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STATUTORY INSTRUMENTS

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**1993 No. 2135**

**HALLMARK**

**The Edinburgh Assay Office (Amendment) Order 1993**

*Made* - - - - *25th August 1993*

*Coming into force* - - *16th September 1993*

Whereas—

- (a) the Incorporation of Goldsmiths of the City of Edinburgh have made an application for an Order under section 16(1)(c) of the Hallmarking Act 1973(1) and the requirements of paragraphs 1 to 5 of Schedule 6 to that Act have been complied with in relation to the application;
- (b) the Secretary of State, pursuant to paragraph 6 of that Schedule, proposes to make an Order in the terms applied for; and
- (c) no objection has been received by the Secretary of State in accordance with paragraph 7 of that Schedule to an Order in those terms:

Now therefore, the Secretary of State in exercise of powers conferred on him by section 16(1)(c) and (3) of the Hallmarking Act 1973 and paragraph 6 of Schedule 6 to that Act and of all other powers enabling him in that behalf, hereby makes the following Order:—

**Citation and commencement**

1. This Order may be cited as the Edinburgh Assay Office (Amendment) Order 1993 and shall come into force on 16th September 1993.

**Amendment of the Edinburgh Assay Office Order 1979**

2. The Edinburgh Assay Office Order 1979(2) shall be amended as follows:

- (a) in article 2 (Interpretation), the following shall be inserted after the definition of “the appointed day”:

““the designated day” means the day of the next general meeting of the Incorporation which occurs after the expiry of the period of three months commencing with the date on which the Edinburgh Assay Office (Amendment) Order 1993 comes into force.”;
- (b) in article 4 (Alteration of constitution):

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(1) 1973 c. 43.  
(2) S.I.1979/1587.

- (i) there shall be substituted for paragraph (1):
  - “(1) As from the designated day the Incorporation shall consist of a maximum of sixteen members, being persons appearing to have an interest in, or concern with, the continuance of the practice of hallmarking in Scotland; and in the appointment of members regard shall be had to the need for securing that they shall include persons appearing to be suitably qualified as follows:—”;
- (ii) there shall be substituted for paragraph (1)(a):
  - “(a) one or more persons (but not more than seven) by virtue of their engagement wholly or mainly in the manufacture of, or trading in, articles of precious metal ; and”;
- (iii) in paragraph (2), for “the appointed day” there shall be substituted “the designated day”;
- (iv) there shall be substituted for paragraph (3):
  - “(3) The members first appointed under paragraph (2) of this article shall be appointed as respects—
    - (a) four, until the end of the annual meeting of the Incorporation held in 1993;
    - (b) four, until the end of the annual meeting held in 1994;
    - (c) four, until the end of the annual meeting held in 1995; and
    - (d) four, until the end of the annual meeting held in 1996.”;
- (c) in article 6 (Deacon), paragraph (3) shall be deleted;
- (d) in article 8 (Court of Wardens), the following shall be substituted for paragraph (1)(a):
  - “On the designated day and thereafter in annual meetings, the members shall appoint as wardens to the Committee of the Incorporation known as “the Court of Wardens” four or such greater number of persons as the members may from time to time determine as requisite for the efficient discharge of the work of the office: Provided that not more than two of the wardens (or one warden, in the event of the Deacon being a person engaged wholly or mainly in the manufacture of, or trading in, articles of precious metals) may be a person or persons engaged wholly or mainly in the manufacture of, or trading in, articles of precious metals and not more than one of the other wardens so appointed shall be a person who is not a member.”;
- (e) after article 22 there shall be inserted the following article:

**“Disposal of surplus monies.**

**23.** The Incorporation shall, having made adequate financial provision for the discharge of its powers, functions and duties set out or referred to in article 3 above, including provision for payment or providing for payment of the ordinary expenses, debts and liabilities of the Assay Office, have the power to apply the remaining income or capital of the Incorporation to establish and maintain or procure the establishment and maintenance of an organisation which is a recognised charity, whether connected or identified with the practice of hallmarking or not.”.

25th August 1993

*Denton of Wakefield*  
Parliamentary Under Secretary of State,  
Department of Trade and Industry

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

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Edinburgh Assay Office Order 1979 to increase the membership of the Incorporation of Goldsmiths of the city of Edinburgh from twelve to sixteen members (article 2(b)(i)) and to increase the maximum number of people who are engaged wholly or mainly in trading in, or manufacture of, precious metals who are also permitted to be members of the Incorporation from five to seven (article 2(b)(ii)).

The Order also provides that a person who is engaged wholly or mainly in trading in, or manufacture of, precious metals shall be eligible for appointment as Deacon (article 2(c)) and that up to two such persons can be wardens to the Committee of the Incorporation or, if the Deacon is a trade member, one such person can be a warden (article 2(d)).

The Order adds a new article 23 entitled “Disposal of surplus monies” which permits the Incorporation to use excess funds for the establishment and maintenance of a charitable organisation (article 2(e)).