GOVERNMENT NOTICE NO. 7

METROLOGY ACT

(NO. 10 OF 2016)

METROLOGY (LICENCING MANUFACTURE, DEAL-IN, IMPORT, TRADE-IN OR REPAIR INSTRUMENTS, WEIGHTS AND MEASURES) REGULATIONS, 2021

IN EXERCISE of the powers conferred by section 30 of the Metrology Act, I, ROY AKUJUWE KACHALE-BANDA, Minister of Industry, make the following Regulations—

Citation

1. These Regulations may be cited as the Metrology (Licence Manufacture, Deal-in, Import, Trade-in or Repair Instruments, Weights and Measures) Regulations, 2021.

Interpretation

2. In these Regulations, unless the context otherwise requires—

"Board" means the Malawi Bureau of Standards Board established under section 7 of the Malawi Bureau of Standards Act; Cap. 52:01

"licence" means the document issued under regulation 3; and

"licensee" means a person to whom a licence has been granted to carry out business to manufacture, deal-in, import, trade in or repair measuring instruments, weights and measures.

Application for a licence

3.—(1) Any person who carries out or intends to carries out the business to manufacture, deal-in, import, trade in or repair measuring instruments, weights and measures regulated under the Act shall apply in writing to Malawi Bureau of Standards, for a licence to carry out such a business using the form contained in the First Schedule hereto.

(2) The Malawi Bureau of Standards shall, upon—

(*a*) receipt of the evidence of payment of the prescribed fee; and

(*b*) being satisfied that the applicant is competent to carry out such business,

issue a licence to the applicant for the business applied for.

(3) The licence issued in subregulation (2) shall be valid for one year and renewable.

(4) Malawi Bureau of Standards shall issue licence in the format contained in the Second Schedule hereto.

(5) The licence issued by the Malawi Bureau of Standards shall be personal to the applicant and not transferable.

Rejection of an application

4. Where Malawi Bureau of Standards rejects the application, under regulation 3 (2) the Malawi Bureau of Standards shall inform the applicant of its decision in writing and give the reasons for the rejection.

Display of licence

5. The licensee shall display the licence granted under regulation 3 on a conspicuous place at his principal business premises.

Revocation of licence

6.—(1) Where Malawi Bureau of Standards determines that a licensee has failed to comply with the requirements of the Act or these Regulations, Malawi Bureau of Standards shall revoke the licence, issue a certificate of revocation to the licensee and require the licensee to surrender the licence immediately.

(2) The certificate of revocation referred to in subregulation (1) shall be in the formant contained in the Third Schedule hereto.

Appeals

7. A licensee aggrieved by the by the decision of Malawi Bureau of Standards under these Regulations, may, within thirty (30) days from receipt of the decision, appeal to the Minister.

Fees

8. An applicant or a licensee shall pay the applicable fees to the Malawi Bureau of Standards as prescribed in the Fourth Schedule hereto.

FIRST SCHEDULE (reg. 3 (1))

APPLICATION LICENCE/RENEWAL OF LICENCE* TO MANUFACTURE, DEAL-IN, IMPORT, TRADE-IN OR REPAIR INSTRUMENTS, WEIGHTS AND MEASURES*

Name ..... Business Registration No. .....

Postal address

.....

.....

Location/physical address of the business premises

.....

.....

.....

Details of instruments intended to be manufactured, dealt-in imported, traded in or repaired*

1.....

2.....

3.....

4.....

Dated this.....day of..... 20.....

.....

(*Applicant's signature*)

**Delete whichever is not applicable*

SECOND SCHEDULE (reg. 3 (4))

LICENCE TO MANUFACTURE, DEAL-IN, IMPORT, TRADE-IN OR REPAIR INSTRUMENTS, WEIGHTS AND MEASURES*

Licence No:..... Year:.....

This is to certify that

.....

of postal address:.....

trading as:.....and located at:.....

is/are licensed to manufacture, deal-in, import, trade in or repair instruments, weights and measures* of the following types:

.....

.....

.....

.....

Dated this ..... day of ..... 20.....

.....

Director General

(Seal of Malawi Bureau of Standards)

**Delete whichever is not applicable*

THIRD SCHEDULE (reg. 6)

REVOCATION OF LICENCE TO MANUFACTURE, DEAL-IN, IMPORT, TRADE-IN OR REPAIR INSTRUMENTS, WEIGHTS AND MEASURES*

Licence No:..... Year:.....

This is to certify that

.....

of postal address:.....

trading as:.....and located at .....

is/are* no longer licensed to manufacture, deal-in, import, trade-in or repair instruments, weights and measures* of the following types:

.....

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For the following reasons:

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Dated this..... day of.....20.....

.....
Director-General

(seal of Malawi Bureau of Standards)

**Delete whichever is not applicable*

FOURTH SCHEDULE (reg. 8)

FEES

Item	K	T
(1) Application for a licence		6,000 00
(2) Issuance of licence		15,000 00
(3) Application for renewal of a licence		15,000 00

Made this 21st day of January, 2021.

R. A. KACHALE-BANDA
Minister of Industry

(FILE NO: SUB.D.39:06)