

Renewal, Transfer, Cancellation, Removal and Reinstatement

Regulation 102. Renewal of Certificate of Registration.

The renewal of any Certificate of Registration issued under regulation 71, 75, 80, 84, 88 or 92 shall be made not less than fourteen days before the date of expiry of the Certificate.

Regulation 103. Transfer of Certificate of Registration.

(1) No Certificate of Registration issued under regulation 71, 75, 80, 84, 88 or 92 shall be transferred by the holder of the Certificate to any other person except with the written permission of the Commission.

(2) The holder of any Certificate of Registration issued under regulation 71, 75, 80, 84, 88 or 92 shall obtain approval from the Commission in writing for any change of name or address in connection with the business and the Certificate shall be amended or replaced without payment of any fee.

Regulation 104. Cancellation of Certificate of Registration.

(1) The Commission may cancel a Certificate of Registration issued under regulation 71, 75, 80, 84, 88 or 92 if—

(a) the holder of the Certificate ceases to carry on the business in respect of which he is registered;

(b) the holder of the Certificate has been adjudicated a bankrupt;

(c) the company goes into liquidation;

(d) the holder of the Certificate or his servant or agent contravenes or fails to comply with any provisions of the Act or these Regulations; or

(e) the holder of the Certificate has obtained the Certificate by making or causing to be made any false or fraudulent declaration, certification or representation, either in writing or otherwise.

(2) Where a Certificate of Registration is cancelled by the Commission pursuant to subregulation (1), the Certificate shall be returned to the Commission by the person, to whom the Certificate was issued, within fourteen days of the person being notified in writing of the cancellation.

Regulation 105. Removal from and reinstatement to the Register of Certificate of Registration.

(1) There shall be removed from the Register the name and other particulars of any person whose Certificate of Registration was issued under regulation 71, 75, 80, 84, 88 or 92—

(a) where he has failed to renew his Certificate of Registration by the date of expiry thereof; or

(b) where his Certificate of Registration has been cancelled under regulation 104.

(2) A person whose name has been removed from the Register under subregulation (1) may appeal, within thirty days of the removal from the Register, for reinstatement and the Commission, upon receipt of satisfactory evidence or reasons for his reinstatement, may register him again.

(3) The person referred to in subregulation (2) who feels aggrieved by the decision of the Commission not to reinstate him may apply to the Minister for re-consideration of the matter.

(4) The application under subregulation (3) shall be made in writing within twenty-one days from the date of the decision of the Commission and shall contain the grounds of grievance.

(5) The decision of the Minister on the matter referred to him under subregulation (3) shall be final.

(6) [*Delete by P.U.(A) 431/2003: Reg. 75*]

Regulation 106. Renewal of Certificate of Approval.

Renewal of a Certificate of Approval issued under regulation 97 shall be made not less than fourteen days before the date of expiry of the Certificate.

Regulation 107. Transfer of Certificate of Approval.

(1) No Certificate of Approval issued under regulation 97 shall be transferred by the holder of the Certificate to any other person except with the written permission of the Commission.

(2) The holder of a Certificate of Approval issued under regulation 97 shall obtain approval from the Commission in writing for any change of name or address in connection with the business and the Certificate shall be amended or replaced without payment of any fee.

Regulation 108. Cancellation of Certificate of Approval.

(1) The Commission may cancel a Certificate of Approval issued in respect of any equipment referred to in regulation 97 if—

(a) the equipment is found to be unsafe for use upon any examination or test thereof;

(b) the person to whom the Certificate was issued, uses it for a purpose different for that for which it was issued or in a manner calculated to mislead or deceive the public;

(c) the person has contravened or failed to comply with any of the provisions of the Act or these Regulations; or

(d) the holder of the Certificate has obtained the Certificate by making or causing to be made any false or fraudulent declaration, certification or representation, either in writing or otherwise.

(2) Where a Certificate of Approval is cancelled by the Commission pursuant to subregulation (1), the Certificate shall be returned to the Commission by the person to whom the Certificate was issued within fourteen days of the person being notified in writing of the cancellation.

Regulation 109. Removal from and reinstatement to the Register of Certificate of Approval

(1) There shall be removed from the Register the name and other particulars or any person whose Certificate of Approval was issued under regulation 97—

(a) where he has failed to renew his Certificate of Approval by the date of expiry thereof; or

(b) where his Certificate of Approval has been cancelled under regulation 108.

(2) A person whose name has been removed from the Register under subregulation (1) may appeal, within thirty days of the removal from the Register, for reinstatement and the Commission, upon receipt of satisfactory evidence or reasons for his reinstatement, may register him again.

(3) The person referred to in subregulation (2) who feels aggrieved by the decision of the Commission not to reinstate him, may apply to the Minister for re-consideration of the matter.

(4) The application under subregulation (3) shall be made in writing within twenty-one days from the date of the decision of the Commission and shall contain the grounds of grievance.

(5) The decision of the Minister on the matter referred to him under subregulation (3) shall be final.

(6) [*Delete by P.U.(A) 431/2003: Reg. 79*]