

Commission Implementing Regulation (EU) No 947/2012 of 12 October 2012 amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds

COMMISSION IMPLEMENTING REGULATION (EU) No 947/2012

of 12 October 2012

amending Council Regulation (EC) No 2368/2002 implementing the 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 the international trade in rough diamonds<sup>(1)</sup>, and in particular Articles 19(6) and 20 thereof,

Whereas:

- (1) Following a provisional acceptance at the Washington Intersessional meeting in June 2012, Kimberley Process Participants approved, by written procedure, the addition of Cameroon to the list of KP Participants. That approval was confirmed by a KP Chair notice on 14 August 2012.
- (2) By virtue of the Treaty of Lisbon, which entered into force on 1 December 2009, the European Union replaced and succeeded the European Community. In order to improve the functionality of the certificate as defined in Article 2(g) of Regulation (EC) No 2368/2002, certain characteristics laid out in Annex IV to that Regulation should be amended to reflect this change. However, it is necessary to provide a realistic time frame 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 certificate.
- (3) Furthermore, the addresses of the European Union and the Swiss contact points in Annex II, the list of Member States' competent authorities in Annex III, and the list of diamond organisations in Annex V should be updated.
- (4) Annexes II, III, IV and V to Regulation (EC) No 2368/2002 should be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the committee referred to in Article 22 of Regulation 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.

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- (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.
- (4) Annex V is replaced by the text set out in Annex IV to this Regulation.

*Article 2*

This Regulation shall enter into force on the third 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 2013.

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

Done at Brussels, 12 October 2012.

*For the Commission*

Catherine ASHTON

*Vice-President*

## 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

Ministry of Geology and Mines

Rua Hochi Min

C.P # 1260

Luanda

Angola

ARMENIA

Department of Gemstones and Jewellery

Ministry of Trade and Economic Development

M. Mkrtchyan 5

Yerevan

Armenia

AUSTRALIA

Department of Foreign Affairs and Trade

Trade Development Division

R.G. Casey Building

John McEwen Crescent

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

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220010 Minsk

Republic of Belarus  
BOTSWANA

Ministry of Minerals, Energy & Water Resources

PI Bag 0018

Gaborone

Botswana  
BRAZIL

Ministry of Mines and Energy

Esplanada dos Ministérios - Bloco "U" – 4º andar

70065 - 900 Brasilia - DF

Brazil  
CANADA

International:

Department of Foreign Affairs and International Trade

Peace Building and Human Security Division

Lester B Pearson Tower B - Room: B4-120

125 Sussex Drive Ottawa, Ontario K1A 0G2

Canada

General Enquiries:

Kimberley Process Office

Minerals and Metals Sector (MMS)

Natural Resources Canada (NRCan)

580 Booth Street, 9th floor

Ottawa, Ontario

Canada K1A 0E4

CAMEROON

National Permanent Secretariat for the Kimberley Process

Ministry of Mines, Industry and Technological Development

Intek Building

Navik Street

P.O. Box 8390

Yaoundé

Cameroon

CENTRAL AFRICAN REPUBLIC

Secrétariat Permanent du Processus de Kimberley

BP 26

Bangui

Central African Republic

CHINA, People's Republic of

Department of Inspection and Quarantine Clearance

General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ)

9 Madiandonglu

Haidian District, Beijing 100088

People's Republic of China

HONG KONG, Special Administrative Region of the People's Republic of China

Department of Trade and Industry

Hong Kong Special Administrative Region

Peoples Republic of China

Room 703, Trade and Industry Tower

700 Nathan Road

Kowloon

Hong Kong

China

CONGO, Democratic Republic of

Centre d'Evaluation, d'Expertise et de Certification (CEEC)

17th floor, BCDC Tower

30th June Avenue

Kinshasa

Democratic Republic of Congo

CONGO, Republic of

Bureau d'expertise, d'évaluation et de certification (BEEC)

Ministère des Mines, des Industries Minières et de la Géologie

BP 2474

Brazzaville

Republic of Congo

CROATIA

Ministry of Economy, Labour and Entrepreneurship of the Republic of Croatia

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Ulica grada Vukovara 78

10000 Zagreb

Croatia

EUROPEAN UNION

European Commission

Service for Foreign Policy Instruments

Office EEAS 02/309

B-1049 Bruxelles/Brussel (Belgium)

GHANA

Precious Minerals Marketing Company (Ltd.)

Diamond House,

Kinbu Road,

P.O. Box M. 108

Accra

Ghana

GUINEA

Ministry of Mines and Geology

BP 2696

Conakry

Guinea

GUYANA

Geology and Mines Commission

P O Box 1028

Upper Brickdam

Stabroek

Georgetown

Guyana

INDIA

The Gem & Jewellery Export Promotion Council

Diamond Plaza, 5th Floor 391-A

Mumbai 400 004

India

INDONESIA

Directorate-General of Foreign Trade

Ministry of Trade

JI M.I. Ridwan Rais No. 5

Blok I Iantai 4

Jakarta Pusat Kotak Pos. 10110

Jakarta

Indonesia

ISRAEL

Ministry of Industry, Trade and Labor

Office of the Diamond Controller

3 Jabotinsky Road

Ramat Gan 52520

Israel

JAPAN

United Nations Policy Division

Foreign Policy Bureau

Ministry of Foreign Affairs

2-2-1 Kasumigaseki, Chiyoda-ku

100-8919 Tokyo

Japan

KOREA, Republic of

Export Control Policy Division

Ministry of Knowledge Economy

Government Complex

Jungang-dong 1, Gwacheon-si

Gyeonggi-do 427-723

Seoul

Korea

LAOS, People's Democratic Republic

Department of Import and Export

Ministry of Industry and Commerce

Vientiane

Laos

LEBANON

Ministry of Economy and Trade

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Lazariah Building

Down Town

Beirut

Lebanon

LESOTHO

Department of Mines and Geology

P.O. Box 750

Maseru 100

Lesotho

LIBERIA

Government Diamond Office

Ministry of Lands, Mines and Energy

Capitol Hill

P.O. Box 10-9024

1000 Monrovia 10

Liberia

MALAYSIA

Ministry of International Trade and Industry

Trade Cooperation and Industry Coordination Section

Blok 10

Komplek Kerajaan Jalan Duta

50622 Kuala Lumpur

Malaysia

MEXICO

Secretaría de Economía

Dirección General de Política Comercial

Alfonso Reyes No. 30, Colonia Hipodromo Condesa, Piso 16.

Delegación Cuactemoc, Código Postal: 06140 México, D.F.

Mexico

MAURITIUS

Import Division

Ministry of Industry, Small & Medium Enterprises, Commerce & Cooperatives

4th Floor, Anglo Mauritius Building

Intendance Street



Port Louis

Mauritius

NAMIBIA

Diamond Commission

Ministry of Mines and Energy

Private Bag 13297

Windhoek

Namibia

NEW ZEALAND

Certificate Issuing authority:

Middle East and Africa Division

Ministry of Foreign Affairs and Trade

Private Bag 18901

Wellington

New Zealand

Import and Export Authority:

New Zealand Customs Service

PO Box 2218

Wellington

New Zealand

NORWAY

Section for Public International Law

Department for Legal Affairs

Royal Ministry of Foreign Affairs

P.O. Box 8114

0032 Oslo

Norway

RUSSIAN FEDERATION

Gokhran of Russia

14, 1812 Goda St.

121170 Moscow

Russia

SIERRA LEONE

Ministry of Mineral Resources

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Gold and Diamond Office (GDO)

Youyi Building

Brookfields

Freetown

Sierra Leone

SINGAPORE

Ministry of Trade and Industry

100 High Street

#0901, The Treasury,

Singapore 179434

SOUTH AFRICA

South African Diamond and Precious Metals Regulator

SA Diamond Centre

240 Commissioner Street

Johannesburg 2000

South Africa

SRI LANKA

National Gem and Jewellery Authority

25, Galleface Terrace

Colombo 03

Sri Lanka

SWAZILAND

Office for the Commissioner of Mines

Ministry of Natural Resources and Energy

Mining department

Lilunga House (3rd floor, Wing B)

Somhlolo Road

PO Box 9,

Mbabane H100

Swaziland

SWITZERLAND

State Secretariat for Economic Affairs (SECO)

Sanctions Unit

Holzikofenweg 36

CH-3003 Berne / Switzerland

TAIWAN, PENGHU, KINMEN AND MATSU, SEPARATE CUSTOMS TERRITORY

Export/Import Administration Division

Bureau of Foreign Trade

Ministry of Economic Affairs

1, Hu Kou Street

Taipei, 100

Taiwan

TANZANIA

Commission for Minerals

Ministry of Energy and Minerals

PO Box 2000

Dar es Salaam

Tanzania

THAILAND

Department of Foreign Trade

Ministry of Commerce

44/100 Nonthaburi 1 Road

Muang District, Nonthaburi 11000

Thailand

TOGO

Ministry of Mine, Energy and Water

Head Office of Mines and Geology

B.P. 356

216, Avenue Sarakawa

Lomé

Togo

TURKEY

Foreign Exchange Department

Undersecretariat of Treasury

T.C. Başbakanlık Hazine

Müsteşarlığı İnönü Bulvarı No:36

06510 Emek - Ankara

Turkey

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Import and Export Authority:

Istanbul Gold Exchange

Rıhtım Cad. No:81

34425 Karaköy – İstanbul

Turkey

UKRAINE

Ministry of Finance

State Gemological Center

Degtyarivska St. 38-44

Kiev 04119

Ukraine

UNITED ARAB EMIRATES

U.A.E Kimberley Process Office

Dubai Multi Commodities Center

Dubai Airport Free Zone

Emirates Security Building

Block B, 2nd Floor, Office # 20

Dubai

United Arab Emirates

UNITED STATES OF AMERICA

United States Kimberley Process Authority

11 West 47 Street 11th floor

New York, NY 10036

United States of America

U.S. Department of State

Room 4843 EB/ESC

2201 C Street, NW

Washington D.C. 20520

United States of America

VIETNAM

Ministry of Industry and Trade

Import Export Management Department

54 Hai Ba Trung

Hanoi

Vietnam

ZIMBABWE

Principal Minerals Development Office

Ministry of Mines and Mining Development

Private Bag 7709, Causeway

Harare

Zimbabwe

## ANNEX II

## ANNEX III

### **List of Member States' competent authorities and their tasks as referred to in Articles 2 and 19**

#### BELGIUM

Federale Overheidsdienst Economie, KMO, Middenstand en Energie, Algemene Directie Economisch Potentieel, Dienst Vergunningen/Service Public Fédéral Economie,

PME, Classes moyennes et Energie, Direction générale du Potentiel économique, Service Licences

Italiëlei 124, bus 71

B-2000 Antwerpen

Tel. (32-2) 277 54 59

Fax (32-2) 277 54 61

E-mail: [kpcs-belgiumdiamonds@economie.fgov.be](mailto:kpcs-belgiumdiamonds@economie.fgov.be)

In Belgium the controls of imports and exports of rough diamonds required by Regulation (EC) No 2368/2002 and the customs treatment will only be done at:

The Diamond Office

Hovenierstraat 22

B-2018 Antwerpen

BULGARIA

Ministry of Finance

International Financial Institutions and Cooperation Directorate

102 G. Rakovski str.

Sofia, 1040

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## Bulgaria

Tel. (359-2) 98 59 24 00/98 59 2401

Fax. (359-2) 98 59 24 02

Email: ific@minfin.bg  
CZECH REPUBLIC

In the Czech Republic the controls of imports and exports of rough diamonds required by Regulation (EC) No 2368/2002 and the customs treatment will only be done at:

Generální ředitelství cel

Budějovická 7

140 96 Praha 4

Česká republika

Tel. (420-2) 61 33 38 41, (420-2) 61 33 38 59, cell (420-737) 213 793

Fax (420-2) 61 33 38 70

E-mail: diamond@cs.mfcr.cz  
GERMANY

In Germany the controls of imports and exports of rough diamonds required by Regulation (EC) No 2368/2002, including the issuing of Community certificates, will only be done at the following authority:

Hauptzollamt Koblenz

Zollamt Idar-Oberstein

Zertifizierungsstelle für Rohdiamanten

Hauptstraße 197

D-55743 Idar-Oberstein

Tel. (49-6781) 56 27-0

Fax (49-6781) 56 27-19

E-mail: poststelle@zabir.bfinv.de

For the purpose of Articles 5(3), 6, 9, 10, 14(3), 15 and 17 of this Regulation, concerning in particular reporting obligations to the Commission, the following authority shall act as competent German authority:

Bundesfinanzdirektion Südost

Krelingstraße 50

D-90408 Nürnberg

Tel. (49-911) 376 3754

Fax (49-911) 376 2273

E-mail: diamond.cert@bfdso.bfinv.de

## ROMANIA

Autoritatea Națională pentru Protecția Consumatorilor

(National Authority for Consumer Protection)

1 Bd. Aviatorilor Nr. 72, sectorul 1 București, România

(72 Aviatorilor Bvd., sector 1, Bucharest, Romania)

Cod postal (Postal code) 011865

Tel. (40-21) 318 46 35 / 312 98 90 / 312 12 75

Fax (40-21) 318 46 35 / 314 34 62

[www.anpc.ro](http://www.anpc.ro)

## UNITED KINGDOM

Government Diamond Office

Global Business Group

Room W 3.111.B

Foreign and Commonwealth Office

King Charles Street

London SW1A 2AH

Tel. (44-207) 008 6903

Fax (44-207) 008 3905

E-mail: [GDO@gtnet.gov.uk](mailto:GDO@gtnet.gov.uk)

## ANNEX III

## ANNEX IV

### **Community certificate as referred to in Article 2**

In accordance with the changes enacted by the Treaty of Lisbon, whereby the European Union replaced and succeeded the European Community, the term 'EU certificate' shall refer to the Community certificate as defined in Article 2(g) of this Regulation.

The EU Certificate shall have the following features. Member States shall ensure that the Certificates they issue shall be identical. To this end they shall submit to the Commission specimens of the Certificates to be issued.

Member States shall be responsible for having the EU Certificates printed. The EU Certificates may be printed by printers appointed by the Member State in which they are established. In the latter case, reference to the appointment by the Member State must appear on each EU Certificate. Each EU Certificate shall bear an indication of the printer's name and address or a mark enabling the printer to be identified. The printer should be a High Security Banknote

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Printer. The printer should provide suitable references from governmental and commercial customers.

The European Commission shall make specimens of original EU Certificates available to EU authorities.

#### *Materials*

- Dimensions: A4 (210 mm × 297 mm);
- Watermarked with invisible (yellow/red) UV fibres;
- Solvent sensitive;
- UV dull (features in the document stand out clearly when highlighted under a Ultra-violet lamp);
- 95 g/m<sup>2</sup> paper.

#### *Printing*

- Rainbow background tint (solvent sensitive);
- The ‘rainbow’ effect has a security background that will not visualise when photocopied.
- The inks used must be ‘solvent sensitive’ to protect the document against attack from chemicals used to alter infilled text, such as bleach.
- 1 Colour background tint (permanent and light fast);
- Ensure that a secondary ‘Rainbow’ is printed to prevent the Certificates from exposure to sunlight.
- UV invisible working (stars of the EU Flag);
- The security printer should apply the correct weight of ink to ensure that the UV feature is invisible in normal light.
- EU Flag: Printed gold and European blue;
- Intaglio Border;
- Tactile Intaglio ink is one of the most important features in the document.
- Extra Small Print line reading ‘Kimberley Process Certificate’;
- Latent image: KP;
- Micro-text reading ‘KPCS’;
- The document design must incorporate anticopy (‘Medallion’) features into the background fine-line printing.

#### *Numbering*

- Each EU Certificate shall have a unique serial number, preceded by the code: EU.
- The Commission shall attribute the serial numbers to the Member States that intend to issue EU Certificates.
- There should be two types of matching numbering — visible and invisible:
- First = 8 digit sequential, once on all parts of the document, printed black
- The printer should hold all responsibility for numbering every Certificate.
- The printer should also keep a database of all numbering.
- Second = 8 digit sequential invisible printed numbering (matching above), fluorescing under UV light.

#### *Language*

English and, where relevant, the language(s) of the Member State concerned.

#### *Lay out and finishing*

##### *Obligatory features*

Slot perforated in 1 position, cut to singles A4 size, at 100 mm from right edge



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(a) left side:

EUROPEAN UNION

Unique Number: EU

KIMBERLEY PROCESS CERTIFICATE

The rough diamonds in this shipment have been handled in accordance with the provisions of the Kimberley Process Certification Scheme for rough diamonds.

Country of Origin: ..... Number of Parcels: .....

Country of Provenance: .....

Name and address of exporter: ..... Name and address of importer: .....

Table with 3 columns: HS classification, Carat, Value (US\$). Rows include 7102.10, 7102.21, 7102.31.

THIS CERTIFICATE

Issued on: ..... Expires on: .....

Signature of Authorised Officer / Official Stamp

(b) right side:

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Unique Number: EU

**EUROPEAN UNION  
KIMBERLEY PROCESS CERTIFICATE  
IMPORT CONFIRMATION**

It is hereby certified that the rough diamonds in this shipment exported

From .....

Were accepted for import

Into .....

By .....

On .....

And that the import has been checked and verified in compliance with the provisions of the Kimberley Process Certification Scheme for rough diamonds.

HS classification	Carat	Value (US\$)
7102.10		
7102.21		
7102.31		

Signature of Authorised Officer

Stamp of Importing Authority'

ANNEX IV

ANNEX V

**List of diamond organisations implementing the system of warranties  
and industry self-regulation referred to in Articles 13 and 17**

Antwerpsche Diamantkring CV

Hoveniersstraat 2 bus 515

B-2018 Antwerpen

Beurs voor Diamanhandel CV

Pelikaanstraat 78

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B-2018 Antwerpen

Diamantclub van Antwerpen CV

Pelikaanstraat 62

B-2018 Antwerpen

Vrije Diamanthandel NV

Pelikaanstraat 62

B-2018 Antwerpen

The London Diamond Bourse and Club

100 Hatton Garden

London EC1N 8NX

United Kingdom

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(1) [OJ L 358, 31.12.2002, p.28.](#)

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