



# Hallmarking Act 1973

## CHAPTER 43

### HALLMARKING ACT 1973

- 1 Prohibited descriptions of unhallmarked articles.
- 2 Meaning of approved hallmarks, etc.
- 3 Sponsors' marks.
- 4 Approved hallmarks.
- 5 Alterations to hallmarked articles.
- 6 Counterfeiting, etc. of dies and marks.
- 7 Treatment by assay offices of unauthorised marks.
- 8 Offences.
- 9 Enforcement of Act.
- 10 Treatment of articles following convictions.
- 11 Dealers to exhibit notices as to hallmarks.
- 12 Charges for assaying and hallmarking, etc.
- 13 The British Hallmarking Council.
- 14 Power to alter, etc., constitution of Council.
- 15 Functions of assay offices, etc.
- 16 Orders constituting, dissolving, etc., or conferring powers on assay offices.
- 17 Application of Act to other metals by order.
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- 20 Local inquiries.
- 21 Regulations and orders.
- 22 Interpretation.
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- 24 Short title, commencement and extent.

*Status: Point in time view as at 01/02/1991.**Changes to legislation: There are currently no known outstanding effects for the Hallmarking Act 1973. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1 — Unhallmarked Articles

#### Part I — PERMISSIBLE DESCRIPTIONS

- 1 (1) Subject to the provisions of this paragraph—
- 2 A description is permissible if it is implicitly or in...

#### Part II — EXEMPTED ARTICLES

- 1 An article which is intended for despatch to a destination...
- 2 An article which is outside the United Kingdom, or which...
- 3 Any coin which is, or was formerly at any time,...
- 4 Any article which has been used, or is intended to...
- 5 Any battered article fit only to be remanufactured.
- 6 Any article of gold or silver thread.
- 7 Any raw material (including any bar, plate, sheet, foil, rod,...
- 8 Any manufactured article which is not substantially complete, and which...
- 9 Any article which is wholly or mainly of platinum, and...

#### *Articles exempt if of minimum fineness*

- 10 Any article which— (a) is wholly or mainly of gold...
- 11 Subject to paragraph 14AA below, any musical instrument, where the...
- 12 (1) Subject to paragraph 14AA and subject to the provisions...
- 12A (1) Subject to paragraph 14AA, any article—
- 12B (1) Subject to paragraph 14AA, any article—
- 12C (1) Subject to paragraph 14AA, any article—
- 13 Subject to paragraph 14AA below, any article , except an...
- 14 Subject to paragraph 14AA below, any article which is of...
- 14A (1) Subject to paragraph 14AA and subject to the provisions...
- 14AA Paragraphs 11 to 14A above do not apply to any...
- 14B . . . . .

#### *Existing exemptions*

- 15 The following articles of gold, if manufactured before 1st January...
- 16 (1) Subject to the exceptions below, the following articles of...
- 17 Articles of gold or silver manufactured before 1st January 1975,...

#### *Articles manufactured before a given date*

- 18 Where under this Part of this Schedule an exemption depends...
  - Part III — USE OF THE WORDS “CARATS”, “STERLING” AND “BRITANNIA”
  - 1 This Part of this Schedule applies for the purposes of...
  - 2 (1) A description indicating that an article, or the metal...
  - 3 (1) A description of an article, or of the metal...
  - Part IV — POWER TO AMEND
  - 1 (1) The Secretary of State may by order—

### SCHEDULE 2 — Approved Hallmarks

#### Part I — ARTICLES COMPRISED OF A SINGLE PRECIOUS METAL

- 1 Assay office mark Assay office Articles made in the United...
- 2 Standard mark Precious metal Standard of fineness Articles made in...
- 3 Date letter Such distinct variable letter of the alphabet to...

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## PART 2 — ARTICLES COMPRISED OF TWO OR MORE PRECIOUS METALS

- 8 (1) The person who submits the article to an assay...
- 9 (1) This paragraph applies if— (a) an assay office have...
- 10 (1) This paragraph applies to the striking of hallmarks other...
- 11 (1) If the person who submits the article to the...
- 12 Any small working parts contained within an article which for...
- 13 Where any article of gold, silver or platinum is coated...
- 14 Where any article of silver or platinum is coated in...
- 15 For the purposes of this Part and Part 3—

## PART 3 — ARTICLES COMPRISED OF PRECIOUS METAL PARTS AND OTHER MATERIALS

- 16 (1) A mixed material article shall not be hallmarked unless,...
- 17 A mixed material article with only a single precious metal...
- 18 A mixed material article comprised of two or more precious...
- 19 For the purposes of this Part— (a) “ base metal...

## Part II — ARTICLES COMPRISED OF TWO OR MORE PRECIOUS METALS

- 4 An article comprised of two or more precious metals shall...
- 5 The parts of platinum, of gold or platinum, of less...

## Part III — ARTICLES COMPRISED OF PRECIOUS METAL AND OTHER MATERIALS

- 6 An article comprised of precious metal and one or more...

## Part IV — GENERAL

- 7 Each of the marks comprising the approved hallmarks shall be...

## SCHEDULE 3 — Provisions as to Offences

### *Penalties for offences*

- 1 A person guilty of an offence under this Act for...

### *Time limit for prosecutions*

- 2 (1) No prosecution for an offence under this Act shall...

### *Offences by corporations*

- 3 (1) Where an offence under this Act which has been...

### *Offences due to fault of other person*

- 4 Where the commission by any person of an offence under...

### *Innocent publication of advertisement*

- 5 In proceedings for an offence under this Act committed by...

### *Defence in proceedings under section 1*

- 6 In any proceedings for an offence under section 1 of...

## SCHEDULE 4 — The British Hallmarking Council

### *Constitution*

- 1 The Council shall consist of not less than sixteen nor...

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- 2 (1) Ten of the members of the Council shall be...
- 3 (1) Six of the members of the Council shall be...
- 4 Members shall be appointed under the preceding provisions of this...
- 5 (1) Not more than two members of the Council may...
- 6 A person wholly or mainly employed by an assay office,...
- 7 The first meeting of the Council shall be held on...
- 8 (1) A member of the Council may at any time,...
- 9 (1) The Council shall elect a person to serve as...
- 10 A person retiring from or resigning office as the chairman...
- 11 The powers of the Council or any committee thereof may...
- 12 Questions arising at any meeting of the Council or of...
- 13 The chief executive of an assay office and any other...
- 14 (1) The Council may in any standing orders made by...

*Committees*

- 15 The Council may appoint a technical committee and one or...

*Standing Orders*

- 16 The Council may make standing orders for regulating the proceedings...

*Incorporation, etc.*

- 17 (1) The Council shall be a body corporate with perpetual...

*Expenses and Accounts*

- 18 (1) The expenses of the Council (which may include reasonable...
- 19 (1) The Council shall keep proper accounts of all sums...
- 20 The Council may pay to the chairman of the Council...

*Officers and Servants*

- 21 The Council shall appoint a secretary and such other officers...

## SCHEDULE 5 — Powers and Duties of Assay Offices

*Submission of new wares for assaying and hallmarking*

- 1 An assay office may refuse to assay or mark any...

*Assaying and hallmarking*

- 2 (1) Upon receipt of any article submitted to an assay...

*Inspections by H.M. Mint*

- 3 (1) Her Majesty's Mint may at any time and from...

*Safe custody of marks*

- 4 (1) Each assay office shall be responsible both for the...

## SCHEDULE 6 — Procedures for Orders

## Part I — ORDERS UNDER SECTION 16(1) ON APPLICATION

- 1 Before making application for an order under subsection (1)(b) of...

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- 2 On application for any order to which this Part of...
- 3 Not later than the date on which the said notice...
- 4 The applicants shall also publish in the Gazette a notice...
- 5 The applicants shall, at the request of any person interested,...
- 6 The Secretary of State may make an order in the...
- 7 If, before the expiration of the twenty-eight days referred to...
- 8 On the making of an order to which this Part...
- 9 The costs incurred by the Secretary of State in connection...
- 10 In this Part of this Schedule “the Gazette” means in...  
Part II — MODIFICATIONS OF PART I OF THIS SCHEDULE FOR PURPOSES OF  
ORDERS UNDER SECTION 16(2) WHERE NO APPLICATION
- 11 In relation to any order under section 16(2) of this...

SCHEDULE 7 — Enactments Repealed  
— PART I—PUBLIC GENERAL ACTS

*Acts of Parliament of Ireland*  
— PART II—LOCAL ACTS

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