

L.N. 172 of 1996

**SUPPLIES AND SERVICES ACT
(CAP. 117)**

Gold (Control) Regulations, 1996

IN exercise of the powers conferred on him by section 3 of the Supplies and Services Act, the Minister for Economic Services has made the following regulations:

Citation. **1.** These regulations may be cited as the Gold (Control) Regulations, 1996.

Interpretation. **2.** In these regulations, unless the context otherwise requires —

“artificers” means artificers of gold trinkets duly licensed by the Police in that behalf;

“Commissioner” means the Commissioner of Inland Revenue;

“dealers” means dealers in gold trinkets duly licensed by the Police in that behalf;

“gold bullion” means and includes gold in mass or in the form of ingots, plate, wire or sheets, gold for the melting pot and any kind of partly manufactured gold articles;

“gold trinkets” means wholly manufactured gold articles;

“person” includes any partnership, association or firm;

“quantity” in relation to gold bullion means the weight and fineness of gold bullion expressed in metric units and standard of metal.

Importation of gold bullion. **3.** No person shall import gold bullion into Malta unless such person is a licensed dealer or an authorised artificer.

Release from Customs. **4.** Gold bullion shall not be released from the Customs unless the relative entry forms shall have been stamped and initialled by the Commissioner. Such entry forms shall be made in triplicate and one copy shall be retained by the Commissioner.

Use of gold bullion. **5.** Gold bullion shall not be used for any purpose other than the manufacture locally of gold trinkets unless such other use is authorised in writing by the Commissioner.

6. No dealer and no artificer shall dispose of gold bullion except to another dealer or artificer unless he is authorised in writing to do so by the Commissioner.

Disposal of
gold bullion.

7. (1) Every dealer shall keep a record showing:—

Records to be kept.

(a) the quantity of gold bullion held by him on the date of the coming into operation of these regulations;

(b) the quantity of gold bullion imported or otherwise acquired by him, the date of such importation or acquisition, and the name and address of the person from whom each such importation or acquisition was made;

(c) the quantity of gold bullion delivered to artificers for the manufacture of gold trinkets or otherwise disposed of, the name and address of the artificer or other person to whom the gold bullion was delivered or, as the case may be, in favour of whom it was disposed of, and the date of such delivery or disposal;

(d) the weight and fineness of the gold contained in the trinkets received from artificers and the date of such receipt.

(2) Every artificer shall keep a record showing:—

(a) the quantity of gold bullion owned by him on the date of the coming into operation of these regulations;

(b) the quantity of gold bullion imported or otherwise acquired by him, the date of each importation or acquisition and the name and address of the person from whom such importation or acquisition was made;

(c) the quantity of gold bullion withdrawn by him from the quantities thereof held as under subparagraphs (a) and (b) of this paragraph for use in the manufacture of gold trinkets or for disposal by him otherwise. In respect of the latter contingency, the date of the disposal and the name and address of the person in whose favour such disposal was made shall likewise be shown;

(d) the quantity of gold bullion held by him on the date of the coming into force of these regulations on behalf of dealers or other persons for the purpose of manufacturing the same into gold trinkets and the respective names and addresses of such dealers or persons;

(e) the quantity of gold bullion delivered to him by dealers or other persons for manufacture into gold trinkets, and the names and addresses of such dealers or persons;

(f) where an artificer has manufactured trinkets out of gold bullion held by, or delivered to, him for the purposes specified under subparagraphs (d) and (e) of this paragraph, the weight and fineness of gold actually used in the manufacture of trinkets returned by him to dealers or other persons and the addresses of such dealers and persons.

(3) The Commissioner may, in his discretion, exempt in writing artificers or dealers from showing, in the record —

(a) the names and addresses of persons from whom acquisitions of small quantities of trinkets for the melting pot have been made, and

(b) any quantity of gold lemel and sweeps held by them from time to time.

(4) The Commissioner may subject such exemptions to such conditions as he may deem fit to impose.

Records.

8. Every artificer and every dealer shall, at the request of the Commissioner, furnish the record kept under the provisions of regulation 7 of these regulations, or an extract thereof, or both, showing the transactions made during any month and the quantity of gold bullion held by him on the last day of that month.

Penalty.

9. Any person who fails to comply with any of the provisions of these regulations shall, on conviction, be liable to a fine (*multa*) of not less than Lm50 but not exceeding Lm500.

Revokes G.N. 633
of 1948.

10. The Gold (Control) Regulations, 1948 are hereby revoked.