

*Statutory Instrument No. 29 of 1973*

MINES AND MINERALS ACT, 1967  
(No. 50 of 1967)

**SEMI-PRECIOUS STONES REGULATIONS, 1973**

*(Published on the 6th April, 1973)*

IN EXERCISE of the powers conferred by section 115 of the Mines and Minerals Act, 1967, the Minister of Commerce, Industry and Water Affairs has made the following regulations —

Citation	<b>1.</b> These Regulations may be cited as the Semi-Precious Stones Regulations, 1973.
Inter-pretation	<b>2.</b> "semi-precious stones" means unworked semi-precious stones; "semi-precious stones dealer" is a person who holds a current semi-precious stones dealer's licence issued under these Regulations.
Unlicensed trading prohibited	<b>3.</b> No person may purchase or otherwise obtain for purposes of trade any semi-precious stones unless he is a semi-precious stones dealer: Provided that this regulation shall not apply to — (i) any person who purchases or otherwise obtains such stones from a semi-precious stones dealer; (ii) the holder of a mining right but only to the extent that semi-precious stones are included in and occur within the area of such mining right; (iii) the owner of mineral rights over any land where semi-precious stones occur, but only to the extent that semi-precious stones occur within such land.
Application for licence	<b>4.</b> Any person wishing to obtain a semi-precious stones dealer's licence shall apply in writing to the Mining Commissioner giving such information as the Mining Commissioner may require, and the Mining Commissioner may grant or refuse such application.
Validity of licences	<b>5.</b> A semi-precious stones dealer's licence shall be valid for — (a) such period, being not less than one year and not more than five years, as the Mining Commissioner shall determine; (b) such areas as shall be specified in the licence; and (c) such semi-precious stones as shall be specified in the licence.
Extension of validity of licence	<b>6.</b> The Mining Commissioner may extend the validity of a licence already issued by adding further semi-precious stones to those already specified in the licence: Provided that any semi-precious stones so added are geologically related to those already specified and occur within the same area.
Sale by wholesale only	<b>7.</b> A semi-precious stones dealer shall be entitled to sell any semi-precious stones purchased or obtained by him under his licence by wholesale only.

**8.** (1) Not later than the 30th April, 31st July, 31st October and 31st January, and not later than one month after the date of expiry of his licence, a semi-precious stones dealer shall render to the Mining Commissioner in respect of the preceding three months or part thereof ending the 31st March, 30th June, 30th September and 31st December, a return showing —

Returns to be rendered

- (a) the type, weight and gross cost of all semi-precious stones purchased or obtained by him;
- (b) the type, weight and gross sales value of all semi-precious stones sold by him; and
- (c) such other information as the Mining Commissioner may reasonably require.

(2) Failure to render returns in accordance with this regulation shall be an offence.

**9.** The fee for a semi-precious stones dealer's licence shall be —

Licence fees

- (a) two hundred and fifty rand per annum, payable on the date of issue of a licence and on every anniversary thereof; plus
- (b) a sum equal to three per centum of the gross sales value of all semi-precious stones sold by him, as declared in any return rendered under regulation 8, payable when each such return is rendered:

Provided that the Mining Commissioner may with the approval of the Minister, waive payment of the fee.

**10.** The licence of a semi-precious stones dealer convicted of an offence under these regulations may be cancelled by the Mining Commissioner:

Licence may be cancelled

Provided that —

- (i) such person shall not be entitled to a refund of any part of the fee paid under regulation 9 (a) in respect of any unexpired period of his licence;
- (ii) not later than one month after the date of cancellation of his licence such person shall, in respect of any period between the date of issue of his licence or the end of the last three months or part thereof in respect of which he rendered a return, whichever shall be the later, and the date of cancellation of his licence, render to the Mining Commissioner a return containing all the information required under regulation 8, and shall pay a fee calculated in accordance with the provisions of regulation 9 (b).

**11.** Any person who contravenes these Regulations shall be liable, in respect of a first offence to a fine of two hundred and fifty rand and to imprisonment for a period of three months, and in respect of a subsequent offence to a fine of five hundred rand and to imprisonment for six months.

Offences

DATED the 30th day of March, 1973.

S.T. KETLOGETSWE,  
Permanent Secretary,

Ministry of Commerce, Industry and Water Affairs.