

SCHEDULES

SCHEDULE 1

Section 1.

UNHALLMARKED ARTICLES

PART I

PERMISSIBLE DESCRIPTIONS

- 1 (1) Subject to the provisions of this paragraph—
 - (a) “gold ” is permissible if qualified by the word “plated ” or “rolled ”;
 - (b) “silver ” is permissible if qualified by the word “plated ” ;
 - (c) “platinum ” is permissible if qualified by the word “plated ”.
- (2) If the description is in writing the lettering of “plated” or “rolled ” is to be at least as large as any other lettering in the description.
- (3) This paragraph does not apply if the description is false or is applied to an article for which the description is inappropriate.
- 2 A description is permissible if it is implicitly or in express terms confined to the colour of the article.

PART II

EXEMPTED ARTICLES

- 1 An article which is intended for despatch to a destination outside the United Kingdom.
- 2 An article which is outside the United Kingdom, or which is in course of consignment from outside the United Kingdom to an assay office in the United Kingdom.
- 3 Any coin which is, or was formerly at any time, current coin of the United Kingdom or any other territory.
- 4 Any article which has been used, or is intended to be used, for medical, dental, veterinary, scientific or industrial purposes.
- 5 Any battered article of gold, silver or platinum fit only to be remanufactured.
- 6 Any article of gold or silver thread.
- 7 Any raw material (including any bar, plate, sheet, foil, rod, wire, strip or tube) or bullion.
- 8 Any manufactured article which is not substantially complete, and which is intended for further manufacture.

Status: This is the original version (as it was originally enacted).

- 9 Any article which is wholly or mainly of platinum, and which was manufactured before 1st January 1975.

Articles exempt if of minimum fineness

- 10 Any article—
- (a) which is of gold assaying in all its gold parts not less than 375 parts per thousand, or
 - (b) which is of silver assaying in all its silver parts not less than 800 parts per thousand,

and which in either case was manufactured before the year 1900 and has not since the beginning of the year 1900 been the subject of any alteration which would be an improper alteration if it had previously borne approved hallmarks.

- 11 Any musical instrument, where the description is applied to the mouthpiece, and the mouthpiece is of minimum fineness.

- 12 Any article which is of minimum fineness and the weight of which is less than that specified in the following table—

gold	1 gram.
silver	5 grams.
platinum	0.5 gram.

- 13 Any article which is of minimum fineness and which is so small or thin that it cannot be hallmarked.

- 14 Any article which is of minimum fineness and which is imported temporarily (whether as a trade sample, or as intended for exhibition or otherwise) and for the time being remains under the control of the Commissioners of Customs and Excise.

Existing exemptions

- 15 The following articles of gold, if manufactured before 1st January 1975, and (except in the case of articles mentioned in sub-paragraph (d) below) of minimum fineness—

- (a) rings, except wedding rings, pencil cases, lockets, watch chains and thimbles,
- (b) articles consisting entirely of filigree work,
- (c) articles so heavily engraved or set with stones that it is impossible to mark them without damage,
- (d) jewellers works, that is the actual setting only in which stones or other jewels are set, and jointed sleeper earrings.

- 16 (1) Subject to the exceptions below, the following articles of silver, if manufactured before 1st January 1975, and (except in the case of articles mentioned in paragraph (e) below) of minimum fineness:

- (a) lockets, watch chains and stamped medals,
- (b) mounts the weight of which is less than 15-55 grams.,
- (c) articles consisting entirely of filigree work,
- (d) silver articles the weight of which is less than 7-78 grams.,

Status: This is the original version (as it was originally enacted).

- (e) jewellers works, that is the actual setting only in which stones or other jewels are set.
- (2) The following articles are not exempt under sub-paragraph (1) above—
- (a) necks and collars for bottles on cruet stands,
 - (b) buttons and studs, seals, wine labels, shoe clasps, buckles, or patch boxes,
 - (c) salt spoons, shovels or ladles, teaspoons, tea strainers, caddy ladles or spoons,
 - (d) ornaments for cabinets, knife cases, tea caddies, bridles, stands or frames.
- 17 Articles of gold or silver manufactured before 1st January 1975, other than articles mentioned in paragraphs 15 or 16 above, and being of such descriptions as, under any enactment in force immediately before the passing of this Act, to be specifically exempt from hallmarking.

Articles manufactured before a given date

- 18 Where under this Part of this Schedule an exemption depends on the date of manufacture, or the date of any alteration, the manufacture or alteration shall be presumed to be after that date until the contrary is proved.

PART III

USE OF THE WORDS ' CARATS ', ' STERLING ' AND ' BRITANNIA '

- 1 This Part of this Schedule applies for the purposes of section 1 of this Act, this Schedule and the Act of 1968.
- 2 (1) A description indicating that an article, or the metal in an article, is of so many carats is to be presumed to be an indication that the article or metal is of gold, and that its fineness is that specified in the following table for that number of carats.
- (2) This paragraph shall not apply if (as in a case where the article is a precious stone) the word ' carat ' is used as a measure of weight for precious stones, and not as a measure of fineness.

TABLE

<i>Number of carats</i>	<i>indicates gold of a standard of fineness of</i>
9	375 parts per thousand
12	500 parts per thousand
14	585 parts per thousand
15	625 parts per thousand
18	750 parts per thousand
22	916.6 parts per thousand

and so in proportion for any other number of carats.

Status: This is the original version (as it was originally enacted).

- 3 (1) A description of an article, or of the metal in an article, as “sterling” or (except in the phrase ' Britannia metal') “Britannia ” is to be presumed to be an indication that the article, or the metal, is of silver.
- (2) If “sterling ” is the word used, the description is to be presumed to be an indication that the silver is of a standard of fineness of 925.
- (3) If the word used is “Britannia ” the description is to be presumed to be an indication that the silver is of a standard of fineness of 958-4.

PART IV

POWER TO AMEND

- 1 (1) The Secretary of State may by order—
- prescribe any cases or circumstances in which subsection (1) of section 1 of this Act is, or is not, to apply, and
 - add to, amend or repeal all or any of the provisions of Part I, Part II or Part III of this Schedule, and
 - make any consequential amendments in section 1 of this Act.
- (2) An order under this paragraph—
- may contain such supplemental or incidental provisions as appear to the Secretary of State to be expedient or necessary, and
 - shall be subject to annulment in pursuance of a resolution of either House of Parliament'.

SCHEDULE 2

Section 4.

APPROVED HALLMARKS

PART I

ARTICLES COMPRISED OF A SINGLE PRECIOUS METAL

1 Assay office mark

<i>1</i>	<i>Assay office</i>	<i>Articles made in the United Kingdom</i>	<i>Other Articles</i>
	(1)	(2)	(3)
	London	A leopard's head.	The sign of the constellation Leo.
	Edinburgh	A castle	Saint Andrew's Cross.
	Birmingham	An anchor	An equilateral triangle.
	Sheffield	A rose	The sign of the constellation Libra.

Status: This is the original version (as it was originally enacted).

<i>Assay office</i>	<i>Articles made in the United Kingdom</i>	<i>Other Articles</i>
(1)	(2)	(3)
London	A leopard's head.	The sign of the constellation Leo.
Edinburgh	A castle	Saint Andrew's Cross.
Birmingham	An anchor	An equilateral triangle.
Sheffield	A rose	The sign of the constellation Libra.

2 Standard mark

<i>2</i>	<i>Precious metal</i>	<i>Standard of fineness</i>	<i>Articles made in the United Kingdom</i>	<i>Other articles</i>
	(1)	(2)	(3)	(4)
	Gold	375	A crown and the figures 375.	The figures 375.
	Gold	585	A crown and the figures 585.	The figures 585.
	Gold	750	A crown and the figures 750.	The figures 750.
	Gold	916.6	A crown and the figures 916.	The figures 916.
	Silver	925	A lion passant. In the case of the Edinburgh Assay Office, the mark is a lion rampant instead of a lion passant.	The figures 925.
	Silver	958.4	The figure of Britannia.	The figures 958.
	Platinum	950	An orb surmounted by a cross.	The figures 950.

Status: This is the original version (as it was originally enacted).

<i>Precious metal</i>	<i>Standard of fineness</i>	<i>Articles made in the United Kingdom</i>	<i>Other articles</i>
(1)	(2)	(3)	(4)
Gold	375	A crown and the figures 375.	The figures 375.
Gold	585	A crown and the figures 585.	The figures 585.
Gold	750	A crown and the figures 750.	The figures 750.
Gold	916.6	A crown and the figures 916.	The figures 916.
Silver	925	A lion passant. In the case of the Edinburgh Assay Office, the mark is a lion rampant instead of a lion passant.	The figures 925.
Silver	958.4	The figure of Britannia.	The figures 958.
Platinum	950	An orb surmounted by a cross.	The figures 950.

3 Date letter

- 3 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.

PART II

ARTICLES COMPRISED OF TWO OR MORE PRECIOUS METALS

- 4 An article comprised of two or more precious metals shall be hallmarked only if—
- (1) it is of a description specified in one or other of the following sub-paragraphs ; and
 - (2) it complies with paragraph 5 of this Schedule,
and shall be hallmarked only in the manner specified for an article of that description—
 - (a) where gold parts exceed 50 per cent, by weight of a whole article, which also contains platinum but not silver parts, the gold parts shall be hallmarked as if they comprised a separate article ;

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- (b) where silver parts exceed 50 per cent, by weight of a whole article which also contains gold or platinum parts or both such parts, the silver parts shall be hallmarked as if they comprised a separate article ;
- (c) where any small working parts (which for technical reasons cannot be made of the same standard of fineness or of the same precious metal as the remainder of the article) form part of an article of which the remainder is of a higher standard of fineness or of a more precious metal, the part which is of the higher standard of fineness or (as the case may be) of the more precious metal shall be hallmarked as if it comprised a separate article and the parts which are of the lower standard of fineness or of the less precious metal shall be struck only with the standard mark for the metal of which those parts are made. For the purposes of this sub-paragraph platinum shall be deemed more precious than gold or silver and gold be deemed more precious than silver; and “more precious ” and “less precious ” shall be construed accordingly;
- (d) where any article of silver is coated in whole or in part with gold, the article shall be hallmarked as if it were comprised only of silver; and
- (e) where any article of gold, silver or platinum is coated in whole or in part with rhodium, the article shall be hallmarked as if it were comprised only of gold, silver or platinum (as the case may be) ;

and in relation to any article of the description of sub-paragraphs (a) or (b) of this paragraph the precious metal of the part of the article which is not (in terms of sub-paragraph (a)) of gold or not (in terms of sub-paragraph (b)) of silver may, at the discretion of the assay office, be marked only with the standard mark.

- 5 The parts of platinum, of gold or platinum, of less precious metal and the gold coating referred to respectively in sub-paragraphs (a), (b), (c) and (d) of the last foregoing paragraph shall each be of a standard of fineness not less than the minimum fineness for that metal mentioned in column (2) of paragraph 2 of this Schedule.

PART III

ARTICLES COMPRISED OF PRECIOUS METAL AND OTHER MATERIALS

- 6 An article comprised of precious metal and one or more other materials (in this paragraph referred to as “other materials ”) shall be hallmarked as if the precious metal were comprised in a separate article if, but only if, it complies with one or other of the following sub-paragraphs—
- (a) where the other materials include base metal, the article shall be hallmarked only if the use of the base metal in the manufacture of the article is authorised by regulations made by the Council (or, in relation to any single article, is approved by the Council)—
 - (i) as being reasonably required to fulfil the purpose for which the article is designed to be used; and
 - (ii) as satisfying the requirement that the part composed of base metal should be clearly distinguishable in appearance (either by the colour of that part or by having struck thereon the word “metal” in manner consonant with any regulations made by the Council) from any part which is of precious metal of minimum fineness.

Status: This is the original version (as it was originally enacted).

- (b) where the other materials do not include base metal, the article shall be hallmarked only on the precious metal part thereof and only if—
- (i) those materials are clearly distinguishable from any part of the article which is of precious metal and they are not plated or of a colour to resemble any precious metal and their extent is clearly visible, or
 - (ii) in respect of any article wherein the other materials are wholly or mainly enclosed by precious metal, the article has been so manufactured as to be capable of being hallmarked before it is filled and (except in the case of a handle to a knife, fork or spoon where the quantity of filling in the handle is not more than is necessary for joining) there has been struck thereon the word “filled ” in manner consonant with any regulations made by the Council.

In this paragraph “base metal” means any metal other than gold, silver or platinum of at least the minimum fineness therefor.

PART IV

GENERAL

- 7 Each of the marks comprising the approved hallmarks shall be enclosed by such shield or other border as the Council may (if they see fit) for the time being specify by directions to the assay offices.

SCHEDULE 3

Section 8.

PROVISIONS AS TO OFFENCES

Penalties for offences

- 1 A person guilty of an offence under this Act for which no other penalty is specified shall be liable—
- (a) on summary conviction, to a fine not exceeding £400 ; and
 - (b) on conviction on indictment, to a fine or imprisonment for a term not exceeding two years or both.

Time limit for prosecutions

- 2 (1) No prosecution for an offence under this Act shall be commenced after the expiration of three years from the commission of the offence or one year from its discovery by the prosecutor whichever is the earlier.
- (2) Notwithstanding anything in section 104 of the Magistrates' Courts Act 1952, a magistrates' court may try an information for an offence under this Act if the information was laid at any time within twelve months from the commission of the offence.

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- (3) Notwithstanding anything in section 23 of the Summary Jurisdiction (Scotland) Act 1954 (limitation of time for proceedings in statutory offences) summary proceedings in Scotland for an offence under this Act may be commenced at any time within twelve months from the time when the offence was committed, and subsection (2) of the said section 23 shall apply for the purposes of this sub-paragraph as it applies for the purposes of that section.
- (4) Sub-paragraph (2) above shall apply to Northern Ireland as if for the references to section 104 of the Magistrates' Courts Act 1952 and the trial and laying of an information there were substituted respectively references to section 34 of the Magistrates' Courts Act (Northern Ireland) 1964 and the hearing and determination and making of a complaint.
- (5) Sub-paragraphs (2) and (3) above do not apply where—
- (a) the offence was one under section 1(1)(a) of this Act and was committed by the making of an oral statement; or (b) the offence was one under section 1(1)(b) of this Act and—
 - (i) the description was applied by an oral statement; or
 - (ii) the description is deemed to have been applied to the article concerned by virtue of subsection (7)(b) of the said section 1 and the article was supplied in pursuance of an oral request.

Offences by corporations

- 3 (1) Where an offence under this Act which has been committed by a body corporate is proved to have been committed with the consent and connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (2) In this paragraph “director ” in relation to any body corporate established by or under any enactment for the purpose of carrying on under national ownership any industry or part of an industry or undertaking, being a body corporate whose affairs are managed by the members thereof, means a member of that body corporate.

Offences due to fault of other person

- 4 Where the commission by any person of an offence under this Act is due to the act or default of some other person that other person shall be guilty of the offence, and a person may be charged with and convicted of the offence by virtue of this paragraph whether or not proceedings are taken against the first-mentioned person.

Innocent publication of advertisement

- 5 In proceedings for an offence under this Act committed by the publication of an advertisement it shall be a defence for the person charged to prove that he is a person whose business it is to publish or arrange for the publication of advertisements and that he received the advertisement for publication in the ordinary course of business and did not know and had no reason to suspect that its publication would amount to an offence under this Act.

Status: This is the original version (as it was originally enacted).

Defence in proceedings under section 1

- 6 In any proceedings for an offence under section 1 of this Act, it shall be a defence for the person charged to prove that—
- (a) in reliance on information supplied by another person, he believed that the article concerned was one which was exempt from hallmarking by virtue of Part II of Schedule 1 to this Act; and
 - (b) that he could not with reasonable diligence have ascertained that it was not such an article.

SCHEDULE 4

Section 13.

THE BRITISH HALLMARKING COUNCIL

Constitution

- 1 The Council shall consist of not less than sixteen nor more than nineteen members.
- 2 (1) Ten of the members of the Council shall be appointed by the Secretary of State.
- (2) Three of the members appointed by the Secretary of State shall be persons appearing to him to be suitably qualified by virtue of their knowledge of, and experience in, organisations established, or activities carried on, for the protection of the consumer.
 - (3) Four of the members appointed by the Secretary of State, but not more than four, shall be persons appearing to him to be suitably qualified by virtue of their engagement wholly or mainly in trading in, or manufacture of, articles of precious metal.
 - (4) Before making any appointment under sub-paragraph (3) of this paragraph the Secretary of State shall consult the assay offices and such bodies representing persons engaged wholly or mainly in trading in, or manufacture of, articles of precious metal as he thinks appropriate.
- 3 (1) Six of the members of the Council shall be appointed by the assay offices as follows, that is to say—
- (a) two of those members shall be appointed by the London Assay Office ;
 - (b) one of those members shall be appointed by the Edinburgh Assay Office;
 - (c) two of those members shall be appointed by the Birmingham Assay Office ;
 - and
 - (d) one of those members shall be appointed by the Sheffield Assay Office.
- (2) Any person appointed under this paragraph shall be a person appearing to the assay office appointing him to be suitably qualified by virtue of his knowledge and experience of hallmarking.
 - (3) A person engaged wholly or mainly in trading in, or in articles manufactured of, precious metal shall not be appointed under this paragraph.
- 4 Members shall be appointed under the preceding provisions of this Schedule to take office on 1st January in the year 1974, and in each third succeeding year, and members so appointed shall hold office for a term of three years.
- 5 (1) Not more than two members of the Council may be persons appointed by the Council as co-opted members.

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- (2) A co-opted member shall hold office in accordance with the terms of his appointment.
- 6 A person wholly or mainly employed by an assay office, other than the clerk to an assay office, shall not be eligible for membership of the Council.
- 7 The first meeting of the Council shall be held on such day and at such time and place as may be appointed by the Clerk to the Birmingham Assay Office and the said Clerk shall make arrangements for notice of the meeting to be sent by post to each member of the Council not less than fourteen days before the day so appointed.
- 8 (1) A member of the Council may at any time, by notice in writing to the secretary of the Council, resign his office.
- (2) When a member of the Council other than a co-opted member ceases to hold office otherwise than upon expiration of his period of office, his place shall be taken by a person appointed in the same manner as the member in question.
- (3) A person taking office by virtue of sub-paragraph (2) above shall retire when the person whose place he takes would normally have retired.
- 9 (1) The Council shall elect a person to serve as chairman from among the members of the Council and notice of his election shall, as soon as is reasonably practicable, be given in writing to the Secretary of State by the secretary or other person for the time being authorised by the Council in that behalf.
- (2) The chairman of the Council shall hold office as such until the expiration of the period of his office as a member current at his election as chairman or until he resigns office as chairman or until he ceases to be a member of the Council, whichever first occurs.
- (3) If any member appointed by an assay office is elected as chairman of the Council, paragraph 8(2) of this Schedule shall have effect as if that member had ceased to hold office otherwise than upon the expiration of his period of office.
- 10 A person retiring from or resigning office as the chairman or as a member of the Council shall be eligible to hold that office again.
- 11 The powers of the Council or any committee thereof may be exercised notwithstanding any vacancy in its membership, and no proceedings of such a body shall be invalidated by any defect in the selection of a person to be a member of that body.
- 12 Questions arising at any meeting of the Council or of any committee thereof shall be determined by a majority of votes of the members present in person or by proxy :
- Provided that in the event of an equality of votes the chairman, or in his absence the person acting as chairman, shall have a second or casting vote.
- 13 The chief executive of an assay office and any other employee authorised by them in that behalf may attend and speak at meetings of the Council.
- 14 (1) The Council may in any standing orders made by them pursuant to paragraph 16 of this Schedule make such provision as they think fit as to the giving of votes by proxy at meetings of the Council, including provision as to the form of appointment of any proxy, the submission of any completed proxy in due time before any meeting and as to all matters related to voting by proxy.
- (2) A proxy for a member of the Council or of any committee of the Council need not be a member of the Council or that committee as the case may be.

Status: This is the original version (as it was originally enacted).

Committees

- 15 The Council may appoint a technical committee and one or more other committees to carry out on their behalf such of the functions of the Council as they may determine, and any such committee shall be comprised of such persons appointed on such terms as the Council may determine.

Standing Orders

- 16 The Council may make standing orders for regulating the proceedings (including quorum) of the Council or any committee thereof, as the Council from time to time think fit.

Incorporation, etc.

- 17 (1) The Council shall be a body corporate with perpetual succession and a common seal and with power to hold and dispose of land.
- (2) Every instrument to which the common seal is affixed shall be signed by a member and counter-signed by the secretary of the Council or by a second such member.

Expenses and Accounts

- 18 (1) The expenses of the Council (which may include reasonable provision for reserves) for the year then current shall, unless otherwise resolved by the Council, be estimated and determined upon at the first meeting of the Council in any year and shall be defrayed out of contributions paid in accordance with this paragraph by each of the assay offices.
- (2) The contribution so to be paid by any assay office shall be ascertained by applying to the amount of the said expenses of the Council that percentage (which for purposes of practical calculation may be adjusted by the Council by not more than one half of one per cent, or by any greater percentage with the agreement of that assay office) of the aggregate of the gross revenues of all the assay offices from charges for assaying and hallmarking precious metals under this Act (being revenue ascertained in manner for the time being determined by the Council), which is represented by the like gross revenue of that assay office alone and so ascertained.
- (3) Unless otherwise determined by the Council, every contribution payable under this paragraph shall be paid within three months after any such meeting of the Council as is referred to in sub-paragraph (1) of this paragraph.
- 19 (1) The Council shall keep proper accounts of all sums received or paid by them and their accounts for each year shall be audited by auditors appointed by the Council.
- (2) No person shall be qualified to be appointed auditor under this paragraph unless he is a member, or in the case of a firm all the partners therein are members, of one or more of the following bodies:—
- the Institute of Chartered Accountants in England and Wales ;
- the Institute of Chartered Accountants of Scotland ;
- the Association of Certified Accountants ;
- the Institute of Chartered Accountants in Ireland ;

Status: This is the original version (as it was originally enacted).

any body of accountants established in the United Kingdom which is for the time being recognised for the purposes of section 161(1)(a) of the Companies Act 1948 by the Secretary of State.

- 20 The Council may pay to the chairman of the Council such remuneration and expenses as they see fit and to any other of their members, or to any member of a committee appointed by them, travelling, subsistence or other allowances.

Officers and Servants

- 21 The Council shall appoint a secretary and such other officers and servants on such terms as to remuneration, pensions or otherwise as the Council may determine.

SCHEDULE 5

Section 15.

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 new ware if it is submitted at a stage of its manufacture which is unreasonable for assaying of and striking of marks on the new ware.

Assaying and hallmarking

- 2 (1) Upon receipt of any article submitted to an assay office for assay and hallmarking, the assay office shall examine the same to ascertain whether it is in their opinion sufficiently advanced in workmanship and, if composed of one or more parts, whether all the parts are present, and also whether the article complies with the conditions of this Act so as to permit it to be struck with the approved hallmarks ; and, if the assay office are dissatisfied as respects any of the foregoing matters, they shall return the article without making an assay thereof.
- (2) If upon receipt and view of any article submitted to an assay office for assay and hallmarking, the assay office shall suspect that other materials than precious metal of not less than the minimum fineness therefor have been introduced or concealed in any such article, the assay office may cause the same to be cut; and if upon cutting—
- (a) any such other materials shall be found therein, the said article shall be broken and defaced and it (or the value thereof) shall be forfeited to the assay office and applied towards their general expenses ;
- (b) no such other materials are found therein, the assay office (but not any other person) shall be liable in damages to any person interested in the article.
- (3) Subject to sub-paragraphs (1), (2) and (5) of this paragraph, the assay office may cause to be drawn, scraped, cut or otherwise removed from the article such quantity of precious metal or take such other sample or do such other thing as may be necessary to enable an accurate assay to be made of the article and may retain the quantity so removed and apply it (or the value thereof) towards their general expenses.
- (4) In the event of any part of any article or any sample from any article being found to be of a fineness—

Status: This is the original version (as it was originally enacted).

- (a) less than the minimum fineness for the precious metal of that article, the article the subject of the assay shall be returned to the person submitting the same after payment of the prescribed charge, and if the article is a new ware the assay office shall have power before so returning the article, to break it and any other articles which were submitted with it in the same parcel of work ;
 - (b) not less than such minimum fineness, the said article shall be struck with the approved hallmarks and delivered to the person submitting the same after payment of the prescribed charge.
- (5) If an assay office are satisfied where two or more articles being new wares are submitted to them in one parcel of work for assay and hallmarking that all the articles so submitted are intended to assay to a single standard of fineness, the assay office may, notwithstanding anything in sub-paragraph (3) of this paragraph, carry out a single assay in respect of some or all of the articles contained in such parcel.

Inspections by H.M. Mint

- 3
- (1) Her Majesty's Mint may at any time and from time to time as thought fit in normal office hours visit any assay office for the purpose of inspecting the assay department of that office and of ascertaining and assessing the accuracy and efficiency of their methods and procedures of assay ; and a report on the assay department of each assay office shall be prepared once in every period of fourteen months by the Queen's Assay Master and presented to the Deputy Master of Her Majesty's Mint, copies of such reports having first been sent to the Council and the assay office concerned.
 - (2) If such assay methods, in the opinion of Her Majesty's Mint, are not of such a standard as will enable that assay office to report accurately on the fineness of any article, or articles, of precious metal, then Her Majesty's Mint shall notify the Council and the assay office forthwith and make to each of them such recommendations as appear requisite in relation to such assay methods; and the Council shall consult with the assay office as to the action to be taken upon such recommendations.
 - (3) Her Majesty's Mint shall be entitled to make a reasonable charge to each assay office in respect of the performance of their functions under this paragraph.

Safe custody of marks

- 4
- (1) Each assay office shall be responsible both for the safe custody of the dies to be used by that assay office for the purpose of striking articles with the approved hallmarks and other marks and for the disposal of such dies as and when the same are no longer required.
 - (2) The Council may after consultation with all the assay offices make regulations in or in connection with the discharge by assay offices of the duty imposed upon them by sub-paragraph (1) of this paragraph and as to the manner in which any such die is to be made or used and generally in relation thereto.

SCHEDULE 6

Section 16.

PROCEDURES FOR ORDERS

PART I

ORDERS UNDER SECTION 16(1) ON APPLICATION

- 1 Before making application for an order under subsection (1)(b) of section 16 of this Act, the applicants shall consult the assay office the subject of the proposed order and, if so requested by the assay office, shall submit to the Secretary of State a draft of the proposed order and such written observations as the assay office may make to the applicants within the period of forty-two days after being so consulted ; and, following the submission of such a draft and observations, the applicants shall take no further steps in connection with the proposed application pending a decision of the Secretary of State, who shall give written notice to the applicants and the assay office either that he refuses to consider such an application or that it is (without prejudice, however, to subsequent refusal thereof) to be allowed to proceed.
- 2 On application for any order to which this Part of this Schedule applies the applicants shall submit to the Secretary of State a draft of the order which they desire him to make and shall publish once at least in each of two successive weeks in one or more newspapers circulating in the locality wherein the assay office the subject of the order carries on or is intended to carry on business (as the case may be) a notice—
 - (a) stating the general effect of the order ;
 - (b) specifying a place in the said area where a copy of the draft order may be inspected by any person free of charge at all reasonable hours during a period of twenty-eight days from the date of the first publication of the notice ; and
 - (c) stating that, within the said period, any person may by notice to the Secretary of State object to the application.
- 3 Not later than the date on which the said notice is first published, the applicants shall, if the Secretary of State so requires, serve a copy of the notice and of the draft order on any person specified by the Secretary of State.
- 4 The applicants shall also publish in the Gazette a notice stating that they are about to apply for an order under section 16 of this Act, naming the county and district in the locality wherein the assay office the subject of the order carries on or is intended to carry on business (as the case may be), specifying a place where a copy of the draft order may be inspected, and giving the name and date of issue of a local newspaper in which the notice explaining the effect of the order applied for will be found.
- 5 The applicants shall, at the request of any person interested, furnish to him a copy of the draft order upon payment of such charge as they think reasonable not exceeding fifty pence, or such higher sum as the Secretary of State may from time to time authorise in writing.
- 6 The Secretary of State may make an order in the terms of the draft submitted to him or in those terms as modified in such manner as he thinks fit, but where he proposes to make any modification which appears to him substantially to affect the character of the order as applied for, he shall take such steps as appear to him to be sufficient and reasonably practicable for informing the applicants and other persons likely to

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- be concerned, and shall not make the order until such period for consideration of, and comment upon, the proposed modification as he thinks reasonable has elapsed.
- 7 If, before the expiration of the twenty-eight days referred to in paragraph 2 of this Part of this Schedule, or of twenty-five days from the publication of the said notice in the Gazette, or before the expiration of any period specified in notices given under the last foregoing paragraph, an objection is received by the Secretary of State from any person appearing to him to be affected by the application, or as the case may be, by the proposed modification, and the objection is not withdrawn, the Secretary of State, before making any order on the application, shall (unless he is of opinion that the objection is frivolous or too trivial to warrant the holding of an inquiry or hearing with respect to it) either—
- (a) cause a local inquiry to be held ; or
 - (b) afford to the objector and to the applicants, as well as to any other persons to whom it appears to the Secretary of State expedient to afford it, an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.
- 8 On the making of an order to which this Part of this Schedule applies, the Secretary of State shall give notice of the making of the order and the effect thereof to any person who has objected thereto under the foregoing provisions of this Part of this Schedule, and has not withdrawn that objection, and in that case the order shall not have effect until the expiration of twenty-eight days from the date of the said notice, and if within that period any such person gives notice to the Secretary of State that he objects to the order and the objection is not withdrawn, the order shall be subject to special parliamentary procedure.
- 9 The costs incurred by the Secretary of State in connection with the making and notification of an order under this Part of this Schedule, including any costs incurred in relation to any such order under the Statutory Orders (Special Procedure) Act 1945, shall be paid by the applicants.
- 10 In this Part of this Schedule “the Gazette ” means in relation to publication of a notice as respects an order concerning an assay office carrying on or intended to carry on business—
- (a) in England and Wales, the London Gazette ;
 - (b) in Scotland, the Edinburgh Gazette ; and
 - (c) in Northern Ireland, the Belfast Gazette.

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 Act the provisions of Part I of this Schedule shall have effect subject to the following modifications—
- (a) For paragraph 1 and for the words in paragraph 2 before “shall publish ” there shall be substituted—
 - “1 Before making an order under subsection (2) of section 16 of this Act the Secretary of State—
 - (1) shall in the case of an order under paragraphs (a) or (b) of that subsection consult the Council and shall, in the case of an order

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under paragraph (c) of that subsection, consult the assay office the subject of the proposed order;

(2)”;

- (b) Paragraphs 3 and 9 shall be omitted ;
- (c) In paragraphs 4 and 5 for reference to the applicants there shall be substituted reference to the Secretary of State ;
- (d) For paragraph 6 there shall be substituted the following paragraph—

“6 The Secretary of State may make an order in the terms of the draft or in those terms as modified in such manner as he thinks fit, but where he proposes to make any modification which appears to him substantially to affect the character of the order he shall take such steps as appear to him to be sufficient and reasonably practicable for informing persons likely to be concerned, and shall not make the order until such period for consideration of, and comment upon, the proposed modification as he thinks reasonable has elapsed”;
- (e) in paragraph 7—
 - (i) for the word “application” where it first occurs there shall be substituted the word “order”;
 - (ii) the words “on the application ” shall be omitted ;
 - (iii) in paragraph (b) for the words “the applicants ” there shall be substituted the words “such of them the Council and any assay office as might have been applicants for such an order under section 16(1) of this Act ”

SCHEDULE 7

Section 23.

ENACTMENTS REPEALED

PART I

—PUBLIC GENERAL ACTS

Chapter	Title or Short Title	Extent of Repeal
8 & 9 Will. 3. c. 8. 1696.	An Act for encouraging the bringing in wrought plate to be coined.	The whole Act.
1 Anne c. 3. 1702.	An Act for continuing the Act made in the eighth year of His late Majesty's reign for better preventing the counterfeiting the current coin of this kingdom.	The whole Act.
6 Geo. I. c. 11.	The Plate Duty Act 1719.	The whole Act.

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Chapter	Title or Short Title	Extent of Repeal
12 Geo. 2. c. 26.	The Plate (Offences) Act 1738.	The whole Act
15 Geo. 2. c. 20.	The Gold and Silver Thread Act 1741.	The whole Act.
13 Geo. 3. c. 59.	The Plate (Offences) Act 1772.	The whole Act.
28 Geo. 3. c. 7.	The Gold and Silver Thread Act 1788.	The whole Act.
30 Geo. 3. c. 31.	The Silver Plate Act 1790.	The whole Act.
38 Geo. 3. c. 69.	The Gold Plate (Standard) Act 1798.	The whole Act.
47 Geo. 3. Sess. 2. c. 15.	The Plate Assay (Ireland) Act 1807.	The whole Act.
6 & 7 WE 4. c. 69.	The Plate (Scotland) Act 1836.	The whole Act.
5 & 6 Vict. c. 47.	The Customs Act 1842.	The whole Act.
7 & 8 Vict. c. 22.	The Gold and Silver Wares Act 1844.	The whole Act.
17 & 18 Vict. c. 96.	The Gold and Silver Wares Act 1854.	The whole Act.
18 & 19 Vict. c. 60.	The Wedding Rings Act 1855.	The whole Act.
39 & 40 Vict. c. 36.	The Customs Consolidation Act 1876.	In section 42, the words from “Clocks and watches” to “United Kingdom”.
46 & 47 Vict. c. 55.	The Revenue Act 1883.	Sections 10 and 11.
47 & 48 Vict. c. 62.	The Revenue Act 1884.	Sections 4 and 5.
53 & 54 Vict. c. 8.	The Customs and Inland Revenue Act 1890.	Section 17.
4 Edw. 7. c. 6.	The Hall-marking of Foreign Plate Act 1904.	The whole Act.
7 Edw. 7. c. 8.	The Assay of Imported Watch-Cases (Existing Stocks Exemption) Act 1907.	The whole Act.
7 Edw. 7. c. 13.	The Finance Act 1907.	Section 5.
3 & 4 Geo. 5. c. 27.	The Forgery Act 1913.	Sections 5(4)(b), 8(2)(a) and 16(2)(d). Section 6, so far as it relates to any die used for the marking or stamping of gold

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Chapter	Title or Short Title	Extent of Repeal
2 & 3 Geo. 6. c. 36.	The Hall-marking of Foreign Plate Act 1939.	or silver plate, or gold or silver wares. The whole Act.
14 & 15 Geo. 6. c. 39.	The Common Informers Act 1951.	In the Schedule, the entries relating to 8 & 9 Will. 3. c. 8; 12 Geo. 2. c. 26; 15 Geo. 2. c. 20; 13 Geo. 3. c. 52; 28 Geo. 3. c. 7; and 38 Geo. 3. c.69.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 44.	The Customs and Excise Act 1952.	In Schedule 10, in Part II, paragraphs 1, 2 and 6.

ACTS OF PARLIAMENT OF IRELAND

Chapter	Title or Short Title	Extent of Repeal
1 Geo. 3. c. 9. (Ir.).	The Gold and Silver Thread Act (Ireland) 1761.	The whole Act.
23 & 24 Geo. 3. c. 23 (Ir.) (1783).	An Act to regulate the assay of gold and promote the manufacture of gold and silver wares in this kingdom.	The whole Act.

PART II

—LOCAL ACTS

Chapter	Title or Short Title	Extent of Repeal
13 Geo. 3. c. 52.	The Plate (Sheffield and Birmingham) Act 1772.	Sections 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 25 and 26.
24 Geo. 3. c. 20.	The Plate Assay (Sheffield) Act 1784.	The whole Act.
59 Geo. 3. c. xxviii.	The Glasgow Assay Office Act 1819.	The whole Act.
5 Geo. 4. c. lii.	The Birmingham Assay Office Act 1824.	Sections 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 31, 32, 35, 36, 37, 38, 39, 40 and 41.
6 Edw. 7. c. ix.	The Sheffield Assay Act 1906.	Section 6.
8 & 9 Geo. 5. c. lxi.	The Sheffield Corporation (Consolidation) Act 1918.	Sections 501 and 502.

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Chapter	Title or Short Title	Extent of Repeal
16 & 17 Geo. 5. c. cx.	The Glasgow Goldsmiths Company Order Confirmation Act 1926.	The whole Act.