

Federal law No. (9) of 1993

Concerning controlling trading high-value stones, the precious metals and stamping them

We, Zayed bin Sultan, President of the United Arab Emirates

Having considered the provisional constitution,

- The federal law No. (1) of 1972 concerning the competencies of the ministries and the powers of the ministers and the amending laws ,
- The federal law No. (4) of 1979 concerning combating fraudulence and cheating of trading transactions.
- The federal law No. (5) of 1985 on issuance of civil dealings law.
- The federal law No. (3) of 1987 on issuance of penal law.

And according to what has been presented by the minister of economy and commerce , the approval of the cabinet and consent of the Federation Supreme Council.

We issued the following law,

Chapter 1

Définitions

Article 1

In implementing the terms of this decision, the following words and expressions shall have the meanings shown to each of them, unless the context otherwise required:

1- The state : the state of the United Arab Emirates

2- The ministry : the ministry of economy and commerce

3- The precious metals : gold , silver , platinum , items with or without work in them

4- Items with work: each piece of precious metal with percentage of the pure precious metal not less than what is determined according to the terms of article 3 of this law , including also the gold currency which are no longer have value , but not including gold and silver old monuments.

5- Items without work: precious metals mixtures.

6- Low standard items: each item mixed with precious metal with percentage of the pure precious metal less than what is determined according to the terms of article 3 of this law

7- items: each item of non-precious metal or others with precious metals or stones with value.

8- Coated items: each item of non-precious metal coated with precious metal.

9- Legal standards or purity degree standard: The figures which show the percentage of the pure precious metal in the items with or without work and also means the no. of parts by weights of the pure precious metal per each thousand part of weight of such items.

10- Share : it is part of thousand (1/1000)

11- Stamping: the process of stamping the precious metals and other items which contain precious metals with official marks to indicate the type and legal standard.

12- The high-value stones: the natural precious and half-precious stones and the artificial stones that are similar to precious and half precious stones in color and shape.

13- Stamping section : stamping section in the municipality concerned department.

Chapter 2

The legal standard of precious metals

Article 2

The legal standards of precious metals permitted according to the terms of this law are determined as follows:

A- Gold works:

- 1- 24-Kirat standard: it is pure gold containing 1000 share of gold.
- 2- 23.5 Karat standard, containing 979.16 share of gold.
- 3- 22- Karat standard, containing 916.6 share of gold.
- 4- 21 Karat standard, containing 875.0 share of gold.
- 5- 18 Karat standard, containing 750.0 share of gold.
- 6- 16 Karat standard, containing 666.66 share of gold.
- 7- 14 Karat standard, containing 583.23 share of gold.
- 8- 12 Karat standard, containing 500.00 share of gold.

B- Silver works:

- 1- 100-Kirat standard: it is pure silver containing 1000 share of silver .
- 2- 90 Karat standard, containing 900 share of silver.
- 3- 80 Karat standard, containing 800 share of g silver.
- 4- 70 Karat standard, containing 700 share of silver.
- 5- 60 Karat standard, containing 600 share of silver.

C- Platinum works:

- 1- 10-Kirat standard: it is pure platinum containing 1000 share of platinum.
- 2- 9 Karat standard, containing 900 share of platinum.
- 3- 8 Karat standard, containing 800 share of platinum.
- 4- 7 Karat standard, containing 700 share of platinum.

5- 6 Karat standard, containing 600 share of platinum.

The minister, by a decision issued by him, may determine any other legal standards not mentioned in this article.

Article 3

The percentage of the precious metal shall not be less than 500 share of the weight of gold in gold works, not less than 600 shares of weight of silver in silver works, not less than 600 shares of weight of platinum in platinum works.

Article 4

By a decision from the minister the official stamp marks shall be determined for the legal standards which are used in executing this law.

A decision shall be issued by the minister for the certification of the official marks of the foreign countries which deal with UAE similar dealing, regarding stamping the precious metals

Chapter 3

Selling and possession of precious metals

Article 5

The works of the precious metals or the items without work can not be sold or offered for selling or possession for the purpose of selling unless they are stamped with the official stamp of the country or with the stamp of one of the foreign countries whose stamp is recognized.

Article 6

The low standard items can not be sold or presented for selling or possession for the purpose of selling unless they are numbered with a number indicating the percentage of the precious metal contained in it by parts of one thousand with indicating the kind.

If the size did not allow that they should have a card carries the said data and name and address of shop owner._

Article 7

The items with stones can not be sold or presented for selling or possession for the purpose of selling unless they are stamped with the word “with stones” in Arabic or its counterpart in English if imported from abroad and numbered with a number indicating the percentage of the pure precious metal contained in it by parts of one thousand with indicating the kind.

If the size did not allow that they should have a card carries the said data and name and address of shop owner.

Article 8

The coated items can not be sold or presented for selling or possession for the purpose of selling unless they are stamped with the word “coated” in Arabic or its counterpart in English if imported from abroad . If the size did not allow that they should have a card carries the said data and name and address of shop owner.

Article 9

The high-value stones can not be sold or presented for selling or possession for the purpose of selling unless they are accompanied with written acknowledge from the trader showing the stone’ name ,type , weight, color, level of purity degree , properties , and safety from break, scratch and determines any other defects.

Article 10

The gold currencies which are no longer have clearance value are subject to the control of the section if offered for selling in the local markets and also in both cases of importing and exporting . Control would be based on the

standard, the weight , the two measures which supposed to be provided to each of these currencies.

The imported gold currencies imported from abroad for trading are not allowed except after testing by the section and verifying the correct standards and weights.

Chapter 4

Procedures of stamping the precious metals and issuance of certificates

Article 11

The metal works should be presented to the stamping section before trading them for stamping them with the official stamp mark after examining and analyzing the metal and indicating the standard of the degree of purity.

The precious metal works can not be stamped unless they contain amount of the pure precious metal equals one of the legal standards indicated in article 2 of this law.

The executive regulation of the law indicate the terms and procedures of calibration , analysis , numbering and stamping

Article 12

Each peace of the works presented for stamping should be accompanied with written acknowledge from the concerned person or his representative indicating the kind of the peace of metal and the legal standard required for the stamp, such that to be one of the legal standards referred to in article 2 of this law.

If the peace presented for stamping consists of a number of welded or connected parts,

The attached written acknowledge should indicate that all its parts including the material used in welding , are not less than the standard shown in the acknowledge.

Article 13

No request for stamping any peace of work shall not be accepted unless it is completely manufactured so that no change would be made because of

preparing it for selling , unless it is so required by the rules of industry according to the provision of the executive regulation of this law.

Article 14

The section can not stamp the works unless it is proved to it after examining them that they are at least of the standard mentioned in the acknowledge attached to it. If , after examination , it was shown that the standard is less than that shown in the acknowledge they shall be stamped with the real stamp. However they would be accepted if the decrease is not exceeding one share per thousand for gold and platinum works and two shares per thousand for silver works provided the works to be accurate in both cases.

The stamp that indicate the legal standard shall be put on each peace whether it is part or consists of a number of welded or connected parts as indicated in the executive regulation of this law.

Article 15

If many peaces of works were presented for stamping with one acknowledge that they are of the same metal and standard , then after examining them it was shown that one of them is of a standard less than that shown in the acknowledge that peace shall be stamped with the real standard.

Article 16

It is allowed to apply to the stamping section for examining any item without work whether of gold, platinum or silver or mixed with more than one precious metal , such that the examination request is accompanied with written acknowledge showing the kind of the metal that requires examination.

The section shall stamp each item after examining it with a number indicating the amount of the pure metal in it with part of thousand with the stamp of the section, as indicated in the executive regulation of this law.

Article 17

It is allowed to apply to the stamping section for examining any item of low standard or those with stones or the coated items , such that the examination

request is accompanied with written acknowledge showing the kind of the metal that requires examination and the amount of the pure metal in it.

The section shall stamp each item after examining it as mentioned in articles 6, 7 and 8 according to the conditions and as indicated in the executive regulation of this law.

Article 18

It is allowed to apply to the stamping section for examining any sample of the raw precious metals or any other items of precious metals or any high-value stones, such that the examination request is accompanied with written acknowledge showing the kind of the metal or the stone that requires examination and the section shall give the concerned person a certificate showing the results of the examinations conducted.

Article 19

The silver works and mixtures that are covered with gold or radium shall be stamped with silver stamp and the gold or platinum works covered with radium shall be stamped with the stamp of the precious metal that match the work metal itself.

Article 20

The decision of the stamping section shall be final for determining the percentage of the pure precious metal for the item that requires examination and in determining its kind and whether it is with or without work.

Article 21

The importers of the works and mixtures of the precious metals imported from abroad shall have the choice of re-exporting them at one or offering them to the stamping section for the stamp. In latter case the works items shall be weighed after payment of the customs fees and shall be sent

stamped with the stamps of the importer and the customs department according to the conditions , to the stamping section , on the importer' cost.

Article 22

If precious metals works and ingots imported from abroad were provided to the stamping section directly the provider shall prove that they entered the country in a legal way . If that was not conducted the section , before examining and stamping them , shall notify the concerned entities and seize the indicated works and prove the identity of the person who provided them ill the concerned entities take the required step.

Article 23

The imported works and ingots provided for stamp shall be subject to the terms of the works and other ingots mentioned in this law.

If the stamping section, according to the referred to terms, refused stamping such works and ingots , they shall be returned on the importer' cost to the customs or to the post, according to the condition , for re-exporting them. Then they are dealt with as legally returned goods . On re-exporting them the importer shall have the right to restore the paid customs fees in full.

Article 24

The imported works and ingots provided for the stamp shall be delivered to their owners if it was proved to the stamping section that they are stamped with the stamp of a recognized foreign country according to article 4 of this law.

Article 25

If the low standard items , the items with stones , or the coated items , imported from abroad , they can not be withdrawn form the customs or from the post unless they are numbered and stamped as mentioned in articles 6, 7 or 8 of this law according to the condition , otherwise they shall be re-exported at one by the importer.

Article 26

The fees of stamping , examination , analysis, the certificates and other services shall be determined by a decision from the cabinet upon a proposal from the minister after taking the opinion of the concerned authorities in the Emirates , such that the fee shall not exceed 10000 Dirhams . Such fees can not be returned after payment.

Chapter 5 **Penalties**

Article 27

A penalty shall be punished with jail for a term not less than one year and not exceeding three years and a fine not less than 20000 Dirhams and not exceeding 60000 Dirhams or one of the two penalties shall be imposed upon any one who stamps the precious metal works or the items without work with forged stamps.

The same applies to each trader or maker sold such works or items or offered them for selling or possessed them for the purpose of selling or traded them knowing that they are forged. In all such cases the court may confiscate them

Article 28

A penalty shall be punished with jail for a term not less than 6 months and not exceeding two years and a fine not less than 15000 Dirhams and not exceeding 30000 Dirhams or one of the two penalties shall be imposed upon any one who, after stamping the works, made a change or amendment, whether by addition , replacement or any other way that could make them not compliant with the stamped standard.

The same applies to any one sold such works or offered them for selling or possessed them for the purpose of selling or traded them knowing the change or amendment made to them. In all such cases the court may confiscate them

Article 29

A penalty shall be punished with jail for a term not less than 3 months and not exceeding one year and a fine not less than 10000 Dirhams and not exceeding 15000 Dirhams or one of the two penalties shall be imposed upon any trader or maker sold or offered for selling or traded in any other way with un-stamped works or ingots.

The works or ingots shall be seized and kept under claim . After the issuance of final judgment of conviction the stamping section shall examine the seizures, and if it was proved that they are of one of the legal standards they shall e stamped with the relative stamp and returned to its owner after payment double of the prescribed fees.

Article 30

Ay trader or maker sold or offered for selling or traded in any other way with un-numbered low-standard items according to article 6 or with un-stamped items with stones according to article 7, or un-stamped coated items according to article 8, shall be punished with the penalties mentioned in the preceding article, and in all cases the court shall order confiscating them.

Article 31

A penalty shall be punished with jail for a term not less than 3 months and not exceeding one year and a fine not less than 5000 Dirhams and not exceeding 10000 Dirhams or one of the two penalties shall be imposed upon any one prevented the officers referred to in article 35 of this law form performing their job tasks whether by preventing them from entering the indicated places or by any other way.

Article 32

A penalty shall be punished with jail for a term not exceeding 6 months and a fine not less than 2000 Dirhams and not exceeding 10000 Dirhams or one of the two penalties shall be imposed upon any one committed a breach to the terms of this law or the decisions issued for executing it except what has been provided in the previous articles.

Article 33

It is not allowed to judge suspending the fine penalties mentioned in this law nor to judge executing the jail penalty in case of return.

Article 34

The crimes mentioned in this law and the crimes mentioned in law No. 4 of 1979 concerning combating fraudulence and cheating in trading dealings shall be considered similar .

Chapter 6

Final terms

Article 35

The officers of the stamping section who are appointed by a decision from the minister of justice in agreement with the minister of economy and commerce or the concerned authority shall have the power of judicial seizure to prove the crimes committed by breaching the terms of this law or the decisions issued for executing it

Article 36

No local exhibitions may be set up for the high value works and stones except by permission from the concerned municipality department. A decision shall be issued by the minister in consultation with the concerned authorities in the Emirates concerning the conditions and procedures of setting up such exhibitions

Article 37

Upon a decision by the minister a committee shall be set up headed by the undersecretary and membership of representatives for both the ministry and the general secretariat of the municipalities and the concerned authorities in the Emirates . The committee shall be concerned with giving the opinion on the issued related to applying the terms of this law that are referred to it by the minister or the concerned authorities . The committee shall submit to the minister a report on the issued referred to it for taking the appropriate decision.

Article 38

The minister shall issue the regulations and necessary decisions for the implementation of the terms of this law after taking the opinion of the committee referred to in article 37 of this law.

Article 39

Any terms contradicts the terms of this law shall be cancelled.

Article 40

That shall be published in the official gazette and be applied nine months after the date of publication.

Zayed bin Sultan Al Nahyan
President of the United Arab Emirates

Issued by us in the presidential palace in Abu Dhabi
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