GOVERNMENT NOTICE NO. 9

METROLOGY ACT

(No. 10 of 2016)

METROLOGY (REGISTRATION OF PACKERS) 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—

Interpretation

1. These Regulations may be cited as the Metrology (Registration of Packers) Regulations, 2021.

Citation

2. In these Regulations, unless the context requires "prepack" means any commodity that is made up as a unit or entity and for which its quantity has been determined and indicated on its label prior to being offered for sale irrespective of whether such unit or entity is enclosed in a container, wrapped in any manner or unenclosed; and "packer" shall be construed accordingly.

Application to prepack

3. Any person who prepacks or intends to prepack any commodity for sale, distribution or delivery where a quantity declaration is made shall apply to the Director General for registration using the form contained in the First Schedule hereto.

Period of application

4. The application referred to in regulation 3 shall be made, in the case of an applicant—

(*a*) prepacking any commodity at the commencement of these Regulations, within ninety (90) days from the date of entry into force of these Regulations; and

(*b*) who intends to commence prepacking of any commodity after the commencement of these Regulations, before the commencement of such prepacking.

Particulars of an application

5. An application for registration under regulation 3 shall contain the following particulars—

(*a*) the name of an applicant;

(*b*) business registration number;

(*c*) the physical address of the premises at which prepacking of the commodities is made by an applicant;

(*d*) postal address of an applicant;

(*e*) email address and telephone or fax number of an applicant; and

(*f*) the name and description of the commodity prepackaged by an applicant.

Certificate of registration

6.—(1) Where the Director General is satisfied with the application for registration as a packer, the Director General shall issue to the applicant a certificate of registration in the format contained in the Second Schedule hereto.

(2) The certificate of registration issued under subregistration (1) shall be valid for one year.

Registration fees and renewal

7.—(1) An applicant shall, on application, pay a registration fee as prescribed by Malawi Bureau of Standards.

(2) A packer who wishes to renew his registration shall apply for renewal his registration before the expiry of the subsisting registration and shall pay the fees for renewal of registration as prescribed by Malawi Bureau of Standards.

Maintenance of register

8. The Director General shall maintain a register and enter therein the name and address of each registered packer and the description of the product.

De-registration of packers

9.—(1) The Director General shall cancel the registration of any packer who fails to comply with the requirements under the Act or these Regulations relating to prepacking of commodities.

(2) A packer whose registration has been cancelled shall not continue prepacking.

(3) The Director General shall provide to the packer reasons in writing for the cancellation of the registration.

Appeal

10. A packer aggrieved by the decision of the Director General cancelling his registration, may within thirty (30) days from the date of receipt of the decision of the Director General, appeal to the Minister.

FIRST SCHEDULE (reg. 3)

APPLICATION FOR REGISTRATION TO PREPACK

To: The Director General

Malawi Bureau of Standards

Name of applicant:.....

Business Registration No: .....

Postal address:.....

.....

Location/Physical address of the business premises

.....

.....

.....

Name and description of commodity(ies) to be prepacked:

1.....

2.....

3.....

4.....

Date..... .....

(Applicant's signature)

SECOND SCHEDULE

FEES

CERTIFICATE OF REGISTRATION

Certificate No ..... Year .....

This is to certify that

.....

of postal address.....

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

is/are* licenced to prepack goods of the following types:

.....

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.....

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

.....

Director General

(seal of Malawi Bureau of Standards)

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*Delete whichever is not applicable

THIRD SCHEDULE

FEES

Item	K	t
Application for registration as a packer	10,000	00
Issuance of certificate of registration as a packer	15,000	00
Renewal of certificate of registration as a packer	15,000	00

Made this 21st day of January, 2021.

R. A. KACHALE-BANDA
Minister of Industry

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