



**SOUTH AFRICAN DIAMOND AND
PRECIOUS METALS REGULATOR**

251 Fox Street
JOHANNESBURG 2001, SOUTH AFRICA
Entrance: Cnr Greene & Main Streets (Jewel City)

P. O. Box 16001, Doornfontein 2028 – South Africa
Tel (011) 223 7000 Fax (011) 334-8898
info@sadpmr.co.za

FORM PEA

Application No: _____

APPLICATION FOR EXPORT APPROVAL

[In terms of section 12 of the Precious Metals Act, 2005 (Act 37 of 2005)]

Instructions:

1. For any enquiries, contact the office of the Regulator during office hours.
2. Complete the form in block letters and in black pen.
3. Where options are given mark the appropriate block.
4. Complete the form in English and do not use abbreviations.
5. Although the application forms are made available in electronic format, only a signed original hard copy shall be acceptable.
6. Ensure that all the required documentation accompanies the application.
7. The application must be submitted to the operational business premises of the Regulator.

Part A : Particulars of the applicant

1. In case of a natural person, please provide the following:

- (i) Surname: _____
(ii) First name(s): _____

(iii) Identity number: _____

*(A certified copy of the applicant's identity document must be attached.)

(iv) Has the applicant ever been convicted of a criminal offence in terms of the Act or any other law? (Yes/No) If yes, furnish particulars on a separate sheet of paper.

2. In the case of a person other than a natural person, please indicate:

CC _____ Partnership/Joint venture _____
Co. _____ Other (specify) _____

(i) Name of company, close corporation, partnership or joint venture:

(ii) Registration number of Co. or CC: _____

(iii) Full name and identity number of managing director or member:

(iv) Full names and identity number of every director or member:

(v) Particulars of interest held (%) in the juristic person and name of the holder of the controlling interest: _____

(vi) If known to the applicant at the time of lodging the application, the quantity, fineness, form and value of the precious metals concerned:

(vii) Period during which such precious metals may be exported:

(viii) If known to the applicant at the time of lodging the application, the port(s) through which such precious metals may be exported:

(ix) If known to the applicant at the time of lodging the application, the country or countries to which such precious metals may be exported:

(x) If known to the applicant at the time of lodging the application, the purpose of the exports:

*(In the case of a company or close corporation, a certified copy of the certificate of incorporation must be attached.)

PART B: CORRESPONDENCE ADDRESS FOR THIS APPLICATION

3(a) Business address:

- (i) Building name: _____
- (ii) Building number: _____
- (iii) Street number: _____
- (iv) Street name: _____
- (v) Suburb: _____
- (vi) Town/City: _____
- (vii) Postal code: _____
- (viii) Province: _____
- (ix) Country: _____
- (x) Telephone No: _____
- (x) Fax No: _____
- (xii) Cellphone No: _____
- (xiii) Email address: _____

(b) Relevant postal address:

- (i) Postal address: _____
- (ii) Town/City: _____
- (iii) Postal code: _____

(Attach documentary proof of the applicant's registered business premises.)

THE APPLICATION MUST BE ACCOMPANIED BY THE FOLLOWING:

1. A certified copy of the applicant's identity document, if applicable.
2. A certified copy of the certificate of incorporation and articles of association or founding statement, if applicable.
3. A copy of the relevant resolution, if acting in a representative capacity.
4. A police clearance certificate.
5. A non-refundable prescribed application fee.

PART C: DECLARATION

I, the applicant, _____, hereby declare that the contents of this application are true and correct.

Capacity: _____

Signed at _____ on the _____ day of _____.

SIGNATURE OF APPLICANT/REPRESENTATIVE (IF APPLICABLE)

23. (1) An application to export unwrought or semi-fabricated precious metals, as contemplated in section 12 of the Act, must be completed in the form of Form EA contained in Annexure C, and must contain -

- (a) in the case of a natural person, the name, surname and identity number of the applicant; or
- (b) in the case of a company or close corporation, the name and registration number of the company or close corporation; and
- (c) the period for which the applicant intends to export such precious metal;
- (d) if known to the applicant at the time of lodging the application, the quantity, fineness, form and value of the precious metal to be exported;
- (e) if known to the applicant at the time of lodging the application, the port or ports through which such precious metal is to be exported;
- (f) if known to the applicant at the time of lodging the application, the country or countries to which such precious metal is to be exported;
- (g) if known at the time of lodging the application, the purpose of the export of such precious metal;
- (h) where the application relates to the export of precious metals in terms of a contract concluded or about to be concluded by the applicant, a copy of those parts of the contract or draft contract, if any, reflecting the terms relating to the volume of the precious metals to be exported, the period during which the contract will apply and the conditions relating to the delivery of the precious metals or, where the contract is not in writing, a summary of those terms of the contract referred to above;
- (i) projections of the total monthly production relative to the projected monthly sales of the precious metals that the applicant wishes to export during the period referred to in subregulation (1)(d), demonstrating that the applicant is able to contribute towards satisfying the anticipated local demand for the precious metals concerned; and
- (j) particulars of any criminal record in respect of any offence for which the holder has been convicted in terms of the Act or any other law.

(2) The following documents must be lodged together with an application contemplated in subregulation (1):

- (a) In the case of a natural person, a certified copy of the applicant's identity document; or
- (b) in the case of a company or close corporation, certified copies of a certificate of incorporation and the articles of association or founding statement; and
- (c) documentary proof of the applicant's registered business premises; and

- (d) an original police clearance certificate of the applicant or, in the case of a company or close corporation, of any director or member involved in the management of the company or close corporation.
- (3) The Minister may, within 14 days of the lodgement of an application, issue an approval to export if -
 - (a) the applicant has provided information to the satisfaction of the Minister that provision has been made to meet the current local demand for the beneficiation of unwrought precious metals and that there are reasonable grounds to believe that such local demand will continue to be met during the period for which the consent to export is valid; and
 - (b) in the case of gold, the National Treasury has given its approval.

Terms and conditions of export approval

24. (1) The Minister may grant an application for approval to export precious metals subject to the condition that, where any information required under section 23(1) above was not available at the time when the application was made, the information concerned must be submitted to the Regulator within a time frame and in a manner to be determined by the Minister.

(2) The application must contain a copy of the Bill of Entry for Export issued in terms of the Customs and Excise Act, 1964 (Act 91 of 1964), together with all supporting documents in respect of each consignment of the precious metals exported in terms of the approval granted by the Minister for a period of three years after the date of export.

(3) A holder of an export approval shall bi-annually declare and submit to the Regulator a complete and accurate summary of its monthly exports, indicating -

- (a) the quantity of the unwrought or semi-fabricated precious metals exported in each month;
- (b) the type of the unwrought or semi-fabricated precious metals exported in each month;
- (c) the total value of the unwrought or semi-fabricated precious metals exported in each month; and
- (d) the origin of the unwrought or semi-fabricated precious metals exported.