Commission Implementing Regulation (EU) 2019/1189 of 8 July 2019 amending Council Regulation (EC) No 2368/2002 implementing te Kimberley Process certification scheme for the international trade in rough diamonds

COMMISSION IMPLEMENTING REGULATION (EU) 2019/1189

of 8 July 2019

amending Council Regulation (EC) No 2368/2002 implementing te Kimberley Process certification scheme for the international trade in rough diamonds

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 2368/2002 of 20 December 2002 implementing the Kimberley Process certification scheme for international trade in rough diamonds[(1)], and in particular Article 19(6) and Article 20 thereof,

Whereas:

(1) Following a provisional acceptance at the Brisbane Plenary meeting in December 2017, Kimberley Process Participants approved the addition of the Republic of Gabon to the list of participants in that process at the Brussels Plenary meeting in November 2018.

(2) The addresses of the competent authorities of several Participants in the Kimberley Process in Annex II and the addresses of Member States' competent authorities in Annex III require an update.

(3) Following the request for designation of an EU authority pursuant to Article 19 of Regulation (EC) No 2368/2002 by Ireland, the Commission visited the EU authority designated by Ireland to verify its preparedness to assume the duties referred to in Regulation (EC) No 2368/2002. The preparations undertaken and the procedures envisaged by the EU authority designated by Ireland suggest that it will be able to reliably, timely, effectively and adequately fulfil the tasks required by Chapters II, III and V of Regulation (EC) No 2368/2002. It is necessary to provide a realistic timeframe for Ireland to implement the necessary changes.

(4) By virtue of the adoption of the Administrative Decision '*Compilation of Modifications to Technical definitions*' by Kimberley Process Participants at the Brussels Plenary in November 2018, the term 'country of origin' should be replaced by the term 'country of mining origin' in Kimberley Process Certificates.

(5) In order to reflect the replacement of the term 'country of origin' by the term 'country of mining origin', in the European Union certificate as defined in Article 2(g) of Regulation (EC) No 2368/2002, Annex IV to that Regulation should be amended accordingly. It is necessary to provide a realistic timeframe for the competent authorities of the Union to adapt to this change taking into account the time needed to ensure the availability of the new certificates.

(6) Annexes II, III, and IV to Regulation (EC) No 2368/2002 should therefore be amended accordingly.

(7) The measures provided for in this Regulation are in accordance with the opinion of the committee referred to in Article 22 of Regulation (EC) No 2368/2002,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2368/2002 is amended as follows:

(1) Annex II is replaced by the text set out in Annex I to this Regulation.

(2) Annex III is replaced by the text set out in Annex II to this Regulation.

(3) Annex IV is replaced by the text set out in Annex III to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

However, point 3 of Article 1 shall apply from 1 January 2020.

As far as Ireland is concerned, Annex III shall apply from 1 September 2019.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 July 2019.

For the Commission

Federica MOGHERINI

Vice-President

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/1189. (See end of Document for details)*

ANNEX I

ANNEX II

List of participants in the Kimberley Process certification scheme and their duly appointed competent authorities as referred to in Articles 2, 3, 8, 9, 12, 17, 18, 19 and 20

ANGOLA

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Ministry of Trade and Economic Development

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Armenia

AUSTRALIA

Department of Foreign Affairs and Trade

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Barton ACT 0221

Australia

BANGLADESH

Export Promotion Bureau

TCB Bhaban

1, Karwan Bazaar

Dhaka

Bangladesh

BELARUS

Ministry of Finance

Department for Precious Metals and Precious Stones

Sovetskaja Str, 7

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/1189. (See end of Document for details)*

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CAMEROON

National Permanent Secretariat for the Kimberley Process

Ministry of Mines, Industry and Technological Development

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Canada

For General Enquiries at Natural Resources Canada:

Kimberley Process Office

Lands and Minerals Sector Natural Resources Canada (NRCan)

580 Booth Street, 10th floor

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/1189. (See end of Document for details)*

Ottawa, Ontario

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COTE D'IVOIRE

Ministère de l'Industrie et des Mines