



Hallmarking Act 1973

1973 CHAPTER 43

22 Interpretation

(1) In this Act, unless the subject or context otherwise requires—

“the Act of 1968 ” means the Trade Descriptions Act 1968;

“approved hallmarks ” has the meaning given by section 2 of this Act.;

“assay office ” means (subject to subsection (2) of this section) each of the following bodies—

The Wardens and Commonalty of the Mystery of Goldsmiths of the City of London (in this Act referred to as “the London Assay Office ”);

The Incorporation of Goldsmiths of the City of Edinburgh (in this Act referred to as “the Edinburgh Assay Office ”);

The Guardians of the Standard of Wrought Plate in Birmingham (in this Act referred to as “the Birmingham Assay Office ”);

The Guardians of the Standard of Wrought Plate within the town of Sheffield (in this Act referred to as “the Sheffield Assay Office ”);

and any other body duly authorised under any enactment, order, charter or franchise for the assaying and hallmarking of precious metals, and includes—

(a) a body for the time being established under section 16(1)(a) of this Act, and

(b) (where the context so admits) a body which, whilst it has been so authorised at any time before or after the passing of this Act, has since being so authorised been dissolved or has ceased business in such assaying and hallmarking ;

“convention hallmark ” has the meaning given by section 2 of this Act:

“the Council ” means the British Hallmarking Council constituted under section 13 of this Act;

“dealer ” means a person engaged in the business of making, supplying, selling (including selling by auction) or exchanging articles of precious metal or in other dealings in such articles ;

“enactment ” includes an enactment of the Parliament of Northern Ireland, and (without prejudice to subsection (3) of this section) any reference in this

Status: This is the original version (as it was originally enacted).

Act to an enactment shall include a reference to any enactment re-enacting it with or without modifications ;

“fineness ” in relation to any precious metal means the number of parts by weight of that fine metal in one thousand parts by weight of alloy; “standard of fineness” means any one of the standards of fineness specified in column (2) of paragraph 2 of Schedule 2 to this Act and reference to an article as being of one of those standards means that the article is of a fineness in all its parts of not less than that standard; and “minimum fineness ” in relation to any precious metal means the lowest standard of fineness therefor so specified, namely, for gold the standard of 375, for silver the standard of 925, and for platinum the standard of 950;

“functions ” includes powers and duties ;

“improper alteration ” has the meaning given by section 2 of this Act;

“local statutory provision ” means a provision of a local Act (including an Act confirming a provisional order), or a provision of a public general Act passed with respect only to any particular locality, or a provision of an instrument made under any such local or public general Act or of an instrument in the nature of a local enactment made under any other Act, or a provision of a charter or franchise ;

“new ware ” means—

- (a) any article which is a substantially complete manufacture and which has not as such been supplied on a sale by retail; and
- (b) any article which has been the subject of any improper alteration;

“precious metal ” in relation to any article means gold, silver or platinum, or any other metal to which by an order under section 17 of this Act the provisions of this Act are applied;

" sponsor's mark " means—

- (a) a sponsor's mark applied under section 3 of this Act, or under the corresponding provisions of the law in force in the United Kingdom before section 3 of this Act came into force; or
- (b) a mark designated by order of the Secretary of State—
 - (i) as a mark recognised pursuant to any international convention or treaty to which Her Majesty's Government in the United Kingdom is a party ; and
 - (ii) as a sponsor's mark for the purposes of this Act.

“unhallmarked ” has the meaning given by section 2(4) of this Act.

- (2) References in this Act to an assay office shall, as respects an assay office who are engaged in the business of an assay office and who carry on any other activity, include reference to so much only of the undertaking of that assay office as relates wholly to their business as such an assay office and as may be certified in that behalf by that assay office.
- (3) References in this Act to any enactment shall be construed as references to that enactment as amended or extended by or under any other enactment including this Act.