



MAURITIUS REVENUE AUTHORITY

**GUIDELINES FOR EXEMPTION**  
**UNDER ITEM 9 OF PART IA OF THE FIRST SCHEDULE TO THE EXCISE ACT**

**General**

Item 9 of Part IA of the First Schedule to the Excise Act provides that any manufacturer registered at the MRA-Customs Department will benefit from exemption of excise duty on gas oil to be used in stationary engines and boilers subject to such terms and conditions as the Director General may approve.

**Application**

Any manufacturer wishing to benefit from the exemption should submit an application on form (X09-A) for registration as eligible manufacturer in the manner set hereunder:

***Manufacturer's information***

- i. Name of manufacturer: Insert the name/s of owner/s o.r directors/s as appropriate
- ii. Business/Corporate name: Insert the name under which the entity trades; for a company the name under which company is incorporated
- iii. Registered address: If different from place of operation
- iv. Place/s of business: For each location, if more than one, specify the number of SEBs
- v. Nature of business: Specify the business/es the entity is/are involved in.
- v (a). Type of products manufactured: Specify the product/s, e.g. beer, soft drink, etc
- vi – viii. Are self-explanatory
- ix. Licenses from competent authorities: This includes trading licenses from local authorities, clearance from Fire Services, etc.

**Other manufacturing/operational information**

- i. & ii. Could be combined with (iv) above and submit a consolidated attached sheet. The brochure/literature should enable MRA-Customs to determine the average hourly consumption of gas oil per SEB.
- iii. Certificate of calibration should be submitted
- iv – vi. Are self-explanatory

**Record keeping requirements**

- i. Specify if different from place of operation
- ii. Records for use of gas oil may, for example, include log books, delivery sheets, etc and for production it could be production sheets, etc
- iii. Specify the person/s with whom MRA-Customs shall deal together with contact details.

***The completed application form together with the undertaking "Form X09-C" duly signed, should be returned to the Exemption Monitoring Unit (EMU), MRA-Customs Department, IKS Bldg, Trou Fanfaron, P. Louis.***

**Form X09-B****Processing of the application**

Officers from the MRA-Customs Department will carry out an inspection visit of the place of business and of the installation. The applicant will be informed of the outcome of his application only after that visit

The attention of applicants is drawn to the fact that the exemption provision relates to gas oil that will be used in stationary engines and boilers only, and not for other purposes such as running of vehicles

**Terms and Conditions**

The conditions attached to the grant of the exemption are the following:

- (a) the gas oil should be purchased from oil companies and delivered directly to the place of business by oil companies;
- (b) no exemption will be granted on gas oil purchased from petrol service (filling) stations;
- (c) each storage tank should be equipped with at least one calibrated flow meter;
- (d) where the gas oil in the storage tank is also used for other purposes, the storage tank should be equipped with two flow meters, one to measure gas oil delivered to stationary engines and boilers, and the other to measure gas oil delivered for other purposes (both flow meters should be calibrated);
- (e) where the gas oil in the storage tank is also used for other purposes, the registered manufacturer should also inform the Director General of the estimated amount to be used in stationary engines and boilers and the estimated amount to be used for other purposes;
- (f) the registered manufacturer should have the flow meter calibrated (*to state period*);
- (g) if any flow meter is out of order, the registered manufacturer should inform the Director General immediately and take immediate action for its repairs or replacement;
- (h) the registered manufacturer should inform the Director General of any changes in the information submitted at the time of the application and obtain his approval where necessary;
- (i) the registered manufacturer should keep proper records of all delivery, and use of gas oils and submit a return to the Director General in respect of each quarter's inflows, outflows and stock as per the pro forma Quarterly Return-*Form X09-Q* not later than 7 days of the following quarter;
- (j) the registered manufacturer should pay to the Director General excise duty on any shortfall of gas oil in the storage tank;
- (k) the registered manufacturer should allow authorized MRA-Customs officers to enter any place of business, to examine the storage tanks and to inspect and take copies of any records, books or documents relating to gas oil;

Non-respect of the above conditions may lead to suspension or cancellation of the approval for exemption

The attention of registered manufacturers is further drawn to Section 5 of the Customs Tariff Act which provides that where a person fails to inform the Director General that any goods, which have been exempted from payment of duty under any enactment, have been sold or put to any use or applied to any object other than that in respect of which the exemption was granted, he shall commit an offence and shall, on conviction, be liable to a fine which shall not be less than treble the value of the goods, or not less than Rs 2,000, but not more than Rs 10,000, whichever is the higher, and any goods which are the subject-matter of the offence shall be liable to forfeiture.