
STATUTORY INSTRUMENTS

1998 No. 2978

**The Hallmarking (Hallmarking Act
Amendment) Regulations 1998**

Citation and Commencement

1. These Regulations may be cited as the Hallmarking (Hallmarking Act Amendment) Regulations 1998 and shall come into force on 1st January 1999.

Amendment of the Hallmarking Act 1973

2.—(1) The Hallmarking Act 1973 shall be amended as follows.

(2) In section 2, there shall be inserted after the words “United Kingdom is a party” in paragraph (c) of subsection (1), the words—

“, or

(d) marks struck in an EEA State other than the United Kingdom, being marks which—

(i) have been struck by an independent body in accordance with the law of that State; and

(ii) provide information which is equivalent to the information provided by the marks mentioned in section 4(1)(a)(i) and (ii) of this Act and which is intelligible to consumers in the United Kingdom.”

(3) In section 2, there shall be inserted at the end of subsection (2), the words—

“, and marks within subsection (1)(d) above are in this Act called “EEA hallmarks”.”

(4) In section 2, after subsection (2), there shall be inserted—

“(2A) In this section “EEA State” means a Contracting Party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993.”

(5) In section 2, for the words “such convention or treaty” in subsection (3) there shall be substituted “convention or treaty falling within subsection (1)(c) above”.

(6) In section 2, after the words “bears a convention hallmark” in subsection (5)(c) there shall be inserted the words “or an EEA hallmark”.

(7) In section 4, in subsection (1)(a), for sub-paragraph (iii), and the word “and” immediately preceding it, there shall be substituted—

“(iii) the pictorial mark, or one of the pictorial marks, specified in paragraph 3 of the said Schedule as respects an article of the precious metal specified opposite thereto in column (1) of the said paragraph assaying to a standard of fineness specified in column (2) of the said paragraph and also so opposite;

(iv) the date letter directed pursuant to paragraph 4 of the said Schedule; and

(v) the mark (if any) directed pursuant to paragraph 5 of the said Schedule;”.

(8) In section 4, for subsections (1A) and (2) there shall be substituted—

“(2) Each of the approved hallmarks mentioned in subsection (1)(a)(iii), (iv) and (v) above shall be struck by an assay office on an article only if a request to that effect is made by the person who submits the article to the assay office; but the absence of any such approved hallmark on an article by virtue of this subsection shall not in itself render the article unhallmarked for the purposes of this Act.”

(9) In section 4, after the figure “916.6” in subsection (3)(b)(i)(a), there shall be inserted the words “or above”.

(10) In section 4, for the figure “950” in subsection (3)(b)(iii) there shall be substituted “the standard of fineness of the article”.

(11) In section 4, subsection (4) shall be omitted.

(12) In section 22(1), there shall be inserted after the definition of “dealer”—

““EEA hallmark” has the meaning given by section 2 of this Act;”.

(13) In section 22(1), in the definition of “minimum fineness” (contained within the definition of “fineness”), for the figure “925” there shall be substituted the figure “800” and for the figure “950” there shall be substituted the figure “850”.

(14) In section 22(1), in the definition of “sponsor’s mark” there shall be inserted after the words “as a sponsor’s mark for the purposes of this Act” in paragraph b(ii)—

“; or

(c) a mark struck on an article in an EEA State which indicates the manufacturer or sponsor of the article;”.

(15) For Part I of Schedule 2 there shall be substituted—

“PART I

ARTICLES COMPRISED OF A SINGLE PRECIOUS METAL

1. Assay office mark

<i>Assay office</i> (1)	<i>Assay office mark</i> (2)
London...	A leopard’s head
Edinburgh...	A castle
Birmingham...	An anchor
Sheffield...	A rose

2. Standard mark

<i>Precious metal</i> (1)	<i>Standard of fineness</i> (2)	<i>Standard mark</i> (3)
Gold	375	The figures 375
Gold	585	The figures 585
Gold	750	The figures 750
Gold	916.6	The figures 916
Gold	990	The figures 990

<i>Precious metal</i> (1)	<i>Standard of fineness</i> (2)	<i>Standard mark</i> (3)
Gold	999	The figures 999
Silver	800	The figures 800
Silver	925	The figures 925
Silver	958.4	The figures 958
Silver	999	The figures 999
Platinum	850	The figures 850
Platinum	900	The figures 900
Platinum	950	The figures 950
Platinum	999	The figures 999

3. Optional pictorial mark

<i>Precious metal</i> (1)	<i>Standard of fineness</i> (2)	<i>Pictorial mark</i> (3)
Gold	375	A crown
Gold	585	A crown
Gold	750	A crown
Gold	916.6	A crown
Gold	990	A crown
Gold	999	A crown
Silver	925	A lion passant. In the case of an article struck by the Edinburgh Assay Office, the reference to a lion passant shall be treated as a reference to a lion rampant.
Silver	958.4	The figure of Britannia or a lion passant. In the case of an article struck by the Edinburgh Assay Office, the reference to a lion passant shall be treated as a reference to a lion rampant.
Silver	999	The figure of Britannia or a lion passant. In the case of an article struck by the Edinburgh Assay Office, the reference to a lion passant shall be treated as a reference to a lion rampant.
Platinum	950	An orb surmounted by a cross
Platinum	999	An orb surmounted by a cross

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

4. Optional date letter

Such distinct variable letter of the alphabet to denote the year in which the article is marked as may be for the time being directed in writing by the Council.

5. Optional additional mark

Such mark (if any) as may be for the time being directed in writing by the Council.”

Consequential Amendments

3. The Schedule to this Order which contains consequential amendments to The Hallmarking (International Convention) Order 1976(1) has effect.

3rd December 1998

Kim Howells
Parliamentary Under-Secretary of State for
Competition and Consumer Affairs,
Department of Trade and Industry