COMMISSION IMPLEMENTING REGULATION (EU) 2020/2149

of 9 December 2020

amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds, in order to add Italy as a Union authority and to take into account the withdrawal of the United Kingdom from the Union

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, (1) and in particular Article 17, Article 19(1 and 2), and Article 20 thereof,

Whereas:

- (1) The Withdrawal Agreement (²) sets out the arrangements for the withdrawal of the United Kingdom of Great Britain and Northern Ireland ('United Kingdom') from the Union and from the European Atomic Energy Community ('Euratom').
- (2) The transition period set out in Part Four of the Withdrawal Agreement ends on 31 December 2020 when Union law ceases to apply to and in the United Kingdom.
- (3) Pursuant to Article 5(4) of the Protocol on Ireland/Northern Ireland to the Withdrawal Agreement, read in conjunction with Annex 2 to that Protocol, the provisions of Regulation (EC) No 2368/2002 apply to and in the United Kingdom in respect of Northern Ireland. The Protocol on Ireland/Northern Ireland will become applicable at the end of the transition period.
- (4) Annex II to Regulation (EC) No 2368/2002 lists the Participants in the Kimberley Process certification scheme and their duly appointed competent authorities.
- (5) By virtue of the adoption of the Administrative Decision 'Admission of the United Kingdom of Great Britain and Northern Ireland to the Kimberley Process Certification Scheme' by Kimberley Process Participants at the Delhi Plenary in November 2019, the United Kingdom is admitted as a Kimberley Process certification scheme Participant, with such participation taking effect only from the date on which Union law ceases to apply to and in the United Kingdom. The United Kingdom should be added to the list of Kimberley Process Participants in Annex II to Regulation (EC) No 2368/2002.
- (6) In addition, the addresses of the competent authorities of several participants in the Kimberley Process, found in Annex II to Regulation (EC) No 2368/2002, require an update.
- (7) Article 19 of Regulation (EC) No 2368/2002 provides for a list of Union authorities to be maintained by the Commission in Annex III to that Regulation.
- (8) Following the request for designation of a Union authority pursuant to Article 19 of Regulation (EC) No 2368/2002 by Italy, the Commission met with the Union authority designated by Italy 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 Union authority designated by Italy 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. The relevant authority in Italy should therefore be added to the list of Union authorities in Annex III to Regulation (EC) No 2368/2002.
- (9) Following the withdrawal of the United Kingdom from the Union and Euratom, the Union authority in the United Kingdom should be removed from the list of Union authorities in Annex III to Regulation (EC) No 2368/2002.

⁽¹⁾ OJ L 358, 31.12.2002, p. 28.

⁽²⁾ Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (OJ L 29, 31.1.2020, p. 7).

- (10) In accordance with Article 17(4) of Regulation (EC) No 2368/2002, the Commission shall list in Annex V each organisation that fulfils the requirements of Article 17. Following the withdrawal of the United Kingdom from the Union and Euratom, the London Diamond Bourse and Club should be removed from the list of diamond organisations implementing the system of warranties and industry self-regulation, found in Annex V to Regulation (EC) No 2368/2002.
- (11) Annexes II, III and V to Regulation (EC) No 2368/2002 should be amended accordingly.
- (12) 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.
- (13) To allow the Union's implementation of the Kimberley Process certification scheme in relation to the United Kingdom as soon as possible, this Regulation should enter into force as a matter of urgency,

HAS ADOPTED THIS REGULATION:

Article 1

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

- (1) Annex II is replaced by the text in Annex I to this Regulation;
- (2) Annex III is replaced by the text in Annex II to this Regulation;
- (3) Annex V is replaced by the text 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. It shall apply from 1 January 2021.

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

Done at Brussels, 9 December 2020.

For the Commission
Josep BORRELL FONTELLES
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 Mineral Resources and Petroleum and Gas Av. 4 de Fevereiro no 105 1279 Luanda Angola

Export authority:

Ministry of Industry and Trade Largo 4 de Fevereiro #3 Edifício Palacio de vidro 1242 Luanda Angola

ARMENIA

Department of Gemstones and Jewellery Ministry of Economy M. Mkrtchyan 5 Yerevan Armenia

AUSTRALIA

Department of Foreign Affairs and Trade Investment and Business Engagement Division R.G. Casey Building John McEwen Crescent Barton ACT 0221 Australia

Import and export authority:

Department of Home Affairs
Customs and Border Revenue Branch
Australian Border Force
5 Constitution Ave
Canberra City 2600
Australia
Department of Industry, Science, Energy and Resources
GPO Box 2013
Canberra ACT 2601
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 220010 Minsk Republic of Belarus

BOTSWANA

Ministry of Minerals, Green Technology and Energy Security (MMGE) Fairgrounds Office Park, Plot No 50676 Block C P/Bag 0018 Gaborone Botswana

BRAZIL

Ministry of Mines and Energy Esplanada dos Ministérios, Bloco'U', 4° andar 70065, 900 Brasilia, DF Brazil

CAMBODIA

Ministry of Commerce Lot 19–61, MOC Road (113 Road), Phum Teuk Thla, Sangkat Teuk Thla Khan Sen Sok, Phnom Penh Cambodia

CAMEROON

National Permanent Secretariat for the Kimberley Process Ministry of Mines, Industry and Technological Development Intek Building, 6th floor, Navik Street BP 35601 Yaounde Cameroon

CANADA

International:

Global Affairs Canada Natural Resources and Governance Division (MES) 125 Sussex Drive Ottawa, Ontario K1A 0G2 Canada

For General Enquiries at Natural Resources Canada:

Kimberley Process Office Lands and Minerals Sector Natural Resources Canada (NRCan) 580 Booth Street, 10th floor Ottawa, Ontario Canada K1A 0E4

CENTRAL AFRICAN REPUBLIC

Secrétariat permanent du processus de Kimberley BP: 26 Bangui Central African Republic

CHINA, People's Republic of

Department of Duty Collection General Administration of China Customs (GACC) No 6 Jianguomen Nie Rev. Dongcheng District, Beijing 100730 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

MACAO, Special Administrative Region of the People's Republic of China

Macao Economic Bureau Government of the Macao Special Administrative Region Rua Dr Pedro José Lobo, no. 1–3, 25th Floor Macao

CONGO, Democratic Republic of

Centre d'Expertise, d'Evaluation et de Certification des Substances Minérales Précieuses et Semi-précieuses (CEEC) 3989, av des cliniques Kinshasa/Gombe Democratic Republic of Congo

CONGO, Republic of

Bureau d'Expertise, d'Evaluation et de Certification des Substances Minérales Précieuses (BEEC) BP 2787 Brazzaville Republic of Congo

COTE D'IVOIRE

Ministère de l'Industrie et des Mines Secrétariat Permanent de la Représentation en Côte d'Ivoire du Processus de Kimberley (SPRPK-CI) Abidjan-Plateau, Immeuble les Harmonies II Abidjan Côte d'Ivoire

ESWATINI

Office for the Commissioner of Mines Minerals and Mines Departments, Third Floor Lilunga Building (West Wing), Somhlolo Road, Mbabane Eswatini

EUROPEAN UNION

European Commission Service for Foreign Policy Instruments Office EEAS 03/330 B-1049 Bruxelles/Brussel Belgium

GABON

Centre Permanent du Processus de Kimberley (CPPK) Ministry of Equipment, Infrastructure, and Mines Immeuble de la Geologie, 261 rue Germain Mba B.P. 284/576 Libreville Gabon

GHANA

Ministry of Lands and Natural Resources Accra P.O. Box M 212 Ghana

Import and export authority:

Precious Minerals Marketing Company Ltd (PMMC) Diamond House PO Box M.108 Accra Ghana

GUINEA

Ministry of Mines and Geology Boulevard du Commerce – BP 295 Quartier Almamya/Commune de Kaloum Conakry Guinea

GUYANA

Geology and Mines Commission P O Box 1028 Upper Brickdam Stabroek Georgetown Guyana

INDIA

Government of India, Ministry of Commerce & Industry Udyog Bhawan New Delhi 110 011 India

Import and export authority:

The Gem & Jewellery Export Promotion Council KP Exporting/Importing Authority Tower A, AW-1010, Baharat Diamond Bourse Opp NABARD Bank, Bandra Kurla Complex Bandra (E), Mumbai – 400 051 India

INDONESIA

Directorate of Export and Import Facility, Ministry of Trade M. I. Ridwan Rais Road, No 5 Blok I Iantai 4 Jakarta Pusat Kotak Pos. 10110 Jakarta Indonesia

ISRAEL

Ministry of Economy and Industry Office of the Diamond Controller 3 Jabotinsky Road Ramat Gan 52520 Israel

JAPAN

Agency for Natural Resources and Energy Mineral and Natural Resources Division Ministry of Economy, Trade and Industry 1-3-1 Kasumigaseki, Chiyoda-ku 100-8901 Tokyo, Japan Japan

KAZAKHSTAN

Ministry for Investments and Development of the Republic of Kazakhstan Committee for Technical Regulation and Metrology 11, Mangilik el street Nur-Sultan Republic of Kazakhstan

KOREA, Republic of

Ministry of Foreign Affairs United Nations Division 60 Sajik-ro 8-gil Jongno-gu Seoul 03172 Korea

LAOS, People's Democratic Republic

Department of Import and Export Ministry of Industry and Commerce Phonxay road, Saisettha District Vientiane, Lao PDR P.O Box: 4107 Laos

LEBANON

Ministry of Economy and Trade Lazariah Building Down Town Beirut Lebanon

LESOTHO

Department of Mines Ministry of Mining Corner Constitution and Parliament Road P.O. Box 750 Maseru 100 Lesotho

LIBERIA

Government Diamond Office Ministry of Mines and Energy Capitol Hill P.O. Box 10-9024 1000 Monrovia 10 Liberia

MALAYSIA

Ministry of International Trade and Industry MITI Tower, No 7, Jalan Sultan Haji Ahmad Shah 50480 Kuala Lumpur Malaysia

Import and export authority:

Royal Malaysian Customs Department Jabatan Kastam Diraja Malaysia, Kompleks Kementerian Kewangan No 3, Persiaran Perdana, Presint 2, 62596 Putrajaya, Malaysia.

MALI

Ministère des Mines Bureau d'Expertise d'Évaluation et de Certification des Diamants Bruts Cité administrative, P.O. BOX: 1909 Bamako République du Mali

MAURITIUS

Import Division Ministry of Industry, Commerce & Consumer Protection 4th Floor, Anglo Mauritius Building Intendance Street Port Louis Mauritius

MEXICO

Directorate-General for International Trade in Goods 189 Pachuca Street, Condesa, 17^{th} Floor Mexico City, 06140 Mexico

Import and export authority:

Directorate-General for Trade Facilitation and Foreign Trade SE. Undersecretary of Industry and Trade 1940 South Insurgentes Avenue, PH floor Mexico City, 01030 Mexico SHCP-AGA. Strategic Planning and Coordination Customs Administration "2" 160 Lucas Alaman Street, Obrera Mexico City, 06800 Mexico

NAMIBIA

The Government of Republic of Namibia Ministry of Mines and Energy Directorate of Diamond Affairs Private Bag 13297 1st Aviation Road (Eros Airport) Windhoek Namibia

NEW ZEALAND

Middle East and Africa Division Ministry of Foreign Affairs and Trade Private Bag 18 901 Wellington New Zealand

Import and export authority:

New Zealand Customs Service 1 Hinemoa Street PO box 2218 Wellington 6140 New Zealand

NORWAY

Ministry of Foreign Affairs Department for Regional Affairs Section for Southern and Central Africa Box 8114 Dep 0032 Oslo, Norway

PANAMA

National Customs Authority Panama City, Curundu, Dulcidio Gonzalez Avenue, building # 1009 Republic of Panama

RUSSIAN FEDERATION

International: Ministry of Finance 9, Ilyinka Street 109097 Moscow Russian Federation

Import and Export Authority:

Gokhran of Russia 14, 1812 Goda St. 121170 Moscow Russian Federation

SIERRA LEONE

Ministry of Mines and Mineral Resources Youyi Building Brookfields Freetown Sierra Leone Import and export authority: National Minerals Agency New England Ville Freetown Sierra Leone

SINGAPORE

Ministry of Trade and Industry 100 High Street #09-01, The Treasury Singapore 179434 Import and Export authority: Singapore Customs 55 Newton Road #06-02 Revenue House Singapore 307987

SOUTH AFRICA

South African Diamond and Precious Metals Regulator 251 Fox Street Doornfontein 2028 Johannesburg South Africa

SRI LANKA

National Gem and Jewellery Authority 25, Galle Face Terrace Post Code 00300 Colombo 03 Sri Lanka

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

Mining Commission Ministry of Energy and Minerals P.O BOX 2292 40744 Dodoma Tanzania

THAILAND

Department of Foreign Trade Ministry of Commerce 563 Nonthaburi Road Muang District, Nonthaburi 11000 Thailand

TOGO

The Ministry of Mines and Energy Head Office of Mines and Geology 216, Avenue Sarakawa B.P. 356 Lomé Togo

TURKEY

Foreign Exchange Department Ministry of Treasury and Finance T.C. Başbakanlık Hazine Müsteşarlığı İnönü Bulvarı No 36 06510 Emek, Ankara Turkey

Import and Export Authority:

Istanbul Gold Exchange/Borsa Istanbul Precious Metals and Diamond Market (BIST)
Borsa İstanbul, Resitpasa Mahallesi,
Borsa İstanbul Caddesi No 4
Sariyer, 34467, Istanbul
Turkey

UKRAINE

Ministry of Finance State Gemological Centre of Ukraine 38–44, Degtyarivska St. Kyiv 04119 Ukraine

UNITED ARAB EMIRATES

U.A.E. Kimberley Process Office Dubai Multi Commodities Centre Dubai Airport Free Zone Emirates Security Building Block B, 2nd Floor, Office # 20 P.O. Box 48800 Dubai United Arab Emirates

UNITED KINGDOM (1)

Government Diamond Office
Conflict Department
Room WH1.214
Foreign, Commonwealth & Development Office
King Charles Street
London
SW1A 2AH
United Kingdom

UNITED STATES OF AMERICA

United States Kimberley Process Authority U.S. Department of State Bureau of Economic and Business Affairs 2201 C Street, NW Washington DC 20520 United States of America

Import and export authority:

U.S. Customs and Border Protection Office of Trade 1400 L Street, NW Washington, DC 20229 United States of America U.S. Census Bureau

⁽¹) Without prejudice to the application of Regulation (EC) No 2368/2002 to and in the United Kingdom in respect of Northern Ireland, in accordance with Article 5(4), read in conjunction with Annex 2, point 47, of the Protocol on Ireland/Northern Ireland to the Withdrawal Agreement as of 1 January 2021 (OJ L 29, 31.1.2020, p. 7).

4600 Silver Hill Road Room 5K167 Washington, DC 20233 United States of America

VENEZUELA

Central Bank of Venezuela 36 Av. Urdaneta, Caracas, Capital District Caracas ZIP Code 1010 Venezuela

VIETNAM

Ministry of Industry and Trade Agency of Foreign Trade 54 Hai Ba Trung Hoan Kiem Hanoi Vietnam

ZIMBABWE

Principal Minerals Development Office Ministry of Mines and Mining Development 6th Floor, ZIMRE Centre Cnr L.Takawira St/K. Nkrumah Ave. Harare Zimbabwe

Import and export authority:

Zimbabwe Revenue Authority
Block E 5th Floor, Mhlahlandlela Complex
Cnr Basch Street/10th Avenue
Bulawayo
Zimbabwe
Minerals Marketing Corporation of Zimbabwe
90 Mutare road,
Msasa
PO Box 2628
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 Economische Analyses en Internationale Economie, Dienst Vergunningen en Diamant/Service Public Fédéral Économie,

PME, Classes moyennes et Energie, Direction générale des Analyses économiques et de l'Economie internationale, Service Licences et Diamants

(Federal Public Service Economy SME's, Self-employed and Energy, Directorate-General for Economic Analyses & International Economy)

Italiëlei 124, bus 71

B-2000 Antwerpen

Tel. +32 (0)2 277 54 59

Fax +32 (0)2 277 54 61 or +32 (0)2 277 98 70

Email: 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 Hoveniersstraat 22 B-2018 Antwerpen

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

Email: diamond@cs.mfcr.cz

Permanent service at designated custom office – Praha Ruzyně Tel. (420-2) 20 113 788 (Mondays to Fridays -7:30am – 15:30pm) Tel. (420-2) 20 119 678 (Saturdays, Sundays and rest – 15:30pm – 7:30am)

GERMANY

In Germany the controls of imports and exports of rough diamonds required by Regulation (EC) No 2368/2002, including the issuing of Union 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

Email: poststelle.za-idar-oberstein@zoll.bund.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:

Generalzolldirektion
– Direktion VI –
Recht des grenzüberschreitenden Warenverkehrs/Besonderes Zollrecht
Krelingstraβe 50
D-90408 Nürnberg
Tel. +49 228 303-49874
Fax +49 228 303-99106

Email: DVIA3.gzd@zoll.bund.de

IRELAND

The Kimberley Process and Responsible Minerals Authority Geoscience Regulation Office Department of Environment, Climate and Communications 29–31 Adelaide Road Dublin D02 X285 Ireland Tel. +353 1 678 2000

Email: KPRMA@DECC.gov.ie

ITALY

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

Agenzia delle Dogane e dei Monopoli Laboratorio chimico di Torino – Ufficio antifrode –Direzione Interregionale Liguria, Piemonte e Valle d'Aosta Corso Sebastopoli, 3 10134 Torino Tel. +39 011 3166341 – 0369206

Email: dir.liguria-piemonte-valledaosta.lab.torino@adm.gov.it

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 the competent Italian authority:

Agenzia delle Dogane e dei Monopoli Ufficio Origine e valore – Direzione Dogane Piazza Mastai, 12 00153 Roma Tel. +39 06 50245216

Email: dir.dogane.origine@adm.gov.it

PORTUGAL

Autoridade Tributária e Aduaneira Direção de Serviços de Licenciamento R. da Alfândega, 5 1149-006 Lisboa Tel. + 351 218 813 843/8 Fax + 351 218 813 986

Email: dsl@at.gov.pt

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

Alfândega do Aeroporto de Lisboa Aeroporto de Lisboa, Terminal de Carga, Edifício 134 1750-364 Lisboa Tel. +351 210030080 Fax +351 210037777

Email address: aalisboa-kimberley@at.gov.pt

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'

ANNEX III

'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 Diamanthandel CV Pelikaanstraat 78 B-2018 Antwerpen

Diamantclub van Antwerpen CV Pelikaanstraat 62 B-2018 Antwerpen

Vrije Diamanthandel NV Pelikaanstraat 62 B-2018 Antwerpen'