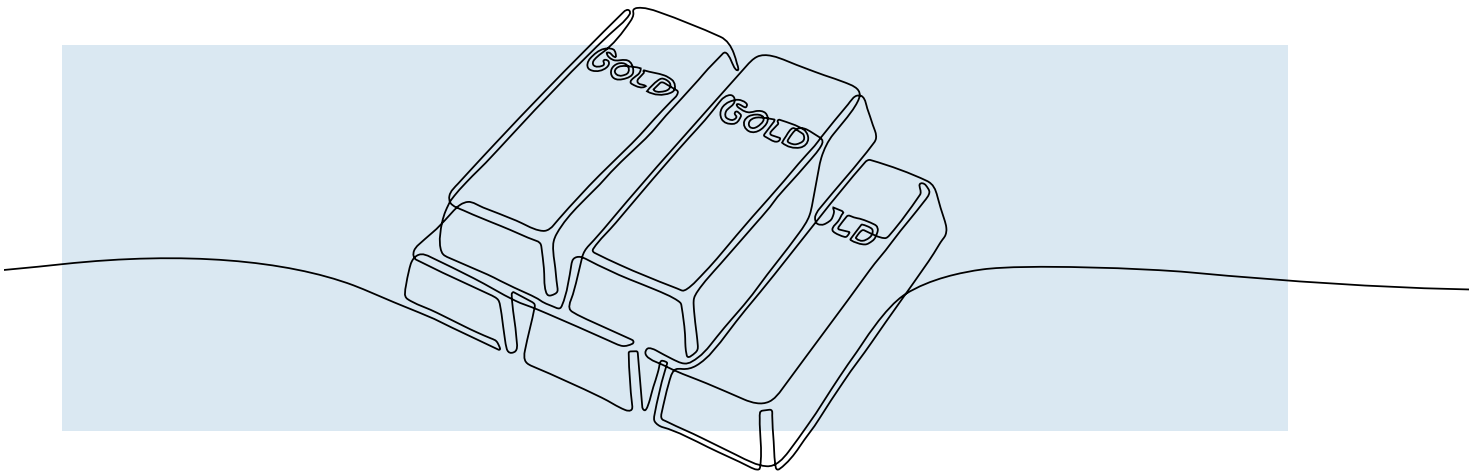
NAJ Code of Practice

HALLMARKING

Version 1. February 2025.



No reliance should be placed on this document for legal interpretation. The UK Assay Offices are happy to answer questions arising from this guidance note and on any articles or other issues not specifically mentioned.

Introduction

This Code of Practice aims to provide you with an overview of the Hallmarking Act 1973, pivotal legislation that governs the hallmarking of precious metals in the United Kingdom. Understanding and complying with this Act is essential for ensuring the authenticity and metal purity of the jewellery you produce and sell, thereby upholding the trust and confidence of your customers. This guidance will outline your legal obligations to ensure compliance, helping you navigate the requirements with ease and confidence.

NAJ membership is intended to give peace of mind to your customers, demonstrating honesty, integrity and professionalism and it is essential that as a member you adhere to Hallmarking Law, as well as stay vigilant for non-adherence of members and non-members alike.

It must be noted Hallmarking certifies metal purity, but it does not guarantee the safety of the jewellery.

Separate product safety testing is essential to ensure consumer safety and compliance with regulations.

For members of the National Association of Jewellers, ensure both hallmarking and product safety testing to maintain consumer trust and protect your business.

Background

The Association's NAJ Resolve service continues to deal with problems surrounding hallmarking with regular complaints from consumers such as, "my ring was re sized and now it has no hallmark," or, "my new ring only states 9k inside the band, is this sufficient?"

By law in the UK, any item over certain weights, which is being described, either verbally or in writing, as wholly or partly made of gold, silver, platinum, or palladium requires a hallmark when being sold to the public. This is described in the Hallmarking Act of 1973, Hallmarking Act 1973 - GOV.UK (www.gov.uk). and also in detailed guidance notes produced by The British Hallmarking Council (BHC); Hallmarking-Guidance-Leaflet-BHC.pdf

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Shaping professional excellence in jewellery businesses and their people

NAJ Code of Practice: Hallmarking

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What is a Hallmark?

A Hallmark is a set of specific component marks which are applied by an independent authorised Assay Office who test the purity of the metal and apply the appropriate hallmarks to indicate the standard and type of the precious metal.

A Hallmark is made up of **THREE COMPULSORY SYMBOLS**:

1. The Sponsor's Mark (Historically also known as the Maker's Mark)
This indicates who submitted the item for hallmarking. In the UK this mark consists of letters within a surround. No two sponsor's or maker's mark are the same at any one Assay Office. Businesses obtain their sponsor mark by registering with an Assay Office.

2. Metal and fineness (purity) Mark
Indicates the precious metal content of the article and that it is not less than the fineness of the article indicated. The fineness is indicated by a millesimal number (parts per thousand) and the metal type is indicated by the shape of the surround.

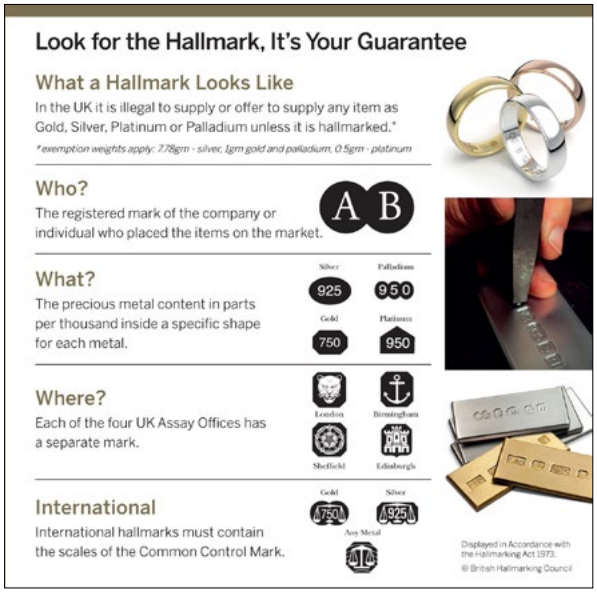
3. Assay Office Mark
Indicates the particular Assay Office at which the article was tested and marked. There are now four authorised Assay Offices in the UK – Birmingham, Edinburgh, London and Sheffield.

Authorised Assay Offices from contracting states to the international convention can apply a common control mark alongside their national marks. This mark is commonly known as a convention hallmark. As a founding member of the convention, the UK accepts marks from other contracting states providing the common control mark is present. A full list of the contracting states to the convention can be found here: Hallmarking Convention and further details here; Hallmarking requirements and the EU - GOV.UK (www.gov.uk)

Dealer's Notice

The legal Hallmark images can be seen in the Dealer's Notice which can be downloaded here; Information on Precious Metal, Nickel & Hallmarking in Jewellery (naj.co.uk)

YOU MUST display an up-to-date Dealer's Notice, where your customers can see it, on your premises. That includes, physical premises, outside events and fairs, and online if your website allows remote transactions. By law the Dealer's Notice needs to be shown at point of sale so the consumer is able to see both the notice and the marks on the item and is aware that independent and legally required authentication has been carried out, permitting the item to be sold legally as precious metal. Businesses that advertise but do not sell precious metal goods online do not need to display the Dealer's Notice. However, if customers can purchase items online, the Dealer's Notice must be clearly visible before checkout. More information about online Hallmarking awareness can be found here; HALO Award (naj.co.uk)



NAJ Code of Practice: Hallmarking

The National Association of Jewellers

What is Exempt?

The UK Hallmarking Act 1973 makes it an offence for anyone in the course of trade or business, to describe something as being partly or wholly made of gold, silver, platinum, or palladium if it does not bear a recognised hallmark. However, there are certain exemptions to this requirement. The two most common exemptions under the Act are;

1. Items below a certain weight.
The most applied exemption is for weight, although it should be noted that there is still a responsibility to ensure items are of legal fineness. Items being described as precious metal do not need to be hallmarked when the entire metal weight is below:

Gold 1.0g	Platinum 0.5g
Silver 7.78g	Palladium 1.0g

2. Items of a certain age.
Items manufactured pre 1950 are exempt. As a seller, ensuring that a piece of jewellery is genuinely of a particular age/era involves taking several careful steps to verify its authenticity. It is important to consider that whilst a hallmark does not need to be applied for these weight and age exemptions, the seller is still legally responsible to ensure and prove the item is of legal minimum fineness. This is to stop unscrupulous sellers selling post 1950 items or lightweight items that are "under-carated" or below the correct fineness.

It is not sufficient for jewellers to guess the weight of items, or to use unsuitable weighing equipment to determine that a product is exempt due to being underweight. Jewellers should have approved Class I or II weighing equipment bearing a stamp or sticker to show that the machine complies with the legal requirements, along with calibrated test weights for this purpose, which would also be used when weighing gold for buying and selling.

The Goldsmith's Company Assay Office can assist with verifying the age of items through the Hallmarking Authentication Committee, Hallmark Authentication Committee | The Goldsmiths' Company Assay Office , where a guide for those selling antique silver can also be found, antique-silver-and-the-law-booklet-final (1).pdf.

Other exemptions apply for certain types of items which can be found in the Hallmarking Act and Guidance Notes; Hallmarking guidance notes - GOV.UK (www.gov.uk)

Possible Infringements

Description
It is an offence to apply an incorrect description to an item or to supply or offer to supply an item described as a precious metal, such as gold, if the description is not true. The description of the item should be clear and not insinuate that it is precious metal, just because of its colour or plating.

Make sure the main alloy of the metal is in the description to avoid any confusion to the consumer.

✓ ALLOWED e.g. *"Gold plated Brass Cufflinks".*

Other terms like 'vermeil' may be used in addition but the phrase 'gold plated' and the word 'silver' must appear within the description. The term plated must appear at least as large as any other lettering in the description, to ensure customers are not misled.

✓ ALLOWED e.g. *'18ct gold plated vermeil silver ring'.*
✗ NOT ALLOWED e.g. *"22ct gold clad ring", "22ct gold vermeil ring".*
✗ NOT ALLOWED e.g. *"GOLD plated silver bracelet". (because GOLD has greater prominence)*

As another example, if a base-metal watch, containing no gold is described as a 'gold watch' in order to describe its colour, this would constitute an offence under schedule 1 of the Hallmarking Act. Rather the watch should be described, 'yellow metal watch' or 'gold toned watch.'

NAJ Code of Practice: Hallmarking

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Plating
Plated base metal items should be clearly described. Check what types of plating are allowed in the BHC Guidance Notes and Hallmarking Act as some platings are not permitted.

Fraudulent or Counterfeit Hallmarks
No marks should be applied onto an item which could be confused with a Hallmark by the consumer. A manufacturer's mark indicating their belief of what the metal type is can be applied but this is not a Hallmark e.g. a 925 or 375.

Adjusting an already hallmarked item
YOU MUST NOT alter an existing Hallmark.

YOU MUST NOT change the use of an article without a Change of Use Certificate from an Assay Office. e.g. turning a spoon into a ring, turning a sugar bowl into a milk jug, with the exception of items as stated in the BHC Guidance Notes and Hallmarking Act.

YOU MUST NOT add more than 50% of an item's original weight, or 1g of gold, 5g of silver, 0.5g of platinum or 1g palladium, whichever is the lesser amount, when carrying out a repair.

YOU MUST use metal of at least the fineness of the hallmark.

Compliance
For members who do not comply with the obligations presented in this document we will educate and give opportunities to comply before starting a transparent and fair disciplinary process.

Compliance with the Hallmarking Act 1973 is policed and enforced by Trading Standards, who have the power to seize any items that do not comply. The Hallmarking Council and Assay Offices may also enforce the Hallmarking Act. Criminal charges can be bought against those who do not comply, with a penalty on conviction of a fine of up to £5000 per article or imprisonment for up to 2 years, or both.

Further Information

- Birmingham Assay Office; Birmingham Assay Office | Hallmarking precious metals (theassayoffice.co.uk)
- Edinburgh Assay Office; Home - Edinburgh Assay Office
- Goldsmith's Company Asay Office; Goldsmiths' Company Assay Office in London | Goldsmiths Hallmarking (assayofficelondon.co.uk)
- Sheffield Assay Office; Hallmarking and Analytical Services | Sheffield Assay Office
- British Hallmarking Council Guidance Leaflet; Hallmarking-Guidance-Leaflet-BHC.pdf (naj.co.uk)
- Guidance on weighing scales; Weighing equipment for legal use | Business Companion

Buckinghamshire&Surrey trading standards

NAJ Professional Standards Definitions

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Code of Conduct

The NAJ Code of Conduct is a set of rules and standards based on honesty, integrity and professionalism that members MUST abide by. The honouring of this commitment to the Code of Conduct sets members businesses apart from others.

Code of Practice

An NAJ Code of Practice is a set of rules regarding a particular subject. Most often, these Codes of Practice are translations of existing UK law. A Code of Practice provides explanations of how to uphold the law. Members MUST follow these codes in order to remain legally compliant.

Guidance Notes

An NAJ Guidance Note is a document produced to help members better understand their obligations in various areas. Guidance Notes can be on various subjects and are not always based on a specific UK Law. Members are expected to follow these instructions as best practice, although there is no statutory requirement. Guidance notes will be considered by The NAJ Professional Technical Standards Group for elevation to a Code of Practice after a period of two years has elapsed since their publication.

Disciplinary Procedure

The NAJ Disciplinary process is a series of steps that the NAJ can take to address member behaviour that falls short of the expectations as set out in the Code of Conduct.

These documents are live documents and subject to continued review; they can all be accessed on the NAJ website here; Codes of Practice (naj.co.uk)

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NAJ Disciplinary Procedure Tree

