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REGULATION N° 006/R/SAN-EWS/RURA/020 of 29/05/2020
GOVERNING CLEANING SERVICE PROVISION

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REGULATIONS N° 006/R/SAN-EWS/RURA/020 OF 29/05/2020 GOVERNING CLEANING SERVICE PROVISION

PREAMBLE

Pursuant to Law N° 48/2018 of 13/08/2018 on Environment;

Pursuant to Law N° 09/2013 of 01/03/2013 establishing Rwanda Utilities Regulatory Authority (RURA) and determining its mission, powers, organization and functioning,

Having reviewed the Regulations N° 003/R/SAN-EWS/RURA/016 of 15/09/2016 governing cleaning services provision;

Based on the recommendations made during the consultative meeting held on 5th/02/2020 between RURA and different stakeholders in cleaning sector;

The Regulatory Board, upon due consideration and deliberation in its meeting of 29th/05/2020;

Hereby issues the following Regulation:

CHAPTER ONE: GENERAL PROVISIONS

Article one: Purpose

The purpose of this Regulation is to govern Cleaning Service Provision.

Article 2: Definitions

For the purpose of this Regulation, the following terms shall have the following meaning:

1° Cleaning Company: a company that does cleaning services on a massive scale; such a company provides not only labor but material and equipment;

2° Cleaning Services: the cleaning of business premises on commercial basis. These are normally public premises such as offices, commercial and industrial premises, public places, roads, hospitals and health care facilities;

3° Environment: a diversity of things made up of natural and artificial environment. It includes chemical substances, biodiversity as well as socio-economic activities, cultural, aesthetic, and scientific factors likely to have direct or indirect, immediate or long term effects on the development of an area, biodiversity and on human activities;

4° Fumigation: a method of pest control that completely fills an area with gaseous pesticides or fumigants to suffocate or poison the pests within;

5° General Cleaning: a process which physically and chemically removes organic matter but does not necessarily destroy micro-organisms;

6° Health and Safety Policy: a set of measures to prevent, minimize and manage the risks, injuries or any other accidents;

7° Inflammable cleaning chemicals: all cleaning chemicals that are capable of being ignited, readily combustible; and not allowed by Rwanda Standards Board based on their level of flammability;

8° Machinery: Mechanical/Electrical items that include but not limited to the following items: vacuum cleaners, polishers, scrubbers, steam cleaners, carpet extractors and elevators;

9° Material or Equipment: consumable and non-mechanical/electrical items such as mops, buckets, cloths, ladders and other items;

10° Periodic Cleaning: tasks that are additional to, but in conjunction with routine tasks such as glass cleaning, wall washing, carpet cleaning, etc. The frequency of these tasks is determined by the organization depending on needs;

11° Pests: destructive insects or other animals that attack human beings, crops, food and livestock;

12° Pest control: regulation or management of pests. For the purpose of this Regulation, pest control is applicable only in the above mentioned premises where cleaning services are provided.

13° Public Premise: a premise whether government or private owned with a public access and generally where many people gather;

14° Regulator: The Rwanda Utility Regulatory Authority

15° Routine Cleaning: the cleaning that is performed in functional areas on a predetermined basis and set by the management according to the area and the need for cleanliness;

16° Safety: the condition in which persons are protected from the risks of work injury as far as it is practicable;

17° Specialized cleaning: a process which physically and chemically removes organic matter and destroys micro-organisms to ensure sterile conditions or use of products that require particular attention. It needs workers that have in-depth knowledge and skills;

18° Toxic cleaning chemicals all cleaning chemicals that are poisonous and not allowed by the Rwanda Standards Board based on their level of toxicity.

Article 3: Scope

This Regulation is applicable to any company and /or cooperative providing cleaning services to public premises. These services include general cleaning of building, roads cleaning/sweeping, gardens maintenance and fumigation of buildings and gardens.

Article 4: Objectives

The main objective of this Regulation is to ensure that cleaning services are provided following required standards on quality, reliability, affordability, sustainability and accessibility of services.

This Regulation shall tackle the following specific objectives:

- 1) Set requirements for cleaning service provision;
- 2) Define specific rules that govern cleaning service provision to ensure effective and efficient cleaning service delivery;
- 3) Promote fair competition and socio-economic obligation for the service provider;
- 4) Put in place enforcement measures to ensure compliance by Cleaning Service Providers.

CHAPTER 2: LICENSING REGIME

Article 5: Provision of Cleaning Services

Any operator providing or seeking to provide cleaning services specified in the areas below shall operate in accordance with applicable laws and required to operate under a license issued by the Regulator:

- 1) All public places within the City of Kigali and
- 2) All public places in the Provinces up to District level.

Institutions under Districts' responsibilities whose procurement processes are carried out by the Districts shall only hire licensed operators.

Cleaning service providers providing services to Institutions below Districts' level shall only be required to register with the Regulatory Authority and comply with specific provisions governing cleaning services.

Article 6: Application for license

The license application for cleaning service provision shall be done online and the applicant shall provide the following:

- 1) Dully filled application form,
- 2) Application letter addressed to the Director General,
- 3) Company /cooperative registration Certificate;
- 4) Health and safety policy;
- 5) Qualification certificates and CVs for key personnel (overall supervisor and accountant secretary);
- 6) List of cleaning equipment according to article 30 of this Regulation.

Article 7: Evaluation of license application

The Regulator shall conduct a preliminary evaluation of the license application to determine whether the applicant submitted all the required documents.

An incomplete license application shall lose its validity within five working (5) days following the official communication from the Regulator to the applicant requesting to submit the missing documents.

Any applicant whose application has lost validity will be considered as a new applicant whenever she/he will need to proceed with reapplication.

Article 8: Decision on license application

The Regulator shall either grant or refuse to grant the license to the applicant based on the recommendations from administrative, technical and financial analysis of the application.

In the event that the Regulator determines to grant a license, it shall, subject to this Regulation, proceed to issue the same upon the payment of the License Fee. The applicant shall pay his/her license within a period not later than fifteen (15) calendar days following the reception of quotation for the payment of license. The license not paid within this period will be cancelled.

In the event that the Regulator determines not to grant a License, it shall immediately notify the applicant in writing stating reasons for such refusal, which reasons may include but not limited to:

- 1) the fact that the application failed to meet the minimum technical and financial requirements;
- 2) presentation of any false or misleading information in the license application;
- 3) previous applicant's records of disobeying orders and directives from the Regulator.

Article 9: License conditions

All licensees for cleaning service provision shall:

- 1) Provide necessary staff, material and equipment for effective service delivery;
- 4) Have a permanent office and inform the Regulator in case of change of address;
- 5) Operate in accordance with cleaning best practices;
- 6) Comply with general directives issued by the Regulator in the exercise of its functions;

- 7) Keep record of services provided and submit a report of activities to the Regulator every year from the commencement of the year in which the license has been issued;
- 8) Pay regulatory fees as determined by the Regulatory Board and;
- 9) Comply with any other condition that the Regulator shall consider relevant for proper service delivery.

Article 10: Validity of the license

The license for the provision of cleaning services shall be granted for a period of five (5) years provided that the licensee complies with applicable laws; regulations and license conditions.

Article 11: Loss of the license

- 1) The licensee must notify the Regulatory Authority about the loss of license and request for the duplicate within fifteen (15) days following the day the license has been lost;
- 2) The application for duplicate which includes the application letter addressed to the Director General of RURA must be accompanied by a certificate of loss provided by a competent authority;
- 3) The request for license duplicate shall be subjected to the payment of application fee;
- 4) The conditions of the license duplicate remain the same as the original license.

Article 12: License renewal

The Licensee shall apply for a License renewal fifteen (15) working days before the expiration of the current license.

The application for license renewal shall be done online with the following:

- 1) Application letter addressed to the Director General of RURA;
- 2) Copy of the current license;
- 3) Company/Cooperative registration certificate and
- 4) Dully filled application form

The license shall not be renewed if the applicant has not complied with any of the provisions of this Regulation.

The renewed license becomes valid on the date following that of the expiration of the previous license.

Article 13: Amendment of the License

If deemed necessary, the Regulator shall be allowed to amend the license terms and conditions during the license term.

Any amendment to the license terms and conditions shall be applicable to all similar Licensees supplying or offering similar services if found to be relevant or affecting the cleaning service provision sub-sector.

Article 14: Transfer of the license

The Licensee shall not transfer the License to any person/company/cooperative without prior written approval of the Regulator.

A Licensee seeking to transfer the License to a third party shall request such transfer to the Regulator who shall approve or refuse the request.

The transferee shall meet the same conditions as the transferor.

The validity of the transferred license remains the same.

Article 15: Suspension of the License

The Regulator may suspend a License in the event that it determines that the Licensee has:

- 1) Failed to carry out its obligations under the License,
- 2) Failed to pay the regulatory fees for three (3) consecutive quarters if deemed necessary.

The maximum period for the suspension is one year

During the license suspension period, the Licensee is not allowed to provide cleaning services.

Article 16: Revocation of the License

The Regulator may revoke the License in the following circumstances:

- 1) where the Regulator has determined that the Licensee is engaging in a prohibited activity under the License; or
- 2) where the Regulator has determined that the Licensee has provided false or inaccurate information related to the License that has materially affected the Regulator's decision; or
- 3) where the Licensee has been adjudged bankrupt;
- 4) where the Licensee has materially failed to perform fundamental obligations and comply with the conditions of the License and the Regulator concludes that other remedies having failed, that revocation is necessary in the public interest; or

- 5) where the Licensee is found to be in continuous breach of a Compliance Order or directives from the Regulator; or
- 6) where the licensee failed to pay the regulatory fees within the period of suspension as stated in article 15, point b;

When the license is revoked, the licensee automatically loses the Regulator's authorization to provide cleaning services.

Article 17: Suspension of business activities by the licensee

The licensee who wishes to suspend or stop the business of cleaning service provision shall notify the Regulator and return the license and ensure that he/or she has fully paid the regulatory fees for the period he /or she possessed the license.

CHAPTER 3: SPECIFIC PROVISIONS GOVERNING CLEANING SERVICES

Article 18: Applicable fees

Fees to be levied by the Regulatory Authority for Cleaning Services licenses shall be as follows:

- 1) License application fee, which is a fee paid when applying for the license and not refundable whether the application is successful or not: 100,000 FRW;
- 2) License fee, which is a fee payable upon the grant of license: 1,000,000 FRW;
- 3) Annual regulatory fees for the contribution to the functioning of the Regulatory Authority as determined by the Regulatory Board.

Article 19: Standards for cleaning services

Cleaning Service Providers shall determine in consultation with the client, the program for cleaning that reflects the contract provisions as set by the client to ensure that cleaning standards are maintained.

Factors to be recognized in the process include but are not limited to:

- 1) The function and role of the area;
- 2) Occupation density,
- 3) Traffic;

- 4) Nature, type and condition of furnishings, fabric and finishes;
- 5) Surfaces;
- 6) Infection control requirements and
- 7) Age and location of buildings.

Cleaning program shall confirm with the following:

- 1) Routine cleaning as set by the management according to the area and the need for cleanliness;
- 2) Periodic Cleaning such as glass cleaning, wall washing, carpet cleaning, fumigation and other activities done on a periodic basis.

Frequencies of cleaning shall be based on a sound quality assurance program especially as they relate to routine cleaning.

A set time schedule shall not be considered appropriate for routine cleaning but cleaning services shall be provided as needed.

Article 20: Work program

Cleaning Service providers shall implement a work program to ensure that:

- 1) An efficient and effective roster system is in place so that necessary cleaning standards can be complied with and necessary staffs and materials are available;
- 2) A comprehensive and up-to-date plan is maintained of all locations and their particular attributes so that all locations of the facility/premise are cleaned with special requirements being met. The plan is required to address the questions of WHAT is to be cleaned, WHERE it is located, WHEN it is to be cleaned and HOW it is to be cleaned;
- 3) An effective quality assurance program is in place so that the requirements of cleaning standards are complied with.

Article 21: Quality Assurance

An effective quality assurance program shall comply with established monitoring criteria and a periodic system review.

For each area of operations, Cleaning Service Providers are required to implement a system of review comprising of:

- 1) Daily review done by the team leader for the work performed by cleaners and submission of exception reports;
- 2) Review the work done on an established periodic basis conducted by supervisors;
- 3) Random inspections of the areas, review of the complaints and taking corrective actions. This is carried out by the management;
- 4) Customer satisfaction surveys of staff, patients/clients and visitors are to be performed periodically;
- 5) Supervisors to make a periodical evaluation of activities to be performed as assigned by the client.

The Cleaning service provider shall keep a formal reporting and record-keeping system on system review detailing the following:

- 1) Frequency of reviews, results and actions taken by whom and when;
- 2) Register of complaints;
- 3) Register of special requests for cleaning.

Article 22: Criteria for Quality Assurance

Cleaning Service providers must ensure that cleanliness standards are observed all the time and shall comply with the following Quality Assurance Criteria:

- 1) Floors shall be kept clean, free from dust, litter, marks, spots and liquids. They shall be free from spots, scuffs or scratches;
- 2) Windows shall be kept tidy and external surfaces of glasses shall be clear of marks and spots;
- 3) Internal surface of glasses shall be clear of marks like fingerprints and smudges and Window frames and ledges shall be clear free of dusts, marks and spots;
- 4) Walls shall be free of dust or lint, marks made by furniture, equipment or any other agent;
- 5) Light switches, doors, and doors frame shall be kept free of finger prints, scuffs and any other marks;
- 6) Ceilings shall be free of dusts, marks, spots, soil films and cobwebs;
- 7) Hard Surface furnishers shall be free of dust, spots, fingerprints, soil film and spillages and soft surface furnishers free from stains, soil films and dusts;

- 8) Bathrooms and toilets shall be free from smudges, smears and mineral deposits and metal surfaces free from soil, smudges, mould, soap, and mineral build up;
- 9) Wall tiles shall be kept free from soil, smudges, moulds, soap and mineral build up;
- 10) All external areas such as gully, trap and drain covers must be free of all debris, litter and refuse;
- 11) The area must smell fresh, kept tidy and uncluttered and there shall not be any distasteful or unpleasant odors.

Article 23: Principles for Specific Cleaning

Depending on the function, some places like specific areas in health care, daycares and food facilities as well as special services like pest control and/or fumigation may require particular attention in cleaning such as sterile conditions or use of special products/chemicals.

In this case, cleaning service provider must put in place written cleaning standard practices, dated, readily available, regularly reviewed and approved by an authorized person from both Cleaning Service Provider and contracting organization.

Article 24: Cleaning Manual

Cleaning manual shall include but not limited to:

- 1) Measures for routine cleaning, proper time intervals and proper disinfection order with recommended cleaning agents, concentrations and effective contact time;
- 2) Maintenance of special equipment/materials;
- 3) Policies, measures and procedures for confinement of risky/infective areas and equipment; disinfection processes and handling/disposal of toxic and hazardous waste.

Each facility under cleaning service contract shall have specifications that highlight special cleaning requirements for each area.

Article 25: Use of chemicals

Cleaning Service Providers shall ensure that chemicals used for the cleaning are safe for use. All chemicals used must comply with national standards and shall be used according to their technical specifications. For chemicals that require dilution before use, correct dilution shall be well indicated as well as the method of application.

Article 26: Labeling and storage

Cleaning Service Providers shall ensure that all chemicals are properly labeled to identify product properties, safety precautions and hazard information.

Cleaning chemicals shall be stored in a manner that eliminates risk of contamination, inhalation, skin contact or personal injury.

Article 27: Fumigation

Fumigation operations are limited to households and public premises including gardens.

Prior to the process of fumigation, the structure to be treated must be vacated and inspected for any conditions that could allow the passage of fumigant/pesticide to the surrounding.

Fumigation company shall provide the owner, or owner's agent, and tenant of the premises for which the work is to be done with clear written notice which contains the following statements and information using words with common and everyday meaning:

- 1) The pest to be controlled.
- 2) The pesticide or pesticides proposed to be used and the active ingredient or ingredients.

Fumigation workers must be knowledgeable about the pests' biology and control/management techniques;

The treated space must be sufficiently ventilated to allow the poisonous gas to escape;

For the purpose of maintaining standards of safety and the responsibility in handling dangerous gases used in fumigation and pesticides used in other fumigation operations, the operator shall compile and retain for a period of at least three (3) years, a log for each fumigation operation in which fumigants or pesticides are used. The log shall contain at least the following information:

- 1) Name and address of the operator or pest controller;
- 2) Name and address of the property in which fumigation operations were performed;
- 3) Name and address of the property owner or his/her agent;
- 4) Date of fumigation operation;
- 5) Property description;
- 6) Target pests;
- 7) Type and amount of fumigant or pesticide used;
- 8) Time (hour) of ventilation/aeration;
- 9) Time (hour) of re-entry test;

10) Date and hour the property was released for occupancy.

Article 28: Risk management

Cleaning Service Providers shall take appropriate measure to minimize the risks for cleaning using hazardous chemicals by employing a structured program of risk management.

The program of risk management shall include among others the following:

- 1) Protection of Staff, visitors and users of facilities/premises against hazardous chemicals and unsafe work practices;
- 2) Usage of hazard warnings including multilingual signs together with appropriate information regarding remedial action;
- 3) Signage to be clear and concise and written in an easily understood manner;
- 4) Material safety data sheets (MSDS) for all cleaning chemicals in use, and easily available for reference in case of accidents;
- 5) Avoidance of application of cleaning chemicals by aerosol packs or trigger sprays that may cause eye injuries, induce or compound respiratory problems or illness;
- 6) Avoidance of powdered chemicals applied in a dry form by shaking containers for the same reason as they tend to become airborne during the application process;
- 7) The provision of personal protective equipment (PPE) for all cleaning personnel.

Cleaning Service Provider shall put in place a regular inspection program by supervisory staff to monitor chemical safety; the program should include the following criteria:

- 1) Correct labeling/signage;
- 2) Correct handling/application;
- 3) Wearing of personal protective equipment;
- 4) Update of material safety data sheets (MSDS);
- 5) Security.

The inspection program reports shall be documented for reference.

Article 29: Infection Control

All Cleaning Service Providers are required to implement cleaning infection control policies, practices and procedures that incorporate universal standard of precaution.

Cleaning Service Providers are also required to ensure that equipment such as cloths, mops and mechanical washing devices are clean, kept in working order, stored dry between uses and where possible the cloths and mop heads should be laundered each day.

Article 30: Materials and Equipment

The cleaning service provider must possess adequate materials and equipment required for delivering cleaning services. The cleaning service provider shall have the following basic equipment:

- 1) High rise window cleaning equipment,
- 2) Scrubbing machine,
- 3) Carpet cleaning machine,
- 4) Vacuum cleaner,
- 5) Lawn mower.

The Cleaning Service Provider shall put in place a system of coding of equipment/materials to avoid cross infection. The coding shall take into account particular attributes and functions of the area they are to be used for. Material shall be stored in appropriate place.

Machinery shall have procedure and maintenance manuals.

Article 31: Personnel requirements

The Cleaning service provider must have qualified personnel for the delivery of the services. The key personnel include but not limited to:

- 1) The overall supervisor: he or she must have at least a diploma (A1) in environmental health or any other related field;
- 2) The accountant secretary: shall possess qualification at least a diploma (A1) in any of the following fields: accounting, finance and management.

Article 32: Staff training

All cleaning staff must be trained in cleaning procedures, correct operation of equipment and chemical handling.

Employees of the service Provider shall receive continuing training to maintain knowledge of best practices and safety governing their activities; proper handling of equipment, techniques and pertinent environment standards.

Service Providers shall ensure that training for staff is provided by persons suitably qualified with the minimum objective including but not limited to:

- 1) Recognize the safety features of each task;
- 2) Demonstrate the correct procedure for each cleaning task together with safety features;
- 3) Implement best practice procedures in their day to day work routine.

In addition to the orientation to the premises/department, training and development programs shall include basic cleaning techniques with the minimum components to include among others: correct use of cleaning compounds, accessories, machinery, waste management, dust control, etc.

Article 33: Health and safety

The Cleaning service provider shall provide conditions at workplace that promote health and safety standards:

Cleaning Service Providers shall protect the employees at the workplace from risks resulting from factors adverse to health and take appropriate measures to minimize the risk of its employees by:

- 1) Establishing safe work practices and a safe environment;
- 2) Ensuring that staff injured at work has access to medical attention and rehabilitation;
- 3) Ensuring that workers are placed in jobs and workplaces suited to their physiological capabilities;
- 4) Providing workers with adequate Personal Protective Equipment (PPE) including but not limited to:
 - (i) Work uniform: either trouser/skirt with shirt/T-shirt or overall with company name and identity number of the worker. Aprons are not allowed;
 - (ii) Appropriate safety shoes: close non-slippery shoes or gumboots as appropriate;
 - (iii) Appropriate gloves;
 - (iv) Mouth and nose masks;

- (v) Eye goggles and helmets whenever required;
- (vi) Safety jackets with company name and identity number of the worker must be provided for those working on roads;
- (vii) Any additional safety equipment that may be required depending on the service to deliver.

The work uniform and safety jackets shall have the name of the company and the identity number of the worker.

- 1) For pest control/fumigation, all workers shall be provided with and shall have in their possession on job:
 - (i) A fumigation/pest control safety kit in proper condition for use containing at least the following:
 - (a) Instructions provided by the manufacturer of fumigants/pesticides being used,
 - (b) Effective gas masks or other safety equipment for protection against the fumigants/pesticides.
 - (ii) Proper testing equipment.
- 2) Ensuring that employees are health ensured and registered for social security.

Employees of Cleaning Service Providers have the responsibility to work towards eliminating workplace hazards and risks;

Cleaning Service Providers shall put in place the following mechanisms to ensure safety and health of their employees:

- 1) All staff must receive adequate training to be able to safely perform their duties,
- 2) Regular inspections shall be conducted by all managers to ensure a safe working environment is maintained;
- 3) Each workplace must have an occupational health and safety committee to look at safety concerns in the workplace;
- 4) All accidents and incidents must be reported and investigated to ensure safe work practices are followed and an ongoing proactive approach is taken to ensure safety in the workplace.

All employees must have work contracts specifying their rights and responsibilities as well as the responsibilities of the employer (service provider);

A basic first aid kit as a minimum must be provided for each work site.

Article 34: Waste Management

Cleaning Service Provider shall take the following measures with regard to waste management:

- 1) To prevent the generation of waste wherever possible, by adopting policies aimed at:
 - a. embracing policies for reuse and minimum packaging;
 - b. reducing single-use items whenever possible;
 - c. reducing waste to landfill and similar expensive disposal options and
 - d. avoiding to the extent possible non-biodegradable, polluting, toxic or hazardous substances.
- 2) To document and quantify the types of waste generated and disposed of through various methods: recycling, landfill, incineration or any other method.
- 3) To introduce waste tracking systems to assist in identification of areas where waste separation could be improved.
- 4) To have waste receptacles to receive waste collected before disposal, these waste receptacles or bins shall be emptied regularly and maintained clean.
- 5) To separate waste into biodegradable and non-biodegradable waste.

Electronic waste derived from information technology equipment, printing ink, toner refills, fluorescent tubes, medicines left overs and containers or any other materials with hazardous content must be collected separately for appropriate treatment, disposal or reuse in accordance with applicable laws and regulations.

Cleaning Service Provider shall not handle solid waste transportation services unless he/she possesses the license for providing such services. These services must be subcontracted to a licensed operator in solid waste collection and transportation service provision.

CHAPTER 4: COMPETITION AND OBLIGATIONS OF CLEANING SERVICE PROVIDERS

Article 35: Cleaning Service Contracting

Any holder of cleaning service license shall have a written contract with his/her client showing the rights and obligations of each party.

The contract shall include among others the details on the following:

- 1) Description of the service, function or activity to be provided;

- 2) Roles and responsibilities of all parties including formal lines of communication, qualifications and number of required personnel, equipment to be used, staff training, safety, performance expectations, out of hours or emergency work, termination of agreement;
- 3) Quality of service including methods of evaluation, performance indicators will comply at minimum with this Regulation;
- 4) Mechanisms for maintaining and improving the quality of service and dealing with problems;
- 5) Details of when, where, how and time period of the agreement/contract;
- 6) Financial details such as payments, expenditure, costs, penalties or any other element that may be determined by both parties.

Contract or Agreement for the provision of cleaning services shall ensure that quality of service to be delivered is consistent with this Regulation and any other approved standard.

Article 36: Anti-competitive behavior

The Licensed cleaning service providers shall not be allowed to adopt any anti-competitive behavior that hinders or likely to hinder interests of subscribers or other competitors.

Article 37: Reporting

Licensed cleaning service providers shall submit to the Regulatory Authority an annual report highlighting technical aspects as well as the financial statements as determined from time to time by the board decision governing Regulatory fees. The service provider shall report according to the reporting format provided by the Regulator and the annual report must be submitted not later than 31 March of each year.

Licensed cleaning service providers shall maintain financial and accounting records that shall be available for any inspection and whenever required by the Regulator.

CHAPTER 5: ENFORCEMENT

Article 38: Compliance

Cleaning Service Providers shall be required to comply with the provisions of this Regulation and all applicable laws and regulations.

The non-compliance with provisions set out in this Regulation or obligations/conditions within the license shall lead to further regulatory measures including administrative sanctions.

Article 39: Administrative Sanctions

The non-compliance with the provision of this Regulation shall cause the following administrative sanctions:

- 1) Any Cleaning Service Provider operating without a valid license issued by the Regulator shall be liable to a fine of one million (1,000,000) Rwandan francs with a suspension of the business until a valid license is issued;
- 2) Any operator who resists, hinders or obstructs the Regulator or any person acting on its behalf in the course of his duty under the provisions of this Regulation shall be liable to administrative fine of five hundred thousand Rwandan francs (500,000 FRw);
- 3) Any cleaning service provider who fails to provide appropriate personal protective equipment to employees or fails to ensure that they put on them while on duty, shall be liable to the following administrative fines:
 - a) Lack of overall/work uniform: 20,000 FRW
 - b) Lack of gloves: 10,000 FRW
 - c) Lack of masks: 10,000 FRW
 - d) Lack of appropriate safety shoes: 10,000 FRW
 - e) Lack of safety jacket: 20,000 FRW

The above fines shall be applied, per person whenever the employees are found not having appropriate personal protective equipment;

- 4) Any licensee who transfers or assigns cleaning service provision license without approval of Regulatory Authority shall be liable to an administrative fine of five hundred thousand (500,000) Rwanda francs;

- 5) Repetitive failure to comply with this Regulation or license obligations shall lead to suspension or revocation of the license as may be decided by the Regulator.

Article 40: Right of appeal

A concerned cleaning service provider has a right to make an appeal to the Regulatory Board in the following circumstances:

- 1) Where an application for license has been rejected;
- 2) Where a decision of suspension or withdraw of license has been taken;
- 3) In a case where the concerned licensee is of the view that its license rights have been infringed upon.

The Cleaning Service Provider shall fill a request for appeal addressed to the Chairperson of the Regulatory Board;

The Request for Appeal shall be in writing, stating the grounds for the appeal and shall be filled within thirty (30) working days from the date of the decision;

- 1) The Cleaning Service Provider lodging an appeal will be given a written notice of the date of the appeal hearing at least seven (7) working days in advance;
- 2) At the appeal hearing, the grounds of appeal shall be treated as a new complaint and the issues shall be considered in their entirety;
- 3) The decision of the Regulatory Board on the appeal shall be communicated to the concerned Cleaning Service Provider within seven (7) working days from the date of the appeal hearing.

If the appellant is not satisfied by the decision made by the Regulatory Board may make a hierarchical appeal to the supervisory organ of the Regulator.

CHAPTER 6: TRANSITIONAL AND FINAL PROVISIONS

Article 41: Transitional provision

Licenses granted under Regulation No 003/R/SAN-EWS/RURA/016 of 15/09/2016 governing cleaning service provision remain valid until their expiration.

However, these licenses shall have a period of two (2) years to align their activities with materials, equipment and health and safety standard requirements provided in this regulation.

Article 42: Repealing provision

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

Article 43: Coming into Force

This Regulation shall come into force on the date of signature by the chairperson of the Regulatory Board.

Done at Kigali on 29th /05/2020

(Sé)

Dr. Ignace GATARE
Chairperson of the Regulatory Board