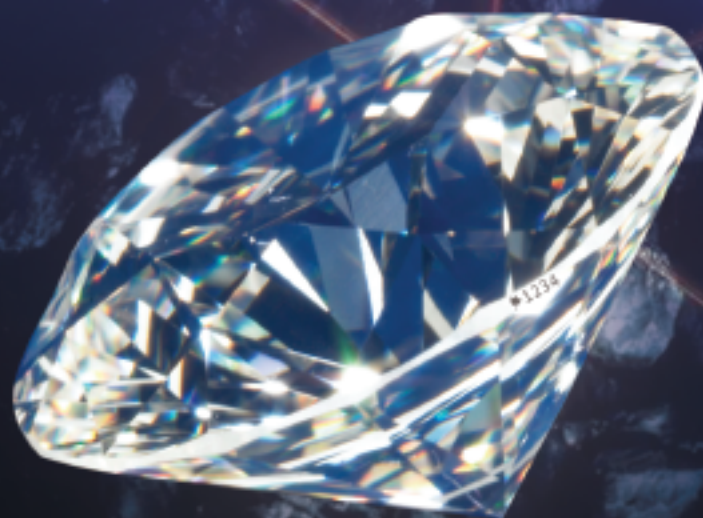


Voluntary Code of Conduct for Authenticating Canadian Diamond Claims



CANADIAN DIAMOND
CODE OF CONDUCT



CODE DE CONDUITE
SUR
LES
DIAMANTS CANADIENS

Endorsed by:



The World Jewellery Confederation



Competition Bureau
Canada

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Prepared by the Canadian Diamond Code Committee
www.canadiandiamondcodeofconduct.com

Diamond photo courtesy of BHP Billiton

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PREAMBLE

Canadian diamond stakeholders are committed to ensuring that diamonds represented as Canadian can be authenticated to protect themselves against deceptive practices that may erode consumer confidence and at the same time ensure compliance with the Competition Act.

The Voluntary Code of Conduct for Authenticating Canadian Diamond Claims (“the Code”) stems from the Competition Bureau's Enforcement Policy on the Marketing of Canadian Diamonds in respect of when diamonds can be represented as “Canadian” without violating the false or misleading claims provisions of the Competition Act. This policy states that a diamond which was mined in Canada qualifies for the purposes of the Competition Act and may be cut and polished in Canada or abroad.

The Code evolved from the collaborative efforts of a broad cross section of the industry, including the diamond mining sector, cutters and polishers, retailers, the Canadian Jewellers Association and Jewellers Vigilance Canada, as well as the RCMP and other government stakeholders. This Code establishes a minimum standard required to authenticate a Canadian diamond claim based on records and a chain of warranties, which was found to be the most appropriate system to authenticate claims on the origin of Canadian diamonds.

The Code is administered by the Canadian Diamond Code Committee (CDCC), a non-profit volunteer industry body comprised of representatives from the mining, cutting and polishing, wholesale and retail sectors, Jewellers Vigilance Canada and Canadian Jewellers Association as well as a representative of a national consumer organization. The CDCC is responsible for the maintenance of the Code Signatory Registry and the 1-800 toll-free service. The CDCC will respond to authentication requests from consumers by obtaining or confirming required information under the Code to track the diamond from the retailer to the Canadian mine.

A Code signatory found in non-compliance with this Code will be removed as a Code signatory from the Code Registry. Failure to authenticate diamonds represented as Canadian may lead to an investigation by the Competition Bureau and subsequent enforcement action under the false or misleading representations provisions of the Competition Act.

The Competition Bureau and the World Jewellery Confederation (CIBJO) have endorsed this Code.



1. NAME OF CODE

This Code is the Voluntary Code of Conduct for Authenticating Canadian Diamond Claims.

2. OBJECTIVE OF CODE

The objective of this Code is to provide a minimum standard for authenticating a Canadian diamond claim.

3. APPLICATION OF THE CODE

This Code applies only to diamonds marketed as Canadian.

4. DEFINITIONS

In this Code:

Canadian Diamond means a natural diamond mined in Canada.

Canadian Diamond Claim means any claim that a diamond is Canadian.

Canadian Diamond Authentication Process means a mechanism by which a consumer may authenticate a Canadian diamond claim.

Canadian Diamond Code Committee (CDCC) means the committee which manages the Voluntary Code for Authenticating Canadian Diamond Claims as per Section 9.

Claim means any claim made by a person for promotional purposes, regardless of the medium used, on the origin of a diamond.

Code means the Voluntary Code for Authenticating Canadian Diamond Claims.

Description of Rough Diamond means the description of the shape, colour and size of rough diamonds.

Diamond Identification Number means the unique number and trademark/symbols that must be permanently inscribed on the girdle of the polished diamond, visible with a 10X loupe, so that it can be reconciled with the original Canadian rough diamond parcel number and the Diamond Production Number. The Diamond Identification Number does not have to differ from the Diamond Production Number.



Diamond Identification Numbering System means a system of unique numbers and trademarks/symbols that are registered with the Canadian Diamond Code Committee.

Diamond Production Number refers to the number allocated to a Canadian rough diamond by a cutter and polisher prior to the production process and that must be reconciled with the original Canadian rough diamond parcel number.

Diamond trader refers to a person trading in rough or polished diamonds and includes brokers and dealers.

Official invoice refers to an invoice produced by a person selling diamonds or diamond jewellery and includes the minimum information outlined in the Code.

Records means a traceable system which includes paper records as well as computerized records that allow a diamond to be tracked from the consumer to the mine of origin.

Parcel means one or more diamonds that are packed together and that are not individualized.

Parcel numbers are those numbers used by the mining companies, sorting and/or marketing facilities and traders to track parcels of diamonds in their possession.

Person includes any individual, company incorporated or unincorporated, partnership or sole trader.

Polished Diamond Description means the shape, colour, clarity and carat (weight) of polished diamonds.

Production Reconciliation means:

1. the balancing of the weight of the original Canadian rough diamonds with the final polished diamonds; and
2. the matching of the Canadian rough diamond parcel number with the Diamond Production Number and, if applicable, the unique Diamond Identification Number of the polished diamond.

Retailer means any person that sells directly to the public

5. STAKEHOLDERS' RESPONSIBILITIES

The following stakeholders who are signatories to this Code agree to be bounded by the following responsibilities.



5.1 MINING OPERATORS

5.1.1 System/Procedural Requirements

The mining operator must have an in-house rough diamond tracking system in place that secures and reconciles all rough diamonds extracted from the Canadian mine for a period of eight years from the time the diamonds were extracted.

5.1.2 Storage of Rough Requirements

The mining operator must securely store all rough diamonds extracted from the Canadian mine and store them separately from any non-Canadian rough diamonds.

5.1.3 Shipping Requirements

Mine operators must, when shipping bulk Canadian rough diamonds from the mining facility to the sorting facility, ensure that:

- 5.1.3.1 Canadian rough diamonds are securely packaged;
- 5.1.3.2 all parcels of Canadian rough diamonds are recorded and identified by a unique parcel number allocated at the mine;
- 5.1.3.3 the package is clearly labeled identifying the weight of the Canadian rough diamonds; and
- 5.1.3.4 all shipments of Canadian rough diamonds are accompanied by the mining company's official shipment documentation.

5.1.4 Authentication response time

In order to provide consumers with a timely reply and given the number of possible steps in the authentication process, mining operators are required to provide a written reply to a CDCC request for information related to an authentication within 5 business days (see Section 6.5).

5.2 SORTING AND/OR MARKETING FACILITIES

5.2.1 System/Procedural Requirements

The sorting and/or marketing facilities must have an in-house rough diamond tracking system in place that secures and reconciles all rough diamonds shipped from the Canadian diamond mining operator for a period of eight years.

5.2.2 Storage of Rough Diamond Requirements

The sorting and/or marketing facilities must securely store all rough diamonds, and store all Canadian rough diamonds separately from any non-Canadian rough



diamonds.

5.2.3 Number Allocation to Canadian Rough Diamonds

All parcels of Canadian rough diamonds must be recorded and identified by a unique parcel number allocated by the sorting and/or marketing facility. Those numbers must be able to be reconciled with the parcel numbers allocated at the diamond mine of origin.

5.2.4 Parcelling of Canadian Rough Diamonds

Canadian rough diamond parcels must be clearly labeled and labels must contain the following information:

- 5.2.4.1 a unique parcel number;
- 5.2.4.2 the description of Canadian rough diamonds; and,
- 5.2.4.3 the total weight of the parcel.

5.2.5 Invoicing Requirements

Each sale of a Canadian rough diamond or a Canadian rough diamond parcel must be accompanied by an official company invoice and supporting documentation, if any, and include the following information:

- 5.2.5.1 the name and address of the sorting and/or marketing facility;
- 5.2.5.2 a unique parcel number of the Canadian rough diamonds;
- 5.2.5.3 a statement of certification that the rough diamonds are of Canadian origin;
- 5.2.5.4 the Canadian rough diamond description;
- 5.2.5.5 the weight of Canadian rough diamond or Canadian rough diamond parcel in carats;
- 5.2.5.6 the date of invoice; and
- 5.2.5.7 the name and address of the customer.

5.2.6 Selling Requirements

The sorting and marketing facilities must, when selling Canadian rough diamonds from its sale site, ensure that:

- 5.2.6.1 Canadian rough diamonds are securely packaged and
- 5.2.6.2 the package is clearly labeled identifying:
 - (a) the weight of the Canadian rough diamonds;
 - (b) the description of the Canadian rough diamonds;



(c) the unique parcel numbers; and

5.2.6.3 each sale is accompanied by an official invoice and supporting documentation, if any, which includes the information required in 5.2.5 above.

5.2.7 Authentication Response Time

In order to provide consumers with a timely reply and given the number of possible steps in the authentication process, sorting and /or marketing facilities are required to provide a written reply to a CDCC request for information related to an authentication within 5 business days(see Section 6.5).

5.3 TRADERS OF ROUGH DIAMONDS

5.3.1 Purchasing of Canadian Rough Requirements

Traders of Canadian rough diamonds must purchase Canadian rough diamonds only from mining marketing facilities or traders that abide by the minimum requirements outlined in this Code. Traders must obtain and retain invoices and supporting documentation, if any, from the source where the Canadian rough diamonds were purchased for a minimum of seven years. The invoice obtained from the mining marketing facilities or traders must contain the information outlined in 5.2.5 above.

5.3.2 Storage of Rough Diamond Requirements

Traders must separately store and process Canadian rough diamonds.

5.3.3 Parcelling of Canadian Rough Diamonds

Canadian rough diamond parcels must be clearly labeled and labels must contain the following information:

5.3.3.1 a unique parcel number;

5.3.3.2 the description of the Canadian rough diamond; and

5.3.3.3 the total weight of the parcel.

5.3.4 Reconciliation of Canadian Rough Diamond Parcels

When parcelling Canadian rough diamonds, the rough trader must reconcile and record the unique parcel numbers assigned to these parcels with the originating parcel numbers provided by the sorting and/or marketing facilities.

5.3.5 Invoicing of Canadian Rough Diamonds

Each sale of a Canadian rough diamond or a Canadian rough diamond parcel must be accompanied by an official invoice and supporting documentation, if any,



and include the following information:

- 5.3.5.1 the name and address of the trader;
- 5.3.5.2 a statement of certification that the rough diamonds are of Canadian origin;
- 5.3.5.3 the unique parcel number of the Canadian rough diamond;
- 5.3.5.4 the description of the Canadian rough diamond;
- 5.3.5.5 the weight of Canadian rough diamond or Canadian rough diamond parcel in carats;
- 5.3.5.6 the date of invoice; and
- 5.3.5.7 the name and address of the customer.

5.3.6 Selling Requirements

The trader must, when selling Canadian rough diamonds, ensure that:

- 5.3.6.1 Canadian rough diamonds are securely packaged; and
- 5.3.6.2 the package is clearly labeled identifying:
 - (a) the weight of the Canadian rough diamonds;
 - (b) the description of the Canadian rough diamonds;
 - (c) the unique parcel numbers; and
- 5.3.6.3 each sale is accompanied by an official invoice and supporting documentation, if any, which includes the information outlined in 5.3.5.

5.3.7 Authentication Response Time

In order to provide consumers with a timely reply and given the number of possible steps in the authentication process, traders of rough diamonds are required to provide a written reply to a CDCC request for information related to an authentication within 5 business days (see Section 6.5).

5.4 CUTTERS AND POLISHERS

5.4.1 Purchasing of Canadian Rough Requirements

Cutters and polishers of Canadian rough diamonds must purchase Canadian rough diamonds only from mining marketing facilities or traders that abide by the minimum requirements outlined in this Code. Cutters and polishers must obtain and retain invoices and supporting documentation, if any, from the source where the Canadian rough diamonds were purchased for a minimum of

seven years. The invoice obtained from the mining marketing facilities or traders must contain the information outlined in 5.3.5.

5.4.2 Storage of Canadian Rough Diamonds

Cutters and polishers must store and process Canadian rough diamonds separately.

5.4.3 Processing Requirements

The cutter and polisher, prior to the cutting and polishing process, must:

- 5.4.3.1 assign a unique Diamond Production Number to each diamond. The cutters and polishers must be able to reconcile their unique Diamond Production Number with the Canadian rough diamonds identified by a unique parcel number on an invoice issued by a mining marketing facility or trader that abides by the minimum requirements outlined in this Code; and
- 5.4.3.2 in order to be authenticated, each individual diamond that will be sold as Canadian must be kept separated and must retain its unique Diamond Production Number throughout production.

5.4.4 Reconciliation of Canadian Rough and Polished Diamonds

The cutter and polisher, prior to the cutting and polishing process, must:

- 5.4.4.1 weigh each Canadian rough diamond and record its weight next to its assigned Diamond Production Number in a production schedule;
- 5.4.4.2 at the conclusion of the cutting and polishing process, weigh the polished diamond and the weight must be recorded against its assigned Diamond. Production Number in a production schedule.
- 5.4.4.3 if the Diamond Identification Number is assigned by the cutter and polisher and permanently inscribed on the polished diamond, the cutter and polisher must:
 - (a) reconcile and record in a database the unique Diamond Production Number and the unique Diamond Identification Number (the Diamond Production Number does not have to differ from the Diamond Identification Number); and
 - (b) register its unique Diamond Identification Numbering system with the Canadian Diamond Code Committee.

5.4.5 Invoicing of Polished Diamonds

Each sale of a polished diamond(s) must be accompanied by an official invoice



and include the following information:

- 5.4.5.1 the name and address of the cutter and polisher;
- 5.4.5.2 a statement of certification that the polished diamonds are of Canadian origin;
- 5.4.5.3 the unique Diamond Production Number or Diamond Identification Number for each polished diamond;
- 5.4.5.4 the polished diamond description;
- 5.4.5.5 the date of invoice; and
- 5.4.5.6 the name and address of the customer.

5.4.6 Authentication Response Time

In order to provide consumers with a timely reply and given the number of possible steps in the authentication process, cutters and polishers are required to provide a written reply to a CDCC request for information related to an authentication within 5 business days (see Section 6.5).

5.5 TRADERS OF POLISHED DIAMONDS

5.5.1 Purchasing of Polished Diamonds Requirements

Traders must purchase Canadian polished diamonds only from traders, cutters and polishers who abide by the minimum requirements outlined in this Code. Traders must obtain and retain invoices for purchases from its source(s) of Canadian polished diamonds for a minimum of seven years.

5.5.2 Storage of Polished Diamonds Requirements

Traders must separately store and process Canadian polished diamonds.

5.5.3 Parceling of Polished Diamonds

Polished diamond parcels must be accompanied by the following information provided by the cutter and polisher:

- 5.5.3.1 the name and address of the cutter and polisher;
- 5.5.3.2 a statement of certification that the polished diamonds are of Canadian origin;
- 5.5.3.3 the unique Diamond Production Number or Diamond Identification Number for each polished diamond; and
- 5.5.3.4 the polished diamond(s) description.



5.5.4 Invoicing of Polished Diamonds

Each sale of a polished diamond or a polished diamond parcel must be accompanied by an official invoice and include the following information:

- 5.5.4.1 the name and address of the trader;
- 5.5.4.2 a statement of certification that the polished diamonds are of Canadian origin;
- 5.5.4.3 the unique Diamond Production Number or Diamond Identification Number of the polished diamond;
- 5.5.4.4 a polished diamond description;
- 5.5.4.5 the date of invoice; and
- 5.5.4.6 the name and address of the customer.

5.5.5 Selling Requirements

The trader must, when selling polished diamonds, ensure that:

- 5.5.5.1 the polished diamonds are securely packaged; and
- 5.5.5.2 the individual diamond package(s) is clearly labelled identifying:
 - (a) the description of the polished diamond; and
 - (b) Diamond Production Number or the unique Diamond Identification Number for each diamond;
- 5.5.5.3 each sale is accompanied by an official invoice which includes the information outlined in 5.5.4.

5.5.6 Authentication Response Time

In order to provide consumers with a timely reply and given the number of possible steps in the authentication process, traders of polished diamonds are required to provide a written reply to a CDCC request for information related to an authentication within 5 business days (see Section 6.5).

5.6 JEWELLERY MANUFACTURERS

5.6.1 Purchasing of Polished Diamonds

Manufacturers of jewellery containing Canadian polished diamonds must purchase Canadian polished diamonds only from traders, cutters and polishers who abide by the minimum requirements outlined in this Code. Manufacturers must obtain and retain invoices from its source(s) of Canadian polished diamonds purchased for a minimum of seven years.



5.6.2 Storage of Polished Diamonds Requirements

Manufacturers must store Canadian polished diamonds used in the jewellery manufacturing process separately from non-Canadian polished diamonds.

5.6.3 Production Reconciliation

Manufacturers must reconcile all Canadian polished diamonds purchased with diamonds used in manufacturing, sold and/or in inventory.

5.6.4 Invoicing of Diamond Jewellery

Each sale of a jewellery item promoting a Canadian diamond(s) must be accompanied by an official invoice and include the following information:

- 5.6.4.1 the name and address of the manufacturer;
- 5.6.4.2 a statement of certification that the diamond is of Canadian origin;
- 5.6.4.3 the unique Diamond Production Number or Diamond Identification Number of diamond(s);
- 5.6.4.4 the polished diamond description(s);
- 5.6.4.5 the date of invoice; and
- 5.6.4.6 the name and address of the customer.

5.6.5 Authentication Response Time

In order to provide consumers with a timely reply and given the number of possible steps in the authentication process, jewellery manufacturers are required to provide a written reply to a CDCC request for information related to an authentication within 5 business days (see Section 6.5).

5.7 RETAILERS

5.7.1 Purchasing of Diamond Jewellery/Polished Diamonds

Canadian retailers must purchase Canadian diamond jewellery/polished diamonds only from traders, cutters and polishers who abide by the minimum requirements outlined in this Code. Retailers must obtain and retain invoices from the purchase source of Canadian diamond jewellery/polished diamonds for a minimum of seven years.

5.7.2 Information Provided to Consumers

Retailers should display in plain view a Code Member decal or signage approved by the CDCC indicating compliance with the Code. Retailers must provide the following information to consumers on sale of a promoted Canadian diamond or jewellery containing a Canadian diamond:



- 5.7.2.1** A unique Diamond Identification Number must be permanently inscribed on every diamond so it is reconcilable with the unique Diamond Production Number. The Unique Diamond Identification Numbering System must be registered with the Canadian Diamond Code Committee.
- 5.7.2.2** A polished diamond certificate/report and an invoice which contains the following information:
- (a) the polished diamond description;
 - (b) a unique Diamond Identification Number;
 - (c) a statement of certification that the polished diamond(s) is of Canadian origin and address of the issuer of the certificate/report;
 - (d) the retailer's return policy;
 - (e) the date of purchase; and
 - (f) the name and address of the retailer.
- 5.7.2.3** Details regarding the Canadian Diamond Authentication Process which include the following:
- (a) the Canadian Diamond Authentication toll-free number;
 - (b) the cost-recovery fee applicable to this process;
 - (c) the information required to initiate this process which includes:
 - c.1) the Diamond Identification Number;
 - c.2) the name and address of the retailer where the diamond/ jewellery was purchased;
 - c.3) the polished diamond description; and
 - c.4) the name and contact details of the person requesting authentication.

5.7.3 Authentication Response Time

In order to provide consumers with a timely reply and given the number of possible steps in the authentication process, retailers are required to provide a written reply to a CDCC request for information related to an authentication within 5 business days (see Section 6.5).



6. CANADIAN DIAMOND AUTHENTICATION PROCESS

6.1 INFORMATION REQUIRED

A person may authenticate a Canadian Diamond claim by calling the Canadian Diamond Authentication toll-free number. The person must provide the following:

- 6.1.1 the Diamond Identification Number;
- 6.1.2 the name and address of the retailer where the diamond/jewellery was purchased, the retailer's invoice number and the date of the invoice;
- 6.1.3 the polished diamond description;
- 6.1.4 the name and contact details of the person requesting authentication; and
- 6.1.5 payment of a cost-recovery fee.

6.2 COST-RECOVERY FOR REQUEST

A cost-recovery fee for this authentication process will be payable by the person making the request. The fee is \$25.00 plus GST for up to two diamonds per piece of jewellery or \$50.00 plus GST for three or more diamonds per piece of jewellery. In the event that the authentication fails, this fee will be reimbursed.

6.3 TIME LIMIT FOR MAKING A REQUEST

A request for authentication can only be made within five years of purchasing the diamond.

6.4 REQUEST RESPONSE TIME

A person making the request shall receive an answer to his/her request within 30 days. If not, a letter will be sent to the requesting person advising him/her of the extension.

6.5 CODE SIGNATORIES RESPONSE TIME

In order to provide consumers with a reply within 30 days and given the number of possible steps in the authentication process, Signatories are required to provide a written reply to a CDCC request for information related to an authentication within



5 business days or provide an interim reply stating the nature of the delay and the estimated date at which the information will be available so that the consumer can be advised. Failure to provide a timely response may be considered a non-compliance issue and the Signatory may be removed from the Code.

6.6 FAILURE TO AUTHENTICATE A CANADIAN DIAMOND CLAIM

If an authentication request cannot be fulfilled because the origin of the diamond(s) cannot be traced to a Canadian mine, the CDCC will immediately take the following actions.

- 6.6.1** The CDCC will refund the requesting person the authentication request fee.
- 6.6.2** Based on its findings, the CDCC will review the case and take appropriate action to prevent a recurrence of the problem.
- 6.6.3** The CDCC will provide the requesting person with the reason why the authentication request failed.
- 6.6.4** The CDCC will advise the requesting person to raise the issue with the retailer in the first instance using the information provided and that failing satisfaction from the retailer, the requesting person can raise a formal complaint with the Code Committee and/or appropriate provincial or federal institutions.

7. TRADE COMPLAINTS

7.1 FORMAL COMPLAINT

Should a trade member find a Code Signatory in non-compliance with the Code, that party should file a formal complaint with the CDCC.

7.2 INFORMATION REQUIRED

A complaint shall be in writing or by email and must include the following information:

- 7.2.1** the identity of the Code Signatory who is the object of the complaint;
- 7.2.2** the details of the complaint supported by documentary evidence, if available;
- 7.2.3** the identity of the party making the complaint including a contact person with mail, phone, fax and email coordinates;



7.3 INVESTIGATION

The CDCC will investigate the complaint. All information will remain confidential.

7.4 SIGNATORY FOUND IN NON-COMPLIANCE

In the event the Code Signatory is found in non-compliance with the Code and cannot satisfy the CDCC, that Code Signatory may be removed from the Code Signatory registry. The complainant will be advised by the CDCC that they may file a complaint with the Competition Bureau.

8. CONSUMER COMPLAINTS

8.1 FORMAL COMPLAINTS

Should a consumer find a Code Signatory in non-compliance with the Code, that consumer should file a formal complaint with the CDCC.

8.2 INFORMATION REQUIRED

A complaint shall be in writing or by email and must include the following information:

- 8.2.1 the identity of the Code Signatory who is the object of the complaint;
- 8.2.2 the details of the complaint supported by documentary evidence if available;
- 8.2.3 the identity of the consumer making the complaint including mail, phone, fax and email coordinates;

8.3 INVESTIGATION

The CDCC will investigate the complaint. All information will remain confidential.

8.4 SIGNATORY FOUND IN NON-COMPLIANCE

In the event the Code Signatory is found in non-compliance to the Code and cannot satisfy the CDCC, that Code Signatory may be removed from the Code Signatory Registry. The consumer will be advised by the CDCC that they may file a formal complaint.



9. CANADIAN DIAMOND CODE COMMITTEE

9.1 MEMBERS OF THE COMMITTEE

The (CDCC) consists of representatives of:

- 9.1.1 Canadian diamond mines;
- 9.1.2 rough diamond traders;
- 9.1.3 Canadian cutters and polishers;
- 9.1.4 polished diamond traders;
- 9.1.5 jewellery manufacturers;
- 9.1.6 retailer associations;
- 9.1.7 consumers; and,
- 9.1.8 other diamond industry stakeholders as approved by the CDCC from time to time.

9.2 RESPONSIBILITIES OF THE CDCC

The CDCC is responsible for the following:

- 9.2.1 creating stakeholder awareness regarding their responsibilities under the Code;
- 9.2.2 administering the Canadian Diamond Authentication toll-free line;
- 9.2.3 providing an annual report to the Competition Bureau and its stakeholders; and
- 9.2.4 recommending changes to the Code; and,
- 9.2.5 developing and maintaining publicly available standard operating procedures and policies

10. CODE WEB SITE

- 10.1 The CDCC will maintain a public Code web site where most of its documents will be posted.
- 10.2 All members of the Code will be listed on the Code web site.
- 10.3 The CDCC will review individual requests from companies which do not wish to be posted on the Code web site.

