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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF MINERALS AND ENERGY DEPARTEMENT VAN MINERALE EN ENERGIE

No. R. 519

11 April 2003

DIAMONDS ACT, 1986 (ACT 56 OF 1986)

AMENDMENT OF REGULATIONS

Under section 95 of the Diamonds Act, 1986 (Act No. 56 of 1986), I, Phumzile Mlambo-Ngcuka, Minister of Minerals and Energy, after consultation with the South African Diamond Board, hereby make the regulations in the Schedule.

P.Mlambo-Ngcuka
Minister of Minerals and Energy

SCHEDULE

DEFINITIONS

1. In these regulations "the Regulations " means the regulations published under Government Notice No. R.680 of 1 April 1987, as amended by Government Notice No. R462 of 16 April 1999 and Government Notice No.R1361 dated 1 November 2002.

Amendment of regulation 10 of the Regulations

2. Regulation 10 of the Regulations is hereby amended—

- (a) by the substitution for regulation 10(1) of the following regulation:

"(1) The following fees are payable to the Board in respect of —

- (a) a diamond cutting licence, issued in terms of section 29 (1), read with section 26 (b), of the Act:

- (i) Application fee: R500 per issue;
- (ii) first application: R1 500 per issue;
- (iii) renewal: R500 per issue;
- (iv) conversion: R500 per issue;
- (v) annual re-issue: R500 per issue;

- (b) a diamond dealer's licence, issued in terms of

section 29 (1), read with section 26 (a), of the Act:

- (i) Application fee: R500 per issue;
- (ii) first application: R2 000 per issue;
- (iii) renewal: R500 per issue;
- (iv) conversion: R1 500 per issue;
- (v) annual re-issue: R500 per issue;

(c) a diamond tool-making licence, issued in terms of section 29 (1), read with section 26 (c), of the Act:

- (i) Application fee: R500 per issue;
- (ii) first application: R1 000 per issue;
- (iii) renewal: R500 per issue;
- (iv) conversion: R500 per issue;
- (v) annual re-issue: R500 per issue;

(d) a diamond research licence, issued in terms of section 29 (1), read with section 26 (d), of the Act:

- (i) Application fee: R250 per issue;
- (ii) first application: R500 per issue;
- (iii) renewal: R250 per issue;
- (iv) conversion: R150 per issue;
- (v) annual re-issue: R150 per issue;

(e) the endorsement on a licence of the particulars of any new or additional premises, in terms of section 31 (2), read with 31 (4) (a), of the Act: R1 000

(f) a courier permit, issued in terms of section 40 (1), read with section 42 (1), of the Act:

- (i) Application fee: R250 per issue;
- (ii) First application: R3 000 per issue;
- (iii) Conversion: R3 000 per issue;
- (iv) Annual re-issue: R1 000 per issue;

(g) an import permit in terms of section 40, read with section 42 (1), of the Act:

- (i) Local sales: US \$2500 per permit;
- (ii) Processing: US \$250 per permit;
- (iii) Re-export: US \$250 per permit;

(h) a special permit issued in terms of section 40, read with section 42, of the Act, to a person who is not ordinarily resident in the Republic of South Africa, for the purchase of goods directly from premises of

the Board and/a Diamond Exchange, for purposes of export, which purchase is made upon a special and lawful commercial dispensation arranged with the Board: US \$3 500;

- (i) a diamond exchange certificate issued in terms of section 45 (1), read with section 47 (1), of the Act: R500 000,00 per issue;
- (j) a certificate for approval of premises to deal in diamonds issued in terms of section 48 (1) (c) and (d), read with section 49 (3), of the Act: R750 per issue;
- (k) a certificate for deferment of payment of export duty in terms of section 64 (2) of the Act: No charge."

(b) by the substitution of Regulation (2) of the following regulation:

"(2) The following fees are payable to the Board and will be based on the exchange rate at the time of payment:

- (a) Putting out a tender in terms of regulation 9 (1) of the Regulations:
 - US \$150 per shipment; and
 - 0,0100% of the shipment value up a maximum of US \$75 000.
- (b) Examination and evaluation of unpolished diamonds in terms of sections 65 and 72 of the Act:
 - US \$150 per shipment or parcel; and
 - 0,15% per shipment or parcel.
- (c) Registration of unpolished diamonds for export in terms of sections 61, 63 and 71 of the Act:
 - (i) Form N (i): Export of unpolished diamonds: US \$75 per shipment
 - (ii) Form N (ii): Export of unpolished diamonds: US \$75 per shipment
- (d) Checking and registration of goods offered at a diamond exchange (Bourse) in terms of regulation 11 of the Regulations: US \$75 per parcel.
- (e) Registration of an authorised representative in terms of section 54 of the Act: R1 000."

Commencement

3. These regulations shall come into operation on the date of publication thereof.

No. R. 519

11 April 2003

WET OP DIAMANTE, 1986 (WET 56 VAN 1986)

WYSIGING VAN REGULASIES

Kragtens artikel 95 van die Diamantwet, 1986 (Wet No. 56 van 1986), vaardig ek, Phumzile Mlambo-Ngcuka, Minister van Minerale en Energie, na oorlegpleging met die Suid-Afrikaanse Diamantraad, hiermee die Regulasies in die Bylae uit.

P.Mlambo-Ngcuka
Minister van Minerale en Energie

BYLAE

DEFINISIES

1. In hierdie regulasies beteken "die Regulasies" die regulasies gepubliseer kragtens Goewernmentskennisgewing No. R.680 van 1 April 1987, soos gewysg by Gowermentskennisgewing No. R.462 van 16 April 1999 en Goewernmentskennisgewing No. R.1361 gedateer 1 November 2002.
2. Regulasie 10 van die Regulasies word hierby gewysig--
 - (a) deur die vervanging van regulasie 10(1) deur die volgende regulasie:
 - "(1) Die volgende gelde is aan die Raad betaalbaar ten opsigte van --
 - (a) 'n diamantslyplisensie uitgereik kragtens artikel 29(1), gelees met artikel 26(b) van die Wet:
 - (i) Aansoek fooi: R500 per uitreiking;

- (ii) eerste aansoek: R1 500 per uitreiking;
 - (iii) hernuwing: R500 per uitreiking;
 - (iv) omskakeling: R500 per uitreiking;
 - (v) jaarlikse heruitreiking: R500 per uitreiking;
- (b) 'n diamanthandelaarslisensie, uitgereik kragtens artikel 29(1), gelees met artikel 26(a) van die Wet:
- (i) Aansoek fooi: R500 per uitreiking;
 - (ii) eerste aansoek: R2 000 per uitreiking;
 - (iii) hernuwing: R500 per uitreiking;
 - (iv) omskakeling: R1 500 per uitreiking;
 - (v) jaarlikse heruitreiking: R500 per uitreiking;
- (c) 'n diamantgereedskapvervaardigingslisensie, uitgereik kragtens artikel 29(1), gelees met artikel 26(c) van die Wet:
- (i) Aansoek fooi: R500 per uitreiking;
 - (ii) eerste aansoek: R1 000 per uitreiking;
 - (iii) hernuwing: R500 per uitreiking;
 - (iv) omskakeling: R500 per uitreiking;
 - (v) jaarlikse heruitreiking: R500 per uitreiking;
- (d) 'n diamantnavorsingslisensie, uitgereik kragtens artikel 29(1), gelees met artikel 26(d) van die Wet:
- (i) Aansoek fooi: R250 per uitreiking;
 - (ii) eerste aansoek: R500 per uitreiking;
 - (iii) hernuwing: R250 per uitreiking;
 - (iv) omskakeling: R150 per uitreiking;
 - (v) jaarlikse heruitreiking: R150 per uitreiking;
- (e) die endossering van die besonderhede van 'n nuwe of bykomende perseel op 'n lisensie, kragtens artikel 31(2), gelees met artikel 31(4)(a) van die Wet: R1 000;
- (f) 'n koerierpermit, uitgereik kragtens artikel 40(1) gelees met artikel 42(1), van die Wet:
- (i) Aansoek fooi: R250 per uitreiking;
 - (ii) eerste aansoek: R3000 per uitreiking;
 - (iii) omskakeling: R3000 per uitreiking;
 - (iv) jaarlikse heruitreiking: R1000 per uitreiking;
- (g) 'n invoerpermit ingevolge artikel 40, gelees met artikel 42(1), van die Wet:

- (i) Plaaslike verkope : US \$2500 per permit;
 - (ii) prosessering: US \$250 per permit;
 - (iii) heruitvoer: US \$250 per permit;
- (h) 'n spesiale permit uitgereik kragtens artikel 40, gelees met artikel 42, van die Wet, aan 'n persoon wat nie gewoonlik in die Republiek van Suid-Afrika woonagtig is nie, vir die koop van goedere direk van die perseel van die Raad en/n Diamantbeurs, vir doeleindes van uitvoer, welke aankoop gemaak is volgens 'n spesiale en wettige handelstransaksie soos met die Raad ooreengekom: US \$3 500;
- (i) 'n sertifikaat van registrasie as 'n diamantbeurs, uitgereik kragtens artikel 45(1), gelees met artikel 47(1), van die Wet: R500 000 per uitreiking;
- (j) 'n sertifikaat van goedkeuring van 'n perseel om handel te dryf met diamante word uitgereik kragtens artikel 48(1)(c) en (d) gelees met artikel 49(3), van die Wet: R750 per uitreiking;
- (k) 'n sertifikaat van uitstel van uitvoerbelasting ingevolge artikel 64(2) van die Wet: Kosteloos."
- (b) deur die vervanging van Regulasie (2) deur die volgende regulasie:
- "(2) Die volgende fooie is betaalbaar aan die Raad en sal bereken word gebaseer op die wisselkoers ten tye van betaling:
- (a) Die daarstel van 'n tender kragtens regulasie 9(1) van die Regulasies:

US \$150 per uitvoer; en
0,0100% van die waarde van die uitvoer tot 'n maksimum van \$75 000.
 - (b) inspeksie en waardasie van ongeslypte diamante kragtens artikels 65 en 72 van die Wet:

US \$150 per uitvoer; en
0,15% van waarde van die pakkie.
 - (c) Registrasie van ongeslypte diamante vir uitvoer kragtens artikels 61, 63 en 71 van die Wet:

- (i) Vorm N (i): Uitvoer van ongeslypte diamante: US \$75 per uitvoer;
 - (ii) Vorm N (ii): Uitvoer van geslypte diamante: US \$75 per uitvoer.
- (d) Inspeksie en registrasie van goedere wat by die Diamant Beurs aangebied word kragtens regulasie 11 van die Regulasies: US \$75 per pakkie.
- (e) Registrasie van 'n gemagtigde verteenwoordiger kragtens artikel 54 van die Wet: R1 000."

Inwerkingtreding

3. Hierdie Regulasies tree in werking op die datum van publikasie hiervan.

No. R. 525

11 April 2003

DIAMONDS ACT, 1986 (ACT 56 OF 1986)**IMPOSITION OF LEVY**

Under Section 93 of the Diamonds Act, 1986 (Act No. 56 of 1986), I, Phumzile Mlambo-Ngcuka, Minister of Minerals and Energy, on recommendation of the South African Diamond Board hereby impose a levy of 0,17 per cent of the fair market value of an unpolished diamond as contemplated in section 66 of the Act and a levy of 0.17 per cent of the assessed value of a polished diamond as contemplated in section 76 of the Act upon the producers and licensees who export such diamond excluding a synthetic diamond, to be paid to the Board on the date on which the relevant diamond is registered for export in terms of the Act.

P Mlambo-Ngcuka
Minister of Minerals and Energy

No. R. 525

11 April 2003

**WET OP DIAMANTE, 1968
(WET No. 56 VAN 1986)****OPLEGGING VAN HEFFING**

Kragtens artikel 93 van die Wet op Diamante, 1986 (Wet No. 56 van 1986), le ek, Phumzile Mlambo-Ngcuka, Minister van Minerale en Energie, op aanbeveling van die Suid-Afrikaanse Diamantraad, hiermee 'n heffing op van 0.17 persent van die billike markwaarde van 'n ongeslypte diamant soos bedoel in artikel 66 van die Wet en van 0.17 persent van die waarde van 'n geslypte diamant soos bedoel in artikel 76 van die Wet, op produsente en lisensiehouers wat sodanige diamant uitvoer, met uitsondering van 'n sinteties vervaardigde diamant, welke heffing aan die raad betaalbaar is op die datum waarop die relevante diamant vir uitvoer in terme van die Wet geregistreer word.

P Mlambo-Ngcuka
Minister van Minerale en Energie

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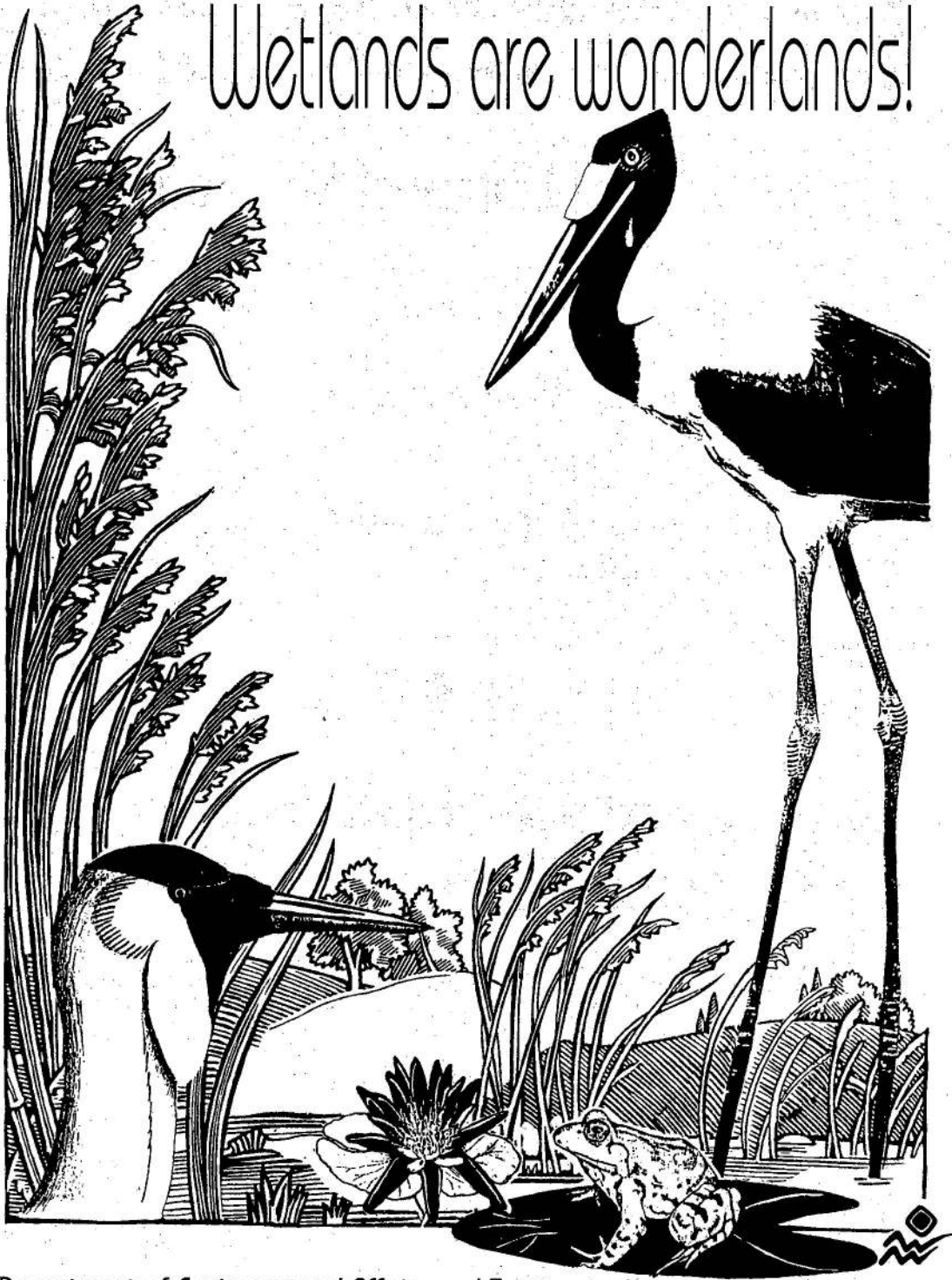
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