

Rwanda

## Regulations governing Trade of Used Electrical and Electronic Equipment

### Regulation 5 of 2022

Legislation as at 11 July 2022

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## Rwanda

# Regulations governing Trade of Used Electrical and Electronic Equipment

## Regulation 5 of 2022

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*[This is the version of this document from 11 July 2022.]*

**The Director General of Rwanda Inspectorate, Competition and Consumer Protection Authority (RICA);**

Pursuant to Law n° 31/2017 of 25/07/2017 establishing Rwanda Inspectorate, Competition and Consumer Protection Authority and determining its mission, organisation and functioning, especially in Articles 6 and 7;

**ISSUES THE FOLLOWING REGULATIONS:**

### Chapter One General provisions

#### Article One – Purpose of these Regulations

These Regulations establish a framework for trade of used electrical and electronic equipment.

#### Article 2 – Definitions

In these Regulations, the following terms have the following meanings:

- 1° **business operator:** a natural or moral person involved in trade of used electrical or electronic equipment;
- 2° **license:** permission granted by the Authority authorizing a person to trade in used electrical or electronic equipment;
- 3° **Authority:** State organ in charge of inspection, competition and consumer protection.

### Chapter II License

#### Section One – Licensing

#### Article 3 – Licensing of a business operator

A person who intends to carry out trade of used electrical or electronic equipment must apply for license to the Authority.

A license is not transferable.

#### **Article 4 – Application for a license**

A person applying for a license submits the following documents to the Authority:

- 1° duly filled application form determined by the Authority;
- 2° a copy of business registration certificate issued by the competent authority;
- 3° proof of payment of license application fees;
- 4° a document indicating a list of existing used electrical or electronic equipment in the store or shop.

#### **Article 5 – Decision on application for a license**

The Authority notifies in writing the decision on application for a license to the applicant within thirty (30) days from the date of submission of application.

#### **Article 6 – Appeal**

If the application for a license is rejected, the applicant may address an appeal in accordance with the procedure provided for by relevant laws.

#### **Article 7 – Validity of the license**

The license is valid for two (2) years renewable.

A business operator who wants to have the license renewed submits the application for renewal at least three (3) months before expiration of the existing license.

#### **Article 8 – Application for license renewal**

A person who applies for license renewal submits the following documents to the Authority:

- 1° duly filled license renewal application form determined by the Authority;
- 2° a copy of business registration certificate issued by the competent authority;
- 5° a copy of existing license;  
*[Please note: numbering as in original.]*
- 3° a proof of payment of license renewal application fees;
- 4° a document indicating a list of existing used electrical or electronic equipment in the store or shop.

#### **Article 9 – Application and licensing fees**

The amounts of application and license fees are in Annex I of these Regulations.

### **Section 2 – Suspension and termination of the license**

#### **Article 10 – License suspension**

The Authority suspends the license if the business operator—

- 1° is under investigation of suspicions on buying or selling stolen used electrical or electronic equipment;

- 2° fails to justify the source of the used electrical or electronic equipment under his or her possession;
- 3° fails to provide the records of the sold used electrical or electronic equipment within the last two (2) years;  
or
- 4° does not comply with any of the license obligations.

The license suspension cannot exceed three (3) months.

The business operator takes full responsibility of the security of his or her equipment in case of suspension of activities of trade of used electrical and electronic equipment.

### **Article 11 – Termination of the license**

A business operator who intends to stop the business in trade of used electrical or electronic equipment notifies the Authority at least one (1) month before ceasing the activities.

The Authority may terminate the license if the business operator—

- 1° submits false or misleading data or information to the Authority;
- 2° violates relevant laws in force;
- 3° refuses the Authority to access premises of work or where records relating to trade of used electrical or electronic equipment are kept;
- 4° fails to comply with instructions issued to him or her by the Authority;
- 5° is convicted by a court of an offence relating to stolen used electrical or electronic equipment;
- 6° does not comply with the sanction of suspension of license; or
- 7° breaches once again the license obligations.

## **Chapter III**

### **Obligations of the business operator and powers of the authority**

#### **Section One – Obligations of the business operator**

#### **Article 12 – Verification of the equipment**

The business operator ensures that used electrical or electronic equipment which he or she intends to buy meets the safety requirements of the standard IEC 60950-1.

The list of used electrical or electronic equipment authorized to be commercialized is in Annex II of these Regulations.

#### **Article 13 – Recording the description of the used electrical or electronic equipment**

The business operator records the following description of the used electrical or electronic equipment he or she buys as well as those sold and keeps the records at least for two (2) years:

- 1° category;
- 2° brand name;
- 3° model name;
- 4° model number;

- 5° serial number;
- 6° information relating to International Mobile Equipment Identity (IMEI) and International Mobile Equipment Identity Software Version (IMEI SV) per slot where applicable;
- 7° any other distinguishing marks or features, where applicable;
- 8° equipment status description.

### **Article 14 – Verification of the owner of equipment**

Before buying used electrical or electronic equipment, the business operator must verify that the seller is the rightful owner of the equipment.

The business operator must also record the identity of the seller indicating the following items:

- 1° names;
- 2° a copy of identity card, passport or business registration certificate;
- 3° residence;
- 4° telephone number;
- 5° e-mail address, where applicable.

### **Article 15 – Conclusion of a contract of sale**

The business operator must conclude with the seller a contract of sale of used electrical or electronic equipment.

The contract of sale indicates that the used electrical or electronic equipment which is being sold serves well its intended purpose.

The template of the contract of sale of used electrical or electronic equipment is found in Annex III of these Regulations.

### **Article 16 – Providing information**

The business operator notifies the Authority of changes of the physical address, trade name or any other change of information previously given to the Authority at least twenty-one (21) days before such changes are effected.

The business operator reports to the relevant authorities any person suspected to have unlawfully acquired used electrical or electronic equipment.

### **Article 17 – Issuance of invoice**

The business operator has the obligation to issue invoice of used electrical or electronic equipment to the buyer.

## **Section 2 – Powers of the Authority**

### **Article 18 – Market surveillance**

The Authority may conduct inspection on the market of used electrical and electronic equipment to verify authenticity of licenses and compliance with license requirements.

### **Article 19 – Closing of business operations**

The Authority may close activities of a business operator if the or she has no license or operates with an expired license.

The Authority notifies in writing the business operator of the decision of closure of his or her activities of trade of used electrical and electronic equipment.

The business operator takes full responsibility of the security of his or her equipment in case of closure of activities of trade of used electrical and electronic equipment.

### **Article 20 – Seizure**

The Authority may seize used electrical or electronic equipment found in a store or shop of the business operator when—

- 1° an unlicensed business operator opens a shop or store closed by the Authority without authorisation from the Authority;
- 2° a business operator fails to provide the records of the used electrical or electronic equipment under his or her possession;
- 3° the used electrical or electronic equipment is subject to an ongoing investigation; or
- 4° the business operator operates while his or her license has been suspended or revoked.

## **Chapter IV**

### **Miscellaneous, transitional and final provisions**

#### **Article 21 – Appointing a commercial representative**

The business operator may, in writing, appoint a representative in trade of used electrical or electronic equipment.

#### **Article 22 – Faults and administrative sanctions**

A business operator who contravenes the provisions of these Regulations is liable to administrative fines provided for in Annex IV of the Regulations.

#### **Article 23 – Existing business operators**

Existing business operators must obtain the license, within a period of three (3) months from the date of commencement of these Regulations.

#### **Article 24 – Commencement**

These Regulations come into force on the date of their publication in the Official *Gazette* of the Republic of Rwanda.

**Annex I**  
**Amounts of application and license fees**

Application fee	FRW 5,000
License fee	FRW 10,000



## Annex II

### List of used electrical or electronic equipment authorized to be commercialized

Equipment category	Examples
Consumer electronics	Television receiver, satellite receivers, Pay-TV receivers, decoders, video recorders, video cameras, video mixing and cutting appliances, video players, cameras, flash guns, slide projectors, film projectors, amplifiers, tuners, receivers, radios (including car radios and car CD players removed from vehicles), gramophones, CD players, MP3 players, i-pods, minidisc appliances, tape recorders, tape decks, loudspeakers including active loudspeakers, computer games devices, home computers, music instruments and accessories, e.g. electric guitars, electric pianos, keyboards, amplifiers, etc.
Office, IT and telecommunications equipment	Personal computers, servers, terminals, laptops, computer keyboards, screens, flat screens, scanners, printers, photo scanners, photo printers, modems, photocopiers, shredders, dictaphones, pocket calculators, palmtops, typewriters, telephones, radio telephones or mobile/cell telephones, pagers, fax machines, answering machines, walkie-talkies, overhead projectors, video projectors (beamers), pre-press and print finishing equipment switches; routers; access points.
Refrigeration equipment	Refrigerators and cooling/freezer units, air-conditioner, ice machines
Large household appliances	Dishwashers, ovens, cooking stove, microwave, washing machines, tumblers, carpet cleaning devices, knitter machines, ironing machines, electrical grills, oil radiators, solariums
Small household appliances	Ovens, toasters, coffee machines, food mixers, kneaders, meat chopper, juice squeezers, bread baking machines, electric knives, cutting machines, electric tin-opener, hairdryers, electric toothbrushes, shavers, hair removal devices, electric weighing machine, fan heaters, ventilators, sewing machines, flat irons, drying hoods, vacuum cleaners, electric air fresheners
Lighting fixtures	<ul style="list-style-type: none"> <li>• Luminaries for fluorescent lamps</li> </ul>

	<ul style="list-style-type: none"> <li>• Other equipment for the purpose of spreading or controlling light</li> </ul>
Lamps (without incandescent lamps)	<ul style="list-style-type: none"> <li>• Compact fluorescent lamps (energy-saving lamps)</li> <li>• Fluorescent lamps (fluorescent tubes)</li> <li>• High intensity discharge lamps: <ul style="list-style-type: none"> <li>• Metal halide lamps</li> <li>• Sodium lamps</li> <li>• Mercury lamps</li> <li>• Induction lamps</li> </ul> </li> <li>• LED (light-emitting diodes) lamps</li> </ul>
Sport and leisure appliances, toys (except coin slot machines)	Electric trains or car racing sets, remote-controlled cars, robots, dolls or stuffed animals/soft toys with electronic components, hand-held video game consoles, video games, computers for biking, diving, running, rowing, etc., electric scooters, home trainers with electric or electronic components

### Annex III

#### Forms

*[Editorial note: The forms have not been reproduced.]*

**Annex IV****Administrative faults and sanctions**

	<b>Fault</b>	<b>Administrative fine (FRW)</b>
1.	Late request of license renewal	50,000
2.	Failure to submit on time a report required by the Authority	50,000
3.	Failure to cooperate with inspectors of the Authority	50,000
4.	Failure to make sale contract	50,000
5.	Failure to notify particular changes	50,000
6.	Failure to issue invoice	50,000
7.	Failure to maintain proper data records of used electrical or electronic equipment in his or her possession	100,000
8.	To operate without a license or with an expired license	200,000