



RWANDA INSPECTORATE, COMPETITION AND CONSUMER PROTECTION
AUTHORITY

P.o Box: 375 Kigali-Rwanda,

Safari Centre House located at Plot Number 436 | Kicukiro District

Email: info@rica.gov.rw Website: www.rica.gov.rw

REGULATION N° ID: DGO/REG/004 of 19/05/2022

GOVERNING GARAGES

REPUBULIKA Y'U RWANDA  REPUBLIC OF RWANDA	 RICA Rwanda Inspectorate, Competition and Consumer Protection Authority
TITLE: TECHNICAL REGULATION GOVERNING GARAGES	ID: DGO/REG/004

TITLE	TECHNICAL REGULATION GOVERNING GARAGES		
AUTHOR	Rwanda Inspectorate Competition and Consumer Protection Authority (RICA)		
AUTHORIZATION			
NAME:	Mrs. Beatrice UWUMUKIZA		
TITLE/POSITION:	Ag. Director General of RICA		
SIGNATURE:			
DATE:	19 th May 2022		
DOCUMENT CONTROL			
APPROVAL DATE	ISSUED TO	REVISION PERIOD	REVISION N°
May 19, 2022	Business operators & RICA stakeholders	Five years	00
CONTROL STATUS	Draft	Controlled	Obsolete
STAMP HERE			
PROTECTION	Read only		

Table of Contents

PREAMBLE	3
CHAPTER 1: GENERAL PROVISIONS	4
Article 1: Citation and commencement	4
Article 2: Purpose of this technical regulation	4
Article 3: Definition of terms	4
Article 4: Scope of application	5
Article 5: Applicable language	5
Article 6: Occupational health and safety	5
CHAPTER 2: REQUIREMENTS FOR GARAGES	6
Article 7: Requirements for garages	6
Article 8: Requirements for new garage construction	7
Article 9: Requirements for altering architectural design of the existing garage	7
Article 10: Validity of provisional authorization issued for new garage construction and alteration of the existing garage	8
Article 11: Requirements for business operators	8
CHAPTER 3: REGISTRATION OF GARAGES AND LICENSING OF BUSINESS OPERATORS 10	
Article 13: Application for certificate of registration	10
Article 14: Application for licensing	10
Article 15: Decision on Licensing and Registration application	10
Article 16: Appeal	10
Article 17: Validity of registration certificate	11
Article 18: Renewal of registration certificate	11
Article 19: Transfer of garage registration and operational license	11
Article 20: Loss of registration certificate	11
Article 21: Surrendering the registration certificate	11
Article 22: License or certificate suspension	12
Article 23: Registration certificate revocation	12
Article 24: Refunding	12
Article 25: Repair and servicing complaints	13
Article 26: Faults and administrative sanctions	13
Article 27: Payments and payment process	13

CHAPTER 4: OBLIGATIONS OF LICENSED OPERATORS	14
Article 28: Maintenance of registration certificate or license	14
Article 29: Notification of change of particulars to the Regulatory Authority	14
Article 30: Operators' authorized representative	14
CHAPTER 5: FINAL PROVISIONS	15
Article 31: Repealing Provision.....	15
Article 32: Disclaimer.....	15
Article 33: Transition	15
Article 34: Commencement.....	15

PREAMBLE

The Rwanda Inspectorate, Competition and Consumer Protection Authority (RICA),

Pursuant to law No 31/2017 of 25/07/2017 establishing RICA more especially on Article 6 and Article 7;

Pursuant to law N° 36/2012 of 21/09/2012 relating to competition and consumer protection;

Pursuant to the Law N°48/2018 of 13/08/2018 on environment Art. 3,5,17 and 19

Pursuant to Ministerial Order N°02 of 17/05/2012 determining conditions for occupational health and safety especially on articles 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17 and 21.

Hereby issues the following Technical Regulation:

CHAPTER 1: GENERAL PROVISIONS

Article 1: Citation and commencement

This regulation shall be cited as “Technical Regulation governing garages”.

Article 2: Purpose of this technical regulation

The purpose of this technical regulation is to establish a regulatory framework on motor vehicle garages in the Republic of Rwanda to ensure the quality of service delivery/offered and protection of people, animals, properties and environment from any effect that can arise from the services offered in garages.

Article 3: Definition of terms

In the context of this technical regulation, the following terms shall mean:

1. **Business operations:** offering garage services as referred as RS 402 Garages;
2. **Business operator:** a person performing business operations in the sector regulated by this technical regulation;
3. **Garages:** any premise or part thereof which offers servicing and/or repairing of motor vehicles;
4. **Inspection:** Examination of a product, process, service, or installation or their design and determination of its conformity with specific requirements or, on the basis of professional judgment, with general requirements;
5. **Insurance:** an arrangement by which a company or the state undertakes to provide a guarantee of compensation for specified loss, damage, illness, or death in return for payment of a specified premium;
6. **Job card:** a written authorization by the customer for the garage to perform identified services. It also approves the performed services after job.
7. **Market surveillance:** random checks and inspection or gathering of information with regard to services provided into garages and their facilities;
8. **Motor vehicle:** any power-driven road vehicle which is commonly wheeled, not rail borne and normally used for:
 - carrying persons and/or goods;
 - towing vehicles used for the carriage of persons and/or goods;
 - special service;
9. **Registration certificate:** a certificate issued to a registered garage meeting minimum requirements;

10. **Registration:** the process of documenting, maintaining records and issuance of registration certificates to garages that have complied with the legal requirements to provide garage and parking garage lift services;
11. **Regulatory Authority;** Rwanda Inspectorate, Competition and Consumer Protection Authority (RICA);
12. **Repair:** reinstatement of specified areas of damage on a vehicle to their pre-damaged condition;
13. **Transfer of registration:** change of ownership of the registered garage.

Article 4: Scope of application

This technical regulation shall apply on the motor vehicle and truck servicing and repair garages.

Article 5: Applicable language

All documents in line with this technical regulation shall be written in any of the official languages used in Rwanda.

Article 6: Occupational health and safety

To maintain the required occupational health and safety at work, garages and their users or service providers shall comply with the requirements of the Ministerial Order N°02 Of 17/05/2012 Determining Conditions for Occupational Health and Safety.

CHAPTER 2: REQUIREMENTS FOR GARAGES

Article 7: Requirements for garages

All garages shall comply with the following minimum requirements:

S/N	Items	Requirements
1.	Garage grade	Garages shall be classified in grades A, B, C, D, E, and F. Details for each grade can be found in RS 402.
1.	Construction and layout	<p>Each garage shall:</p> <ol style="list-style-type: none"> a. be fenced; b. have well roofed automobile workshop constructed in such manner that storm water shall never enter inside the workshop; c. have the floor pavement of compressive strength of at least 30MPa; d. have the parking in which vehicles that have been already repaired are parked; e. have offices for staff and reception or waiting facilities; f. have wash rooms and changing rooms for male and female; g. Vehicle inspection pit dimensions (for pit open space) shall be not less than 3.7m of length, 1m of width and 2m of depth and shall have built in lighting system. In case the inspection is not available, there should be a lift; h. have adequate painting room to avoid air pollution (if it provides this service); i. have adequate waste storage area.
2.	Safety	<ol style="list-style-type: none"> a. Safety instructions shall be made available and accessible by every employee; b. Employee in workshop shall always wear personal protective equipment/clothes; c. Vehicles inside garages shall be driven by staff holding appropriate driving license; d. Food and drink shall be avoided in the workshop; e. Each repair garage shall have permanent access to water within the premise; f. All equipment shall be maintained, inspected and/or calibrated as applicable; g. Sound levels emitted from the garage and exposure to people shall not exceed 75dB during the day and 70dB at night;

		h. Having firefighting system(s) installed and operational, this may be in accordance with Annex C of RS 402. All workers should be trained on how to use the firefighting equipment.
3.	Waste management	RS 368 requirements shall apply.
4.	Guaranty	a. For any service offered by the garage, a written guaranty shall be issued to the client. b. The issued guaranty is valid from the date of repair or servicing completion and the duration depends on the offered service.
5.	Documentation	Garage operators shall keep and have in possession all the documents related to the services they provide. The following records shall be retained a. job cards, b. evidence of competences, c. complaints receiving and handling records, d. employee insurance records, e. property and liability insurance records, f. guaranties given to customers.

Article 8: Requirements for new garage construction

Any business operator who intends to set up a garage shall, before any work onsite starts, apply for provisional authorization by submitting the following documents:

1. A duly filled and signed application form;
2. Proof of payment of an application fee;
3. Architectural drawings of the garage;
4. A copy of business registration certificate issued by the Competent Authority;
5. Environmental impact assessment certificate from the Competent Authority;
6. Approval letter from the district office (district in which the garage is or will be located) that the site is complying with the district physical masterplan.
7. All application documents shall be sent to applicatio@rica.gov.rw. Submission of hard copies may be done upon request.

Article 9: Requirements for altering architectural design of the existing garage

Any person who wishes to alter the architectural design shall submit the following documents:

1. A duly filled and signed application form;
2. Existing registration certificate issued by the Regulatory Authority;
3. Rehabilitation permit issued by Competent Authority;
4. Proof of payment of an application fee;
5. Architectural drawings of the garage.
6. All application documents shall be sent to applicatio@rica.gov.rw. Submission of hard copies may be done upon request.

Article 10: Validity of provisional authorization issued for new garage construction and alteration of the existing garage

The provisional authorization issued for the purpose of building a new garage and altering the existing one, shall be valid only during construction period. After construction activities, the Chapter 3 of these technical regulation shall apply.

Article 11: Requirements for business operators

Any business operator who wishes to carry out operations specified by this technical regulation shall meet the following minimum requirements:

1. Having qualified or trained staff at least one for each service. These competences shall be proved by certificates issued by the Competent Institution or company as described by RS 402;
2. Availability of job card template that will be used during the works;
3. Availability of equipment as specified in Annex A of RS 402;
4. Availability of personal protective equipment/clothes;
5. First Aid kits shall be full, kept and accessible by everyone in the garage;
6. Emergency information including emergency phone numbers shall be available and in use;
7. Copy of insurance (life insurance) for permanent staff;
8. A copy of property and liability insurance;

Article 12: Service delivery

A job card shall be established and given to the vehicle owner prior to commencing the servicing or repair activities.

The job card shall bear at least the following information:

1. Names of clients;
2. Vehicle identification;

3. Acquisition time (hour and date);
4. Condition of the vehicle at time submission;
5. Services requested;
6. Service duration;
7. Signature of the garage representative;
8. Signature of the vehicle owner or representative.

The service shall be delivered without delays unless there is an agreement on a possible delay between the owner and the garage staff. In case of an unplanned delay the vehicle owner shall be informed and an agreement about new completion date and / or cost if necessary shall be established

A written service warranty/guaranty shall be issued to the customer.

Customers are allowed to make complaints if it is clear that the service provider has not fulfilled the terms and conditions of the contract. If it happens, the garage management shall take effective and immediate action in order to ensure that clients receive an effective settlement of the complaint within 72 h.

On completion of the servicing or repair activities, the job card shall be updated to include (but not limited to):

1. Company address;
2. Authorization statement;
3. Confidentiality statement;
4. Indemnification
5. Vehicle identification
6. Vehicle previous servicing details
7. Vehicle inspection and problem diagnosed
8. Job done;
9. Additional services;
10. Supervisor in-charge;
11. Payment for the service rendered
12. Labour warranty; and
13. Customer Approval.

CHAPTER 3: REGISTRATION OF GARAGES AND LICENSING OF BUSINESS OPERATORS

Article 13: Application for certificate of registration

No garage shall be allowed to operate without a registration certificate issued by the Regulatory Authority. The following documents shall be submitted for garage registration:

1. A duly filled and signed application form;
2. Construction and layout;
3. Description of waste management system in place;
4. A copy of provisional authorization;
5. Proof of payment of applicable fees.

Article 14: Application for licensing

The following documents shall be submitted for business operator licensing:

1. A duly filled and signed application form;
2. Copy of operational license of the business operator issued by the Regulatory Authority;
3. Copy of the garage registration certificate;
4. Leasing contract if the applicant is not the owner of the garage;
5. Proof of staff qualification as prescribed in RS 402.
6. Copy of life insurance for permanent staff;
7. Copy of property and liability insurance;
8. Proof of Tax Clearance;
9. Proof of Social Security Clearance;
10. Proof of payment of applicable fees.

Article 15: Decision on Licensing and Registration application

Decision on Registration and Licensing applications shall be communicated in not more than thirty (30) calendar days after submission of complete application file.

Article 16: Appeal

If the application for license of business operation or garage registration is declined, the applicant has the right to address his/her complaint as stipulated in the appeal/complaint procedure published on the website of the Regulatory Authority.

Article 17: Validity of registration certificate

The registration certificate shall be valid for two (2) years that are renewable.

Article 18: Renewal of registration certificate

Business operators shall submit the renewal application at least three (3) months before expiration of existing registration. The registration procedures and the criteria for approval shall be the same as initial procedures.

Article 19: Transfer of garage registration and operational license

1. Application for transfer of a garage is done three (3) months before the agreed transfer date and is initiated by the holder of original registration by notifying the Regulatory Authority. This notification is concurrently done with the application for registration of the transferee. After registration of a garage to another applicant, the original registration holder loses ownership on it.
2. Operational licenses are not transferable.

Article 20: Loss of registration certificate

The certificate holder shall notify the regulatory authority about the loss of a registration certificate and request for the duplicate within 15 calendar days following the day the certificate or has been lost.

The application for duplicate shall include the application letter addressed to the Director General of the Regulatory Authority and it shall be accompanied by the certificate of loss provided by the Competent Authority.

The request for duplicate of the certificate shall be subject to the payment of the full certificate fee.

The conditions for the duplicate of the certificate remain the same as the original certificate.

Article 21: Surrendering the registration certificate

A business operator who wishes to stop offering garage services shall notify the Regulatory Authority three (3) months before ceasing the activities.

Notifications that are done after expiration of the issued shall have to pay a late renewal penalty.

Article 22: License or certificate suspension

The Regulatory Authority shall suspend in writing the license or certificate if the operator fails to comply with any of the obligations.

Any business operator whose certificate or license has been suspended due to some noncompliance shall send to the Regulatory Authority in writing the corrective measures put in place in not more than fifteen (15) working days.

The Regulatory Authority shall respond to the notification in not more than fifteen (15) working days from the day of notification.

Article 23: Registration certificate revocation

The Regulatory Authority may revoke the license or certificate before the expiration of its term due to any of the following:

1. Submission of false or deliberately misleading data or information to the Regulatory Authority during licensing or in response to field verifications or in response to Regulatory Authority's inspection or audit requirements;
2. Breach of relevant laws, orders, regulations or guidelines in force;
3. The license holder refusal to provide timely access to the Regulatory Authority or inspection of the holder facilities and corporate records;
4. Failure to comply with an enforcement notice issued by the Regulatory Authority;
5. Failure to comply with the directives of the suspension order;
6. The operator repeatedly breaching the license obligations.

A revocation notification initiating the revocation shall be issued to the business operator by the Regulatory Authority with the reasons for revocation;

Failure to correct the revocation causes within fourteen (14) calendar days, shall result into revocation and the business operator shall be requested to submit the registration certificate or license issued to him.

Article 24: Refunding

In case registration is cancelled at initial stages due to unavoidable reasons, no monetary refunds shall be made. But instead refunds shall be done in the form of credit for future application. The declaration for cancellation of the application and request for refund shall be submitted to the Regulatory Authority for refund approval.

This refund shall be valid for a period of six months that is countable from the withdraw/cancellation date.

Article 25: Repair and servicing complaints

The Regulatory Authority shall only accept vehicle repair and servicing complaints against a garage provided that the guaranty is still valid, Annex E of RS 402 gives guidance.

Article 26: Faults and administrative sanctions

Any person who contravenes this regulation is liable to fines and administrative sanctions provided in relevant laws in force.

Article 27: Payments and payment process

All administrative sanctions and fees that are relevant to this technical regulation shall be paid on the account of the Regulatory Authority and a proof of payments is submitted or presented to the Regulatory Authority for further actions in not more than 10 working days.

CHAPTER 4: OBLIGATIONS OF LICENSED OPERATORS

Article 28: Maintenance of registration certificate or license

The business operator shall commit to the Regulatory Authority to comply with and maintain the requirements of the issued certificate or license.

Article 29: Notification of change of particulars to the Regulatory Authority

The business operator shall notify the Regulatory Authority of any changes of the trade name and/or any other changes relevant to the Regulatory Authority at least three (3) weeks before such changes are implemented.

The following changes shall also be subject to approval:

1. Change of the address of the business operator;
2. Change in the garage layout.

Article 30: Operators' authorized representative

Any garage(s) opened by the business operator other than the registered one shall be subject to separate registration.

CHAPTER 5: FINAL PROVISIONS

Article 31: Repealing Provision

All prior provisions contrary to this technical regulation are hereby repealed.

Article 32: Disclaimer

The Regulatory Authority shall not be held liable for any accidents, damage, loss or issues resulting from garages and services they offer.

Article 33: Transition

Within a period of six (6) months from the date of coming into force of this technical regulation, all existing garages shall have to be registered.

Article 34: Commencement

This regulation shall come into force on the date of approval.

Done on 19 / 05 / 2021