fee (Rs)	Registration fee (Rs)
(4) for ongoing contract awarded prior to 1 August 2014	NIL	NIL	NIL	NIL
2. Contractor –				
(1) where all the parties are local contractors	NIL	NIL	1,000	10,000
(2) where the control rests with a foreign party to the joint venture	NIL	NIL	10,000	0.1% of the value of the contract
(3) where the control does not rest with a foreign party to the joint venture	NIL	NIL	5,000	0.05% of the value of the contract

Joint venture	Provisional registration		Temporary registration	
	Processing fee (Rs)	Registration fee (Rs)	Processing fee (Rs)	Registration fee (Rs)
(4) for ongoing contract awarded before 1 August 2014 and where all the parties are local contractors	NIL	NIL	NIL	NIL