

2009 No.

HALLMARK

**THE HALLMARKING ACT 1973 (APPLICATION TO
PALLADIUM AND MISCELLANEOUS AMENDMENTS)
ORDER 2009**

Made - - - - - *****

Laid before Parliament *****

Coming into force - - - *6th April 2009*

The Secretary of State, in exercise of the powers conferred by section 17⁽¹⁾ of the Hallmarking Act 1973 and after consultation with the British Hallmarking Council, makes the following Order:

Citation and commencement

1. This Order may be cited as the Hallmarking Act 1973 (Application to Palladium and Miscellaneous Amendments) Order 2009 and shall come into force on 6th April 2009.

Interpretation

2. In this Order “the Act” means the Hallmarking Act 1973 and references to a numbered section are to the section so numbered in the Act.

Application of the Act to palladium

3. The Act applies to palladium subject to the modifications in Schedule 1.

Consequential amendments to the Act

4. The Act is amended as set out in Schedule 2

.....2009 *Name*
Parliamentary Under Secretary of State
Department for Innovation, Universities and Skills

⁽¹⁾ 1973 c.43

SCHEDULE 1

Article 3

MODIFICATIONS OF THE ACT IN ITS APPLICATION TO PALLADIUM

Modification to section 1 of the Act

1. In section 1(1)(a) after "silver" insert ", palladium".

Modification to section 4 of the Act

2. In section 4 after section 4(3)(b)(iii) insert:

"(iv) palladium, is gold, silver, platinum or palladium, or a combination of two or more thereof, and is of a fineness or of a combined fineness not less than the standard of fineness of the article, provided that solder used in an article of a standard of fineness of 950 or above may be of a fineness of not less than 700."

Modification to section 5 of the Act

3. Section 5 is amended as follows:

(a) in section 5(4)(c)(i) after "silver" insert ", 1 gram of palladium";

(b) for section 5(5) substitute—

"(5) It shall not be an offence under subsection (1) above to add a coating, of a thickness not exceeding 2 micrometres at any point, to the whole or any part of—

- (a) an article of gold, if the coating is of gold of a fineness not less than the standard fineness of the article; or
- (b) an article of gold, if the coating is of platinum of a standard not less than the minimum fineness; or
- (c) an article of silver, if the coating is of silver of a fineness not less than the standard fineness of the article; or
- (d) an article of silver, if the coating is of gold, palladium or platinum of a standard not less than the minimum fineness; or
- (e) an article of palladium, if the coating is of palladium of a standard not less than the fineness of the article; or
- (f) an article of palladium, if the coating is of platinum or gold of a standard not less than the minimum fineness; or
- (g) an article of platinum, if the coating is of platinum of a standard not less than the fineness of the article; or
- (h) an article of gold, silver, palladium or platinum if the coating is of rhodium."

Modification to section 13 of the Act

4. In section 13(2)(a) after "silver", insert ", palladium".

Modification to section 17 of the Act

5. In section 17(1) after "silver" insert ", palladium,".

Modification to section 22 of the Act

6. In section 22–

- (1) in the definition of “fineness” after “for silver the standard of 800, ” insert “for palladium the standard of 500, ”;
- (2) in the definition of “precious metal” after “silver,” insert “, palladium,” .

Modification to Schedule 1 of the Act

7. Schedule 1 is amended as follows:

- (a) in paragraph 1(1) of Part 1 after ““platinum” is permissible if qualified by the word “plated”” add

“and

(d) “palladium” is permissible if qualified by the word “plated””;

- (b) After paragraph 9 of Part II of Schedule 1 insert:

“**9A.** Any article which is wholly or mainly of palladium, and which was manufactured before 1st January 2010.”;

- (c) In paragraph 12(1) of Part II of Schedule 1 beneath the entry in respect of platinum add:

“palladium.....1 gram”;

- (d) In paragraph 12A(2)(a) after “gold” insert “, palladium”;

- (e) After paragraph 12C insert:

“**12D.**—(1) Subject to paragraph 14AA, any article which:

- (a) which contains palladium of a minimum fineness, and
- (b) in which the total weight of the metal is less than 1 gram.

(2) This paragraph does not apply to any article which contains

- (a) gold or platinum of the minimum fineness;
- (b) any precious metal that is not of the minimum fineness or
- (c) materials other than precious metal unless the article satisfies the conditions for hallmarking of Part 3 of Schedule 2 to this Act.”;

- (f) For paragraph 14A substitute–

“**14A.**

(1) Subject to paragraph 14AA and subject to the provisions of this paragraph, any article, any precious metal in which is of minimum fineness, and which either:

- (a) contains gold and palladium, but not silver, and the combined weight of the gold and palladium parts of which exceeds 50 per cent of the total weight of the precious metals in the article, that total weight being less than 1 gram; or
- (b) contains gold and platinum, or palladium and platinum, but not silver, and the combined weight of the gold and platinum parts or the palladium and platinum parts of which exceeds 50 per cent of the total weight of the precious metals in the article, that total weight being less than 0.5 grams; or
- (c) contains gold, palladium or platinum alone or in any combination, and silver and the weight of the silver parts of which exceeds 50 per cent of

the total weight of the precious metals in the article, that total weight being less than 7.78 grams.”.

SCHEDULE 2

Article 4

Amendments to Schedule 2

8. Schedule 2 is amended as follows:

(a) In paragraph 2 beneath the final entry in respect of platinum insert–

“Palladium	999	The figures 999
Palladium	950	The figures 950
Palladium	500	The figures 500”;

(b) For paragraph 13 substitute–

“**13.** Where any article of precious metal is coated in whole or in part with rhodium or a precious metal ranked higher under paragraph 15(a) of this Part, the coating shall be ignored for the purpose of determining which hallmarks are to be struck.”;

(c) Delete paragraph 14;

(d) For paragraph 15(a) substitute–

“(a) The ranking in decreasing order of preciousness is as follows with silver being the least precious and “least precious” and “less precious” shall be construed accordingly:–

- (i) platinum
- (ii) gold
- (iii) palladium
- (iv) silver.”;

(e) In paragraph 19(a) of Part III after “silver” insert “, palladium”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order applies the provisions of the Hallmarking Act 1973 to the precious metal palladium.

The Order also makes two corrections to the Act. The first is to permit a platinum coating to be applied to gold or silver substrates and extends the permitted coatings to those of the same type of precious metal as the substrate but having a greater fineness and the second is to provide for an exemption weight of 0.5grams for platinum which was previously omitted.

A full impact assessment of the effect that this Order will have on the costs to business is available from [] and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website. Copies have been placed in the libraries of both Houses of Parliament.