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GOVERNMENT NOTICES

DEPARTMENT OF MINERALS AND ENERGY

No. R. 386 **4 April 2008**

DIAMONDS ACT, 1986 (ACT 56 OF 1986)

AMENDMENT OF REGULATIONS

The Minister of Minerals and Energy has in terms of section 95 of the Diamonds Act, 1986 (Act 56 of 1986), after consultation with the South African Diamond and Precious Metals Regulator made the regulations set out in the schedule.

SCHEDULE

Definition

1. In this Schedule, "the Regulations" means the regulations promulgated by Government Notice No. R. 680 of 1 April 1987, as amended by Government Notices Nos. R. 462 of 16 April 1999, R. 1361 of 1 November 2002, R. 519 of 11 April 2003, R. 569 of 9 July 2007 and R. 925 of 27 July 2007;

Insertion of regulation 2Z

2. Regulation 2 is hereby amended by the addition of regulation 2Z after regulation 2Y of the Regulations:

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"Registration of Producer in the South African Diamond and Precious Metals Regulator's National Register"

2Z. 1. In order to keep proper records of production and sale of diamond-

(a) Every producer must complete and submit Form J (viii) contained in Annexure A with the Regulator on or before 01 May 2008; and

(b) The Regulator shall issue a unique registration number which must be reflected always in the register or information to be submitted by the registered producer to the Regulator.

Amendment of regulation 13 of the Regulations

3. Regulation 13 of the Regulations is hereby amended –

(a) by the substitution of sub-regulation (2) for the following:

(2)(a) Form J (i) is a diamond register for diamond producer;
(b) Form J (ii) is a diamond register for diamond dealer's licence;
(c) Form J (iii) is a diamond register for diamond beneficiation licence;
(d) Form J (iv) is a diamond register for diamond trading house licence;
(e) Form J (v) is a diamond register for diamond research licence;
(f) Form J (vi) is a diamond register for a temporary buyer's permit;
(g) Form J (vii) is a diamond register for diamond producer; and
(h) Form J (viii) is a diamond register for a permit to sell, export and import unpolished diamond.

(b) by the insertion of sub-regulation (2A) after sub-regulation (2) for the following:

(2A) Registers contemplated in sub-regulation (2) shall be obtainable from the office of the Regulator at a prescribed fee of R120 per register book.

(c) by the substitution of sub-regulation (3) for the following:

(3) Form J (i), J (ii), J(iii), J(iv), J(v), J(vi) and J(vii) contemplated in sub-regulation (2) must be completed and submitted to the Regulator within seven days after the end of every month.

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ANNEXURE A

Form J (viii)

Mining right/permit:_____

SOUTH AFRICAN DIAMOND AND PRECIOUS METALS REGULATOR
SA Diamond Centre, Cnr Main and Phillip Streets, Johannesburg
P .O. Box 16001, Doornfontein, 2028

REGISTRATION WITH THE SA DIAMOND AND PRECIOUS METALS REGULATOR

INSTRUCTIONS:

1. For any enquiries, contact the office of the Regulator during office hours.
2. Complete the form in letters and in black pen.
3. Where options are given, please mark the appropriate block.
4. Complete the form in English and do not use abbreviations.
5. Although the application forms are made available in electronic format, only a signed original hard copy shall be acceptable.
6. Ensure that all the required attachments accompany application.
7. The application must be submitted to the business premises of the Regulator (given above).

PART A: PARTICULARS OF THE MINING RIGHT/PERMIT HOLDER

In case of natural person, please provide the following:

Surname:_____

Forename(s):_____

Identity number:_____
(a certified copy of the producer's identity document must be attached)

In the case of a person other than a natural person, please indicate:

Provincial government CC. Partnership/Joint venture Other (specify)
Municipality Co.

Name of Provincial Government, municipality, company, close corporation, partnership or joint venture:_____
_____

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Registration number of Co. or CC.:_____
Trading as (if applicable):_____

PART B: CONTACT AND CORRESPONDENCE ADDRESS

Surname of contact person:_____
Forename (s) of contact:_____
Postal address:_____
_____
_____Suburb:_____
District:_____
City_____
Province:_____
Country:_____
Postal code:_____
Telephone no:_____
Fax no.:_____
Cell phone no.:_____
E-mail address:_____

Relevant physical address:

Building name:_____
Building number:_____
Street number:_____
Street name 1:_____
Street name 2: (corner of)_____
Suburb:_____
Town/City:_____
District:_____
Province:_____
Country:_____

PART C: TYPE OF RIGHT OR PERMIT

_____

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PART E: DECLARATION

I, the holder_____
in my personal capacity or duly authorized thereto by the legal entity in a representative capacity, declare that the information contained in the application is true and correct. I understand that if any of the information is found to be incomplete, false or incorrect, the Regulator may impose a fine as a penalty or suspend or remove me from the register

THE FORM MUST BE ACCOMPANIED BY THE FOLLOWING

A. A certified copy of a right or permit

B. Original or certified copy of resolution if acting in a representative capacity (refer to Part E: Declaration)

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LICENCE NO:

DIAMONDS ACT, 1986 (SECTION 57)

REGISTER OF UNPOLISHED DIAMONDS WON OR RECOVERED, OR DISPOSED OF

Form J (i)

Name of Producer _____ Month _____ 20 _____

Type of Producer _____ Address _____ Tel No. _____

Name and number of Farm / Concession area where operations are being carried out _____ Magisterial District _____

DIAMONDS WON OR RECOVERED						DIAMONDS SOLD, EXPORTED OR DISPOSED OF			
Reg. No / License No	Date	Mass (in carats)	Value R	Number of single stones over 5 carats	Date	State how diamonds were disposed of (sold, exported, etc)	Name of purchaser or Consignee	Mass (in carats)	Value R
STOCK ON HAND AT THE BEGINNING OF THE MONTH									
							TOTAL		
TOTAL							STOCK ON HAND AT THE END OF THE MONTH		

I _____ Do hereby declare that the above information is a true and correct return of all unpolished diamonds won or recovered or disposed of by me.

SIGNATURE OF PRODUCER (OR AUTHORISED REPRESENTATIVE) _____ DATE _____

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LICENCE NO:

DIAMONDS ACT, 1986 (SECTION 57)

REGISTER OF UNPOLISHED DIAMONDS PURCHASED, RECEIVED, EXPORTED, SOLD OR DISPOSED OF

Form J (ii)

Name of Diamond Dealer _____ Month _____ 20 _____

Address _____ Tel No. _____

DIAMONDS PURCHASED OR RECEIVED					DIAMONDS SOLD, EXPORTED DISPOSED OF				
Reg. No / License No.	Date and No. of Form D	From whom (name and address)	Mass (in carats)	Value R	Date	State how diamonds were disposed of (sold, exported, etc)	Name of purchaser or Consignee	Mass (in carats)	Value R
		STOCK ON HAND AT THE BEGINNING OF THE MONTH							
		TOTAL					TOTAL		
							STOCK ON HAND AT THE END OF THE MONTH		

I _____ Do hereby declare that the above information is a true and correct return of all unpolished diamonds purchased, received, exported, sold or disposed of by me.

SIGNATURE OF LECENSEE (OR AUTHORISED REPRESENTATIVE) _____ DATE _____

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LICENCE NO:

DIAMONDS ACT, 1986 (SECTION 57)

REGISTER OF UNPOLISHED DIAMONDS PURCHASED, RECEIVED, PROCESSED OR DISPOSED OF Form J (iii)

Name of Beneficiator _____ Month _____ 20 _____

Address _____ Tel No. _____

Reg. No / License no	Date & No. of Form D	PURCHASED FOR OWN ACCOUNT			RECEIVED AS COMMISSION WORK			Date	PROCESSED FOR OWN ACCOUNT			DISPOSED FOR OWN ACCOUNT				COMMISSION WORK COMPLETED	
		From whom (Name & Address)	Mass (in carats)	Value R	From whom (Name & Address)	Value R	Nature of work		Original mass	Polished mass	Value R	To whom (Name & Address)	Permit No.	Mass (in carats)	Value R	Name of owner	Mass (Original)
STOCK ON HAND AT THE BEGINNING OF THE MONTH																	
TOTAL								TOTAL					TOTAL				
					STOCK ON HAND AT THE END OF THE MONTH												

I _____ Do hereby declare that the above information is a true and correct return of all unpolished diamonds purchased, received, processed or disposed of by me.

SIGNATURE OF LICENSEE (OR AUTHORISED REPRESENTATIVE): _____ DATE _____

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LICENCE NO:

DIAMONDS ACT, 1986 (SECTION 57)

REGISTER OF UNPOLISHED DIAMONDS RECEIVED OR DISPOSED OF

AT THE DIAMOND TRADING HOUSE (DTH)

Form J (iv)

Name of DTH Licence Holder _____ Month _____ 20 _____

Address _____ Tel No. _____

		DIAMONDS RECEIVED				DIAMONDS DISPOSED OF					
Reg. No / License No	Date and No. of Form D	From whom (name and address)	Licence /Permit/ Producer No.	Mass (in carats)	Value R	Date	State whether the diamonds were sold or returned	Name of purchaser or tenderer	Mass (In carats)	Value R	Licence NO.
		STOCK ON HAND AT THE BEGINNING OF THE MONTH									
			TOTAL					TOTAL			
								STOCK ON HAND AT THE END OF THE MONTH			

I _____ Do hereby declare that the above information is a true and correct return of all unpolished diamonds received or disposed of at the Diamond Trading House

SIGNATURE OF LICENSEE (OR AUTHORISED REPRESENTATIVE _____ DATE _____

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LICENCE NO:

DIAMONDS ACT, 1986 (SECTION 57)

REGISTER OF UNPOLISHED DIAMONDS PURCHASED OR RECEIVED

Form J (v)

Name of Diamond Researcher _____ Month _____ 20 _____

Address _____ Tel No. _____

DIAMONDS PURHCASED OR RECEIVED					DIAMONDS DISPOSED OF				
Reg. No / License No.	Date and No. of Form D	From whom (name and address)	Mass (in carats)	Value R	Date	State how diamonds were disposed of (returned etc)	To Whom	Mass (in carats)	Value R
		STOCK ON HAND AT THE BEGINNING OF THE MONTH							
		TOTAL					TOTAL		
							STOCK ON HAND AT THE END OF THE MONTH		

I _____ Do hereby declare that the above information is a true and correct return of all unpolished diamonds purchased or received.

SIGNATURE OF LICENSEE (OR AUTHORISED REPRESENTATIVE) _____ DATE _____

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