



Terms and Conditions attached to Certificate of Registration

Suppliers

The Certificate of Registration issued by the Construction Industry Authority (CIA) is subject to the following **Terms and Conditions**:

A. General

- (1) Pursuant to subsection 26(1) of the CIA Act, no person is allowed to import, manufacture or produce construction materials specified in Part I of the Fifth Schedule to the Act, or construction plant and equipment specified in Part II of the Fifth Schedule to the Act, unless he is registered as a supplier under the CIA Act.
- (2) A supplier who is registered with the CIA is allowed to import, manufacture or produce construction materials or construction plant and equipment, only as specified in his certificate of registration.
- (3) The certificate of registration issued to a supplier shall not be transferable.

B. Duration of Registration

- (1) The certificate of registration issued to a supplier shall expire on 30 June in a year. Upon expiry, the certificate of registration shall hereafter be renewed for a period of 2 years ending on 30 June of the second year.
- (2) A certificate of registration shall, where it does not expire on 30 June in a year, upon expiry, be renewed until 30 June next and shall hereafter be renewed for a period of 2 years ending on 30 June of the second year.

C. Renewal of Registration

- (1) The holder of a certificate of registration shall, within one month before the expiry of the existing certificate, make an application for renewal of the certificate, in such form and manner as the CIA may approve.
- (2) The CIA may renew or reject the application.
- (3) Where the CIA grants an application for renewal, the supplier shall pay such renewable fee as may be prescribed, and he shall be issued with a new certificate of registration.

D. Non-Renewal of Registration

- (1) Where the holder of a registration certificate applies for renewal of his certificate after the expiry of the period of validity of the certificate, but within 30 days thereof, he shall, in addition to the renewal fee, be liable to a surcharge of 25 per cent of the renewal fee.
- (2) A registration shall lapse if it is not renewed within 30 days of the expiry of its period of validity.
- (3) The registration of a supplier whose certificate of registration has lapsed shall be struck off the Register.

E. Cessation of Business

- (1) Where the supplier intends to cease his business temporarily or permanently, he shall, within a period of 3 months before the date of cessation of business, notify the CIA in such form and manner as it may approve.
- (2) The CIA shall, upon receipt of a notification under paragraph (1), proceed with the suspension or cancellation of the registration, as the case may be.
- (3) Where a supplier had ceased its operation under subparagraph (2) and thereafter elects to resume his business activities, he shall submit a fresh application for registration to the CIA.

F. Change in Information

- (1) Where there is any change in the information provided at the time of application for registration as supplier, the registered supplier shall, as soon as practicable, notify the CIA of such change.





- (2) The CIA may, where there is any change referred to in paragraph (1), issue, on payment of such fee as may be prescribed, a new certificate of registration to the supplier, and on such other terms and conditions as the CIA may determine.

G. Collection of Statistical Information

- (1) The CIA may, from time to time, collect statistical information from the supplier in the field of construction.

H. Power to Obtain Information

- (1) The CIA may, in relation to a matter pertaining to the construction industry:
- (a) by notice in writing, require the supplier to furnish, in such form and manner and within such time as may be specified, such information relating to that matter as may be required;
 - (b) by interviewing the supplier, require him to furnish such information relating to that matter; and
 - (c) by notice in writing, require the supplier to fill in a form attached to the notice and to return it in such manner and within such time as may be specified.

I. Powers of Authorised Officers

- (1) The General Manager of CIA may designate in writing such employees as he thinks fit to be Authorised Officers for the purpose of ascertaining whether the provisions of this Act or any regulations made under this Act are being complied with.
- (2) An Authorised Officer may for the purposes of discharging his functions, or exercising his powers:
- (a) enter, at all reasonable times, a construction site; and
 - (b) make such enquiry or inspection as he thinks fit.
- (3) In the course of an enquiry or an inspection under this section, an Authorised Officer may:
- (a) direct any person to submit information on the registration of a consultant, contractor, service provider or supplier;
 - (b) require the production of any records kept by a consultant, contractor, service provider or supplier in the discharge of his duties and may make copies or take extracts of such records;
 - (c) retain possession of the documents or records for such period as is reasonably necessary for the purpose of the enquiry to which the documents or records relate;
 - (d) on a construction site:
 - (i) inspect such equipment as he may consider necessary;
 - (ii) take or remove samples of any substance or things found on the site free of any charge;
 - (iii) take photographs and measurements and make sketches and recordings on the site;
 - (iv) require any person to state his name and residential address;
 - (v) require any person to give him any assistance as he may require.
- (4) Every Authorised Officer shall produce, on request being made, his authority to any person referred to in subsection (3).
- (5) Any person who obstructs, hinders, opposes or molests, or fails without reasonable excuse to comply with a requirement or direction of, an Authorised Officer in the performance of his duties under this Act shall commit an offence and shall on conviction be liable to a fine not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.

J. Display of Certificate

The Certificate of Registration shall be conspicuously displayed at the office of the holder of the Certificate.

K. Loss of Certificate





In case the Certificate of Registration is lost, the supplier shall immediately inform the CIA.

L. Cancellation and Suspension of Registration

- (1) Pursuant to subsection 29(1) of the CIA Act, the CIA may cancel the registration of a supplier where he:
 - (i) has been adjudged bankrupt or declared insolvent, or in the case of a corporate body, has been the subject of a winding up order;
 - (ii) has obtained his certificate of registration by fraud or misrepresentation;
 - (iii) has, without good cause, abandoned any services undertaken by him;
 - (iv) has been negligent in the provision of his services;
 - (v) has ceased to act as supplier;
 - (vi) has contravened any provision of the CIA Act or any regulations made under this Act;
 - (vii) has failed to comply with any condition specified in his certificate of registration;
 - (viii) has tampered with a certificate of registration;
 - (ix) is suspended or debarred, pursuant to section 53 of the Public Procurement Act, as a bidder or supplier; or
 - (x) appears on the ineligibility lists of African Development Bank, Asian Development Bank, European Bank for Reconstruction and Development, Inter-American Development Bank Group or World Bank Group, or such other organisation as may be prescribed.
- (2) In accordance with subsection 29(2) of the CIA Act, before cancelling the registration of any supplier under subsection 29(1)(a)(ii) to (vii) and 29(1)(b) of the CIA Act, the CIA shall, by notice in writing, require the supplier to show cause in writing within 15 days of the date of the service of the notice, why the registration should not be cancelled.
- (3) Pursuant to subsection 29(3) of the CIA Act, the CIA may, pending its decision to cancel a registration under this section, and where, in its opinion, the circumstances so require, suspend the registration of a supplier in any of the cases specified in subsection 29(1)(a)(ii) to (vii) and (b) of the CIA Act.
- (4) Under subsection 29(4) of the CIA Act, the registration of:
 - (a) any supplier shall be automatically cancelled on his death;
 - (b) any supplier operating as a company, firm, association or partnership may be cancelled on the death, or deregistration by a professional body of any of the principals, associates or partners whose participation or professional qualification was, in the opinion of the CIA, material for the grant of its application for registration.
- (5) Pursuant to subsection 29(5) of the CIA Act, the CIA shall inform the supplier of its decision under subsection 29(1), 29(3), or 29(4)(b) within 7 days of its decision, by notice in writing, specifying the reasons for its decision.
- (6) Under subsection 29(6) of the CIA Act, a supplier who is informed that his certificate of registration has been cancelled or suspended shall surrender his certificate within 7 days of being so informed by the CIA.

M. Offences

- (1) Pursuant to section 45(1) of the CIA Act, any person who without being registered as a supplier, imports, manufactures or produces construction materials or construction plant and equipment as specified under the CIA Act, shall commit an offence and shall, on conviction, be liable to a fine not exceeding 1 million rupees and to imprisonment for a term not exceeding 5 years.
- (2) The Court may, in addition to any penalty imposed under subsection 45(1) of the CIA Act:
 - (a) order the forfeiture of any object, machine, plant, vehicle or any article used in, or connected in any way, with the commission of an offence;
 - (b) order, or prohibit, the doing of any act to stop a continuing contravention.





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(3) Any person who contravenes the CIA Regulations shall commit an offence and shall, on conviction, be liable to a fine not exceeding 50,000 rupees and to imprisonment for a term not exceeding 12 months.

N. Jurisdiction

Notwithstanding section 114 of the Courts Act and section 72 of the District and Intermediate Courts (Criminal Jurisdiction) Act, a District Magistrate shall have jurisdiction to try an offence under the CIA Act or any subsidiary enactment made under this Act and inflict the penalties provided under this Act.

