

2004 No. 686

FEES AND CHARGES

The Kimberley Process (Fees) Regulations 2004

<i>Made</i> - - - - -	<i>8th March 2004</i>
<i>Laid before Parliament</i>	<i>11th March 2004</i>
<i>Coming into force</i> - -	<i>1st April 2004</i>

The Secretary of State, in exercise of the powers conferred by section 56(1) and (2) of the Finance Act 1973(a) with the consent of the Treasury, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Kimberley Process (Fees) Regulations 2004 and shall come into force on 1st April 2004.

Interpretation

2.—(1) In these Regulations—

“Department” means the Foreign and Commonwealth Office, and

“Principal Regulation” means Council Regulation (EC) No. 2368/2002(b) implementing the Kimberley Process certification scheme for the international trade in rough diamonds.

(2) Unless the context otherwise requires, expressions used in these Regulations, and which are also used in the Principal Regulation, shall have the meaning they bear in that Regulation.

Prescription of fees

3. The fees specified in column 2 of the Schedule to these Regulations are hereby prescribed as the fees payable in connection with the services provided by the Department in pursuance of the United Kingdom’s Community obligations arising from Article 12 of the Principal Regulation, each fee specified in column 2 of that Schedule being the fee payable in connection with the service specified alongside that fee in column 1 of that Schedule.

Payment of fees

4. A fee payable under regulation 3 above shall be paid to the Department at the same time that the application to which it related is made to the Department.

(a) 1973 c. 51.

(b) OJ No. L358/28, 31.12.02.

Revocation

5. The Kimberley Process (Fees) Regulations 2003(a) are hereby revoked.

Signed by authority of the Secretary of State

8th March 2004 *Bill Rammell*
Minister of State, Foreign and Commonwealth Office

We consent to the making of these Regulations

8th March 2004 *Jim Murphy*
John Heppell
Two of the Lords Commissioners of Her Majesty's Treasury

(a) S.I. 2003/2327.

**SCHEDULE
PRESCRIBED FEES**

Regulation 3

<i>Column 1</i>	<i>Column 2</i>
<i>Description of Service</i>	<i>Fee</i>
1. Issue of a Community Certificate accompanying a shipment with a declared value of up to US\$10,000	£10 per certificate (previously £5)
2. Issue of a Community Certificate accompanying a shipment with a declared value of between US\$10,001 and US\$100,000	£15 per certificate (previously £10)
3. Issue of a Community Certificate accompanying a shipment with a declared value above US\$100,000	£25 per certificate (previously £15)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe fees to be paid to the Foreign and Commonwealth Office in connection with the issue of certificates by the Department in pursuance of the Community obligations of the United Kingdom under Council Regulation (EC) No. 2368/2002 (“the Principal Regulation”) implementing the Kimberley Process certification scheme for the international trade in rough diamonds. The fees prescribed are in connection with the issue of Community Certificates under Article 12 of the Principal Regulation.

Fees in connection with the issue of such certificates were first prescribed in the Kimberley Process (Fees) Regulations 2003, which are revoked by these Regulations. The present Regulations prescribe higher fees than the 2003 Regulations; previous charges are indicated in brackets in the Schedule of Prescribed Fees.

A Regulatory Impact Assessment has been prepared in respect of the 2003 Regulations. Copies of this assessment may be obtained from the Government Diamond Office, United Nations Department, Foreign and Commonwealth Office, King Charles Street, London SW1A 2AH.

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E0350 3/2004 140350 19585

ISBN 0-11-048862-8



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