



STATUTORY INSTRUMENTS.

S.I. No. 533 of 2019

EUROPEAN COMMUNITIES (KIMBERLEY PROCESS) (TRADE IN
ROUGH DIAMONDS) REGULATIONS 2019

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I, Richard Bruton, Minister for Communications, Climate Action and Environment in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), and for the purpose of giving full effect to Council Regulation (EC) No. 2368/2002 of 20 December 2002¹, hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Kimberley Process) (Trade in Rough Diamonds) Regulations 2019.

2. In these Regulations -

“Commission Implementing Regulation” means Commission Implementing Regulation (EU) 2019/1189 of 8 July 2019²;

“Council Regulation” means Council Regulation (EC) No. 2368/2002 of 20 December 2002¹, as last amended by the Commission Implementing Regulation;

“Minister” means the Minister for Communications, Climate Action and Environment.

3. The Minister is the Community authority designated by the State pursuant to Article 19(1) of the Council Regulation as the Community authority for the purposes of that Regulation and referred to in Annex III to that Regulation, as amended by the Commission Implementing Regulation, as “The Kimberley Process and Responsible Minerals Authority, Exploration and Mining Division of the Department of Communications, Climate Action and Environment”.

4. (1) A person who contravenes Article 3, Article 4(1) or (2), Article 11 or Article 24(1) or (2) of the Council Regulation is guilty of an offence.

(2) A person who commits an offence under paragraph (1) of this Regulation is liable, on summary conviction, to a class A fine or imprisonment for a term not exceeding 6 months or both.

¹ OJ L 358, 31.12.2002, p. 28

² OJ L 187, 12.7.2019, p. 14

5. Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent or connivance, or was attributable to any wilful neglect, of a person who was a director, manager, secretary or other officer of the body corporate, or a person purporting to act in that capacity, that person, as well as the body corporate, commits an offence and may be proceeded against as if he or she commits the first-mentioned offence.

6. The European Communities (Kimberley Process) (Trade in Rough Diamonds) Regulations 2005 (S.I. No. 878 of 2005) are revoked.



GIVEN under my Official Seal,
23 October, 2019.

RICHARD BRUTON,
Minister for Communication, Climate Action
and Environment.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations provide for penalties for infringement of Council Regulation (EC) No 2368/2002, as amended and to designate the Minister for Communications, Climate Action and Environment as a Community Authority for the purpose of the Regulations.

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(Teil: 01 - 6476834 nó 1890 213434)

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PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434)

€ 3.00

