



# Birmingham Assay Office Act 1995

## 1995 CHAPTER vi

### 5 Application and amendment of existing enactments

- (1) In this section references to the Company's other activities are references to the additional activities authorised by section 4 (Additional activities of Company) above or other the activities which the Company is for the time being authorised to undertake in addition to its business of an assay office.
- (2) Subject to the provisions of subsections (3) and (4) below, all the provisions of the Birmingham Assay Office Acts and Order 1824 to 1989 which relate to the Company and to its business of an assay office shall apply equally (so far as they are capable of doing so) to and in relation to its other activities, and to and in relation to the Company in so far as its undertaking includes them (but, save as respects the reference in article 7 of the Order of 1989, specific references to articles brought to be assayed shall not extend to articles received by the Company in the course of its other activities).
- (3) The Company shall keep accounts in respect of its other activities separate from the accounts kept in respect of its business of an assay office and—
  - (a) paragraph (5) of article 10 of the Order of 1989 shall not apply to the accounts kept in respect of its other activities,
  - (b) paragraph (8) of that article shall not apply in relation to the accounts kept in respect of its other activities, and references in that paragraph to emoluments shall not include emoluments paid for work done or time spent in connection with its other activities, and
  - (c) the other provisions of that article shall apply separately to or in relation to each set of accounts,but references in this subsection to accounts do not include balance sheets and nothing in this subsection shall prevent the Company from preparing a single balance sheet in respect of the whole of its undertaking.
- (4) In article 15 of the Order of 1989—
  - (a) in so far as the business of the Company consists of its other activities, the words "if so authorised by the British Hallmarking Council" shall not apply, and

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*Status: This is the original version (as it was originally enacted).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

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- (b) in the proviso, the reference to the principal place of business of the Company shall be taken to mean the principal place at which it carries on its business of an assay office.
- (5) Notwithstanding section 22 (2) of the Act of 1973, an order under section 16 (1) (c) of that Act in relation to the Company shall, except so far as it provides otherwise or the contrary otherwise appears, apply in relation to its other activities as well as to its business of an assay office; and such an order may consist of or include provisions which apply only to the Company's other activities.
- (6) Section 4 (Provisions as to surplus income) of the Act of 1902 is hereby amended by the substitution in subsection (1) for "1989" of "1995".