

Regulation of Imports and Exports (Kimberley Process) Regulations

Table of Contents

1 Citation

2 Definitions

3 Licence for exporting and importing rough diamonds

4 Application for licence

5 Revocation of licence

6 Export of rough diamonds

7 Application for Singapore Certificate

8 Revocation of Singapore Certificate

9 Reporting of export, etc.

10 Import of rough diamonds

11 Reporting of import, etc.

12 Rough diamonds in transit or on transshipment

13 Seizing or return of rough diamonds

14 Penalty

15 Application of Regulation of Imports and Exports Regulations

Legislative History

REGULATION OF IMPORTS AND EXPORTS ACT
(CHAPTER 272A, SECTION 3)

REGULATION OF IMPORTS AND EXPORTS (KIMBERLEY PROCESS)
REGULATIONS

Rg 8

G.N. No. S 80/2004

REVISED EDITION 2004

(30th September 2004)

[1st April 2004]

Citation

1. These Regulations may be cited as the Regulation of Imports and Exports (Kimberley Process) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —

“Kimberley Process” means the international understanding among Participants that was recognised by Resolution 55/56 adopted by the General Assembly of the United Nations on 1st December 2000, as that understanding is amended from time to time;

“Kimberley Process Certificate” means a document issued by a Participant that certifies that rough diamonds for export or import have been handled in a manner that meets the minimum requirements of the Kimberley Process;

“licensee” means any person who holds a valid licence for the export or import of rough diamonds, as the case may be, issued under regulation 4;

“Participant” means a country or a territory that is a Participant in the Kimberly Process;

“rough diamond” means a diamond that is unsorted, unworked or simply sawn, cleaved or bruted, and that falls under the HS Codes 7102.10.00, 7102.21.00 or 7102.31.00 specified in the First Schedule to the Customs (Duties) Order (Cap. 70, O 4);

“Singapore Certificate” means a Kimberley Process Certificate issued by the Director-General under regulation 7.

Licence for exporting and importing rough diamonds

3.—(1) No person shall export or import rough diamonds except under a licence issued by the Director-General.

(2) Any person who contravenes paragraph (1) shall be guilty of an offence.

Application for licence

4.—(1) An application for a licence under these Regulations shall be —

- (a) made to the Director-General;
- (b) in such form and manner as may be determined by the Director-General; and
- (c) accompanied by the prescribed fee.

(2) The applicant shall provide the Director-General with such documents or information as the Director-General may require in any particular case.

(3) On receipt of an application under paragraph (1), the Director-General may, in his discretion, issue a licence to the applicant subject to such conditions as he thinks fit.

(4) The Director-General may at any time vary or revoke any of the existing conditions imposed under paragraph (3) or impose new conditions.

(5) Any licensee who breaches any condition of his licence shall be guilty of an offence.

(6) Subject to regulation 5, every licence issued under this regulation shall expire on 31st December of the year in which it is issued, and may be renewed annually thereafter.

(7) Paragraphs (1) to (5) shall apply, with the necessary modifications, to an application for the renewal of a licence.

Revocation of licence

5. The Director-General may revoke a licence at any time without assigning any reason.

Export of rough diamonds

6.—(1) No licensee shall export rough diamonds except —

- (a) under a Singapore Certificate;
- (b) to a Participant; and
- (c) in a container —