

CONVENTION ON THE CONTROL AND MARKING OF ARTICLES OF PRECIOUS METALS

PMC/W 1/2001 (Rev. 19)
2 Annexes
1 January 2020

COMPILATION OF ACTS OF THE STANDING COMMITTEE

Adopted by the Standing Committee
at its fifty-first meeting in Lisbon on 2 October 2001

Entered into force on 1 January 2002

Last amended by the Standing Committee on 3 November 2019*

The following is a compilation of all the acts and recommendations of the Standing Committee relating to the securing of uniform interpretation and application of the provisions of the Convention.

English version

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* With entry into force on 1 January 2020

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* Issued as a separate document (see PMC/W 3/2007 (latest revision))

Section 1: Membership

1.1 CONTRACTING STATES OF THE CONVENTION ON THE CONTROL AND MARKING OF ARTICLES OF PRECIOUS METALS

List of signatures and ratifications or accessions with respect to the Convention on the Control and Marking of Articles of Precious Metals, done at Vienna on 15 November 1972

State	Signature	Ratification/ Accession	Entry into force	Amendments	
				1988	2001
Austria	15.11.1972	12.02.1974	27.06.1975	X	X
Croatia		27.10.2017	19.03.2018	X	X
Cyprus		17.10.2006	17.01.2007	X	X
Czech Republic		02.08.1994	02.11.1994	X	X
Denmark		17.11.1987	17.01.1988	X	X
Finland	15.11.1972	09.01.1975	27.06.1975	X	X
Hungary		1.12.2005	1.03.2006	X	X
Ireland		08.08.1983	08.11.1983	X	X
Israel		01.03.2005	01.06.2005	X	X
Latvia		29.04.2004	29.07.2004	X	X
Lithuania		04.05.2004	04.08.2004	X	X
Netherlands		16.04.1999	16.07.1999	X	X
Norway	15.11.1972	01.07.1983	01.09.1983	X	X
Poland		22.08.2005	22.11.2005	X	X
Portugal	15.11.1972	06.07.1982	06.09.1982	X	X
Slovak Republic		06.02.2007	06.05.2007	X	X
Slovenia		5.12.2008	5.03.2009	X	X
Sweden	15.11.1972	27.02.1975	27.06.1975	X	X
Switzerland	15.11.1972	01.04.1974	27.06.1975	X	X
United Kingdom	15.11.1972	01.04.1976	01.06.1976	X	X

1.2 NATIONAL AUTHORISED ASSAY OFFICES DESIGNATED UNDER THE PRECIOUS METALS CONVENTION

For the exact co-ordinates of the National Authorised Assay Offices (incl. contact details), see <https://hallmarkingconvention.org/en/members>

Austria	Kompetenzzentrum Punzierungskontrolle Edelmetallkontroll-Labor VIENNA
Croatia	State Office for Metrology Division for Precious Metals Articles ZAGREB
Cyprus	Cyprus Organisation for the Hallmarking of Articles of Precious Metals ARADIPPOU
Czech Republic	Puncovní Urad PRAHA
Denmark	FORCE Technology Aedelmetalkontrollen BRONDBY
Finland	Labtium Oy ESPOO
Hungary	Department of Trade, Defence Industry, Export Control and Precious Metal Assay BUDAPEST
Ireland	Assay Office DUBLIN
Israel	Standards Institution of Israel Precious Metals Section TEL AVIV
Latvia	Assay Office of Latvia RIGA
Lithuania	Lietuvos prabavimo rūmai DRUSKININKAI
Netherlands	WaarborgHolland B.V. GOUDA
	Edelmetaal Waarborg Nederland B.V. JOURE
Norway	Justervesenet (Norwegian Metrology Service) KJELLER
Poland	Regional Assay Office in Warsaw and branches:
	- Assay Office of Białystok
	- Assay Office of Bydgoszcz
	- Assay Office of Gdańsk
	- Assay Office of Łódź

Poland (cont'd)	Regional Assay Office in Krakow and branches:
	- Assay Office of Chorzów
	- Assay Office of Częstochowa
	- Assay Office of Poznań
Portugal	- Assay Office of Wrocław
	Imprensa Nacional - Casa da Moeda, S.A. Unidade das Contrastarias Contrastaria de LISBOA
	Imprensa Nacional - Casa da Moeda, S.A. Unidade das Contrastarias Contrastaria do PORTO
Slovak Republic	Puncovy urad Slovenskej Republiky BRATISLAVA
	Puncovy urad Slovenskej Republiky TRENCIN
	Puncovy urad Slovenskej Republiky KOSICE
	Puncovy urad Slovenskej Republiky LEVICE
Slovenia	Urad Republike Slovenije za meroslovje LJUBLJANA
	Urad Republike Slovenije za meroslovje CELJE
Sweden	RISE Research Institutes of Sweden BORÅS
Switzerland	Eidgenössische Zollverwaltung Zentralamt für Edelmetallkontrolle BRÜGG
	- Edelmetallkontrolle Biel
	- Bureau cantonal du contrôle des ouvrages en métaux précieux, La Chaux-de-Fonds
	- Controllo dei metalli preziosi, Chiasso
	- Contrôle fédéral des métaux précieux, Genève
	- Contrôle fédéral des métaux précieux, Le Noirmont
	- Edelmetallkontrolle, Zürich
United Kingdom	Assay Office London
	Sheffield Assay Office
	Birmingham Assay Office
	Edinburgh Assay Office

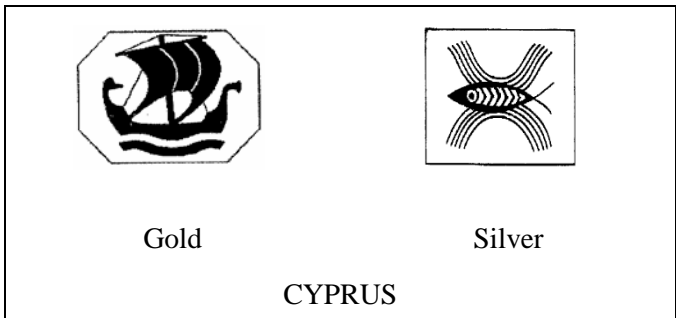
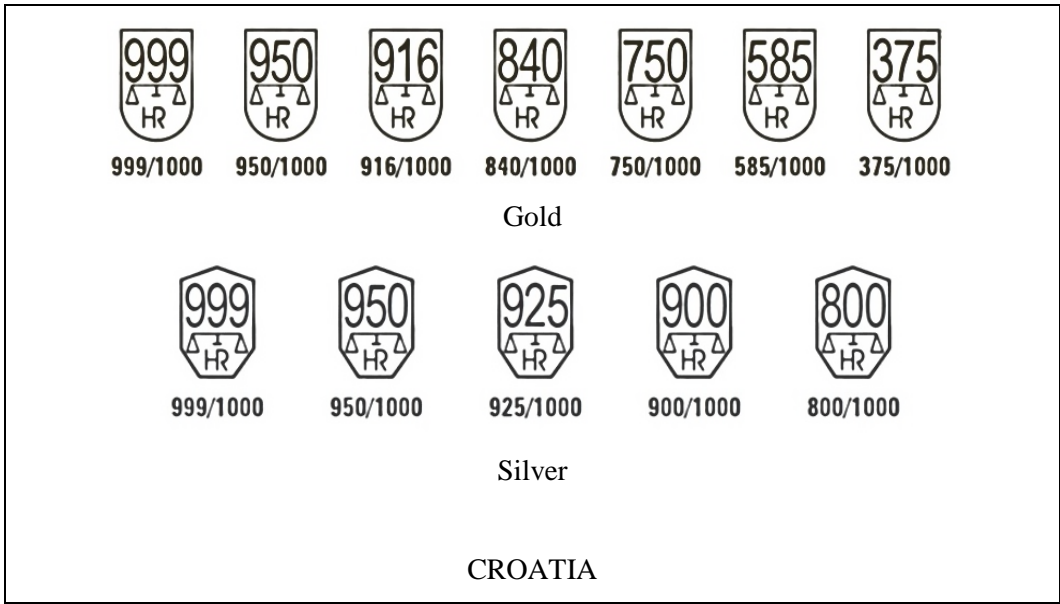
1.3 NATIONAL ADMINISTRATIONS

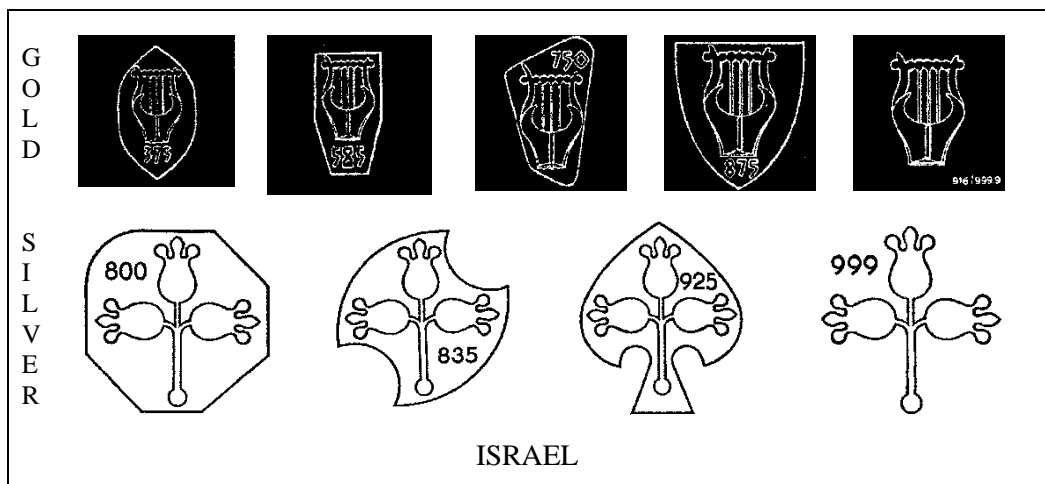
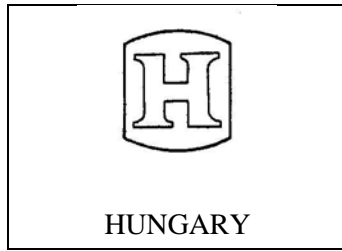
For the exact co-ordinates of the National Administrations (incl. contact details), see <https://hallmarkingconvention.org/en/members> or on the list of Members of the SC.

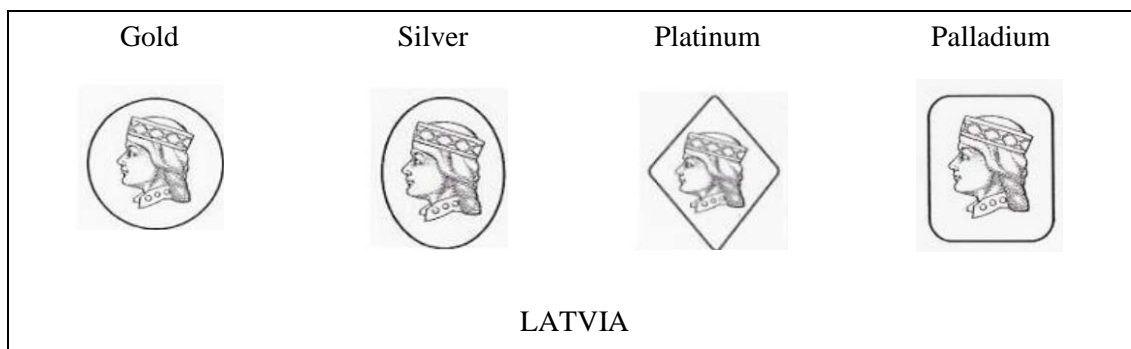
Austria	Bundesministerium für Finanzen VIENNA
Croatia	State Office for Metrology ZAGREB
Cyprus	Ministry of Energy, Commerce, Industry & Tourism NICOSIA
Czech Republic	Ministry of Industry and Trade PRAGUE
Denmark	Danish Safety Technology Authority Ministry of Business ESBJERG
Finland	Ministry of Economic Affairs and Employment HELSINKI
	Finnish Safety and Chemicals Agency (Tukes) HELSINKI
Hungary	Ministry for Innovation and Technology BUDAPEST
Ireland	Department of Jobs, Enterprise and Innovation DUBLIN
Israel	Ministry of Economy and Industry RAMAT GAN
Latvia	Ministry of Finance RIGA
Lithuania	Ministry of Finance VILNIUS
Netherlands	Ministry of Economic Affairs and Climate Policy THE HAGUE
Norway	Ministry of Trade, Industry and Fisheries OSLO
Poland	Ministry of Entrepreneurship and Technology WARSAW
Portugal	Ministry of Finance LISBON
Slovak Republic	Ministry of Economy BRATISLAVA

Slovenia	Ministry of Economic Development and Technology Metrology Institute of Republic of Slovenia LJUBLJANA
Sweden	Ministry of Enterprise and Innovation STOCKHOLM
	SWEDAC (Swedish Board for Accreditation and Conformity Assessment) BORÅS
Switzerland	State Secretariat for Economic Affairs (SECO) BERN
United Kingdom	Department of Business, Innovation and Industrial Strategy TEDDINGTON

1.4 ASSAY OFFICE MARKS

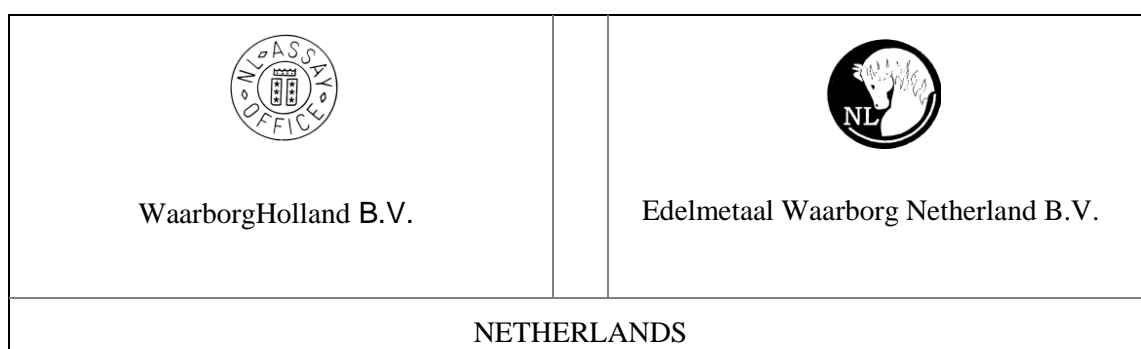






Letter in the left upper corner:

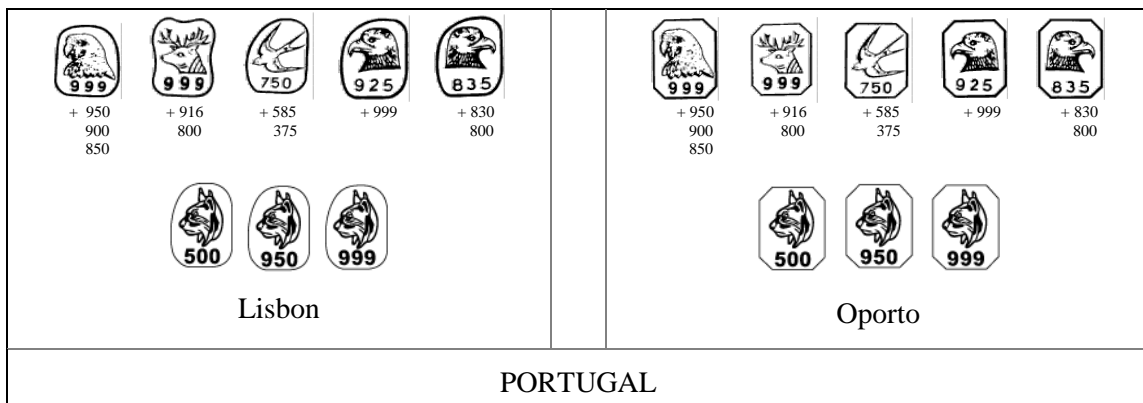
D	Druskininkai, central office	L	Klaipėda branch
K	Kaunas branch	S	Šiauliai branch
V	Vilnius branch		





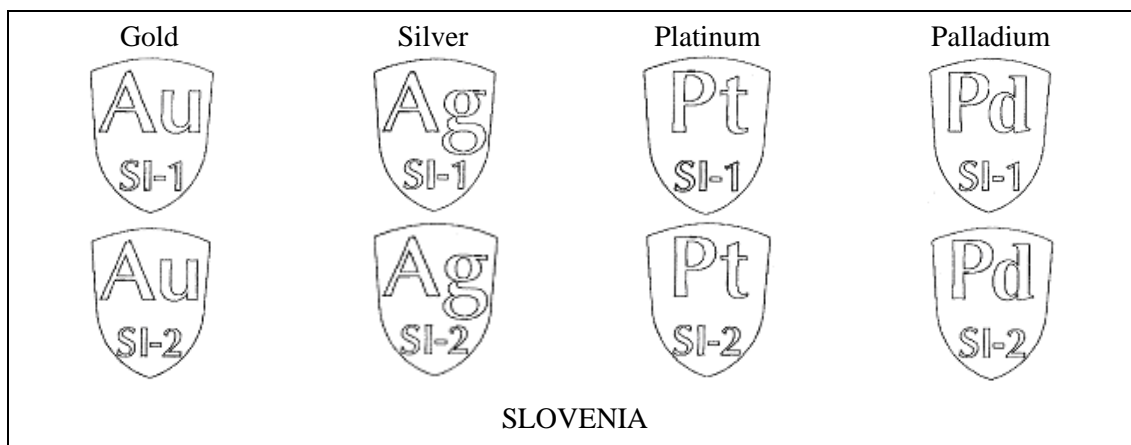
X = letter which identifies the local Assay Office:

K	Regional Assay Office in Krakow	W	Regional Assay Office in Warsaw
H	Assay Office in Chorzów	A	Assay Office in Białymstok
Z	Assay Office in Częstochowa	B	Assay Office in Bydgoszcz
P	Assay Office in Poznań	G	Assay Office in Gdańsk
V	Assay Office in Wrocław	Ł	Assay Office in Łódź

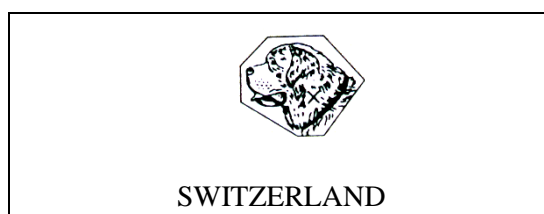
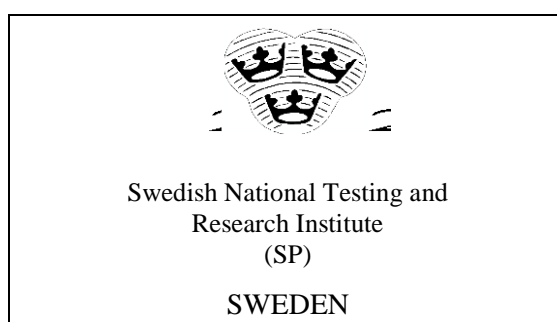


Letter X will be replaced by the Assay Office's branch identification letter:

B	Bratislava	L	Levice
K	Kosice	T	Trencin



The symbol SI-1 identifies the Assay Office in Ljubljana
The symbol SI-2 identifies the branch office in Celje



The cross (X) in the St. Bernhard's dog stands for any of the following symbols identifying a Swiss Assay Office branch:

B	Biel	C	La Chaux-de-Fonds
☆	Basle	J	Le Noirmont
T	Chiasso	Z	Zurich
G	Geneva		



Section 2: Accession to the Convention

2.1 GUIDELINES FOR ACCESSION TO THE CONVENTION

Introduction

1. The Convention on the Control and Marking of Articles of Precious Metals (the Precious Metals Convention) is an agreement between Contracting States. It is not an agreement between Assay Offices.
2. A State, which intends to become a party to the Convention, is presumed to have taken all necessary arrangements to effectively apply the requirements of the Convention as from its accession.
3. Formal requests for accession must be made by the intending Contracting States to the Depositary. This is usually done via the Secretariat. However, an Assay Office, which is interested in obtaining the accession procedure details, can also obtain them directly from the Secretariat.
4. Any State or interested party of this State, fulfilling the requirements of Article 12 of the Convention, is entitled to attend meetings of the Standing Committee, subject to the payment of a fee, as defined in the Financial Regulations.
5. To acquire the status of “Applicant State”, the concerned State has to express its interest to accede to the Convention (through a letter of intention) and fill in the questionnaire mentioned in paragraph 6 below.

Accession procedure

6. The Secretariat shall provide an interested country with the standard application form and questionnaire (see Section 2.2) which is also available on the Convention’s web site and all appropriate information (i.e. copy of the Convention and Accession Procedure). It shall inform the Standing Committee of the country’s interest.
7. The interested State shall return the fill-in questionnaire and all supporting documents to the Secretariat together with a letter of intent (see model letter at Section 2.3). Any State having fulfilled this condition shall have the status of an “Applicant State”. It shall attend meetings of the Standing Committee (no voting right) and pay the annual applicant fee, as defined in the Financial Regulations. Non-compliance may lead to the suspension of the status by the Standing Committee.
8. Applicant States should normally be represented by a representative of the Assay Office and a Government representative.

9. The completed application form and questionnaire as well as any supporting document shall be made available to the Standing Committee.
10. Applicant States may request the assistance from Contracting States in preparation for their accession. The Assay Office(s) of Applicant States shall take part in Round Robin (RR, see paragraph 14 below).
11. The Standing Committee shall appoint an Inspection Team which will visit the Applicant State's facilities to (i) clarify its capability of conforming with the Convention's requirements and (ii) to confirm the validity of the accession arrangements. Such a visit may focus inter alia on:
 - Legislation and regulation against falsification of marks for precious metals items;
 - Organisation, responsibilities and status;
 - Methods of sampling, assaying and marking batches of articles of precious metals;
 - Analytical methods;
 - Keeping of analytical records for hallmarked goods;
 - Security system for the marking and storing of punches;
 - Staff training programme;
 - Possible interlaboratory tests or other assessments of the Assay Office(s);
 - Date of implementation of accession arrangements.
12. The visit shall normally not take longer than two days. The programme for the visit shall be prepared by the Applicant State in co-operation with the Secretariat and the Inspection Team.
13. The full cost or a participation of such visits by at most three members of a Standing Committee delegation can be requested from the Applicant State, as the case may be.
14. In the event that (i) the Applicant State has not participated in previous RR or that (ii) the Inspection Team finds the results of previous RR participation inconclusive, the latter may take samples during the visit which shall be analysed by the Applicant State in line with the relevant SOP (see Section 2.5).
15. Accreditation of an Assay Office to EN or ISO standards will be accepted as an ability to prove conformance. The certificate(s) shall be provided during the visit.
16. The Inspection Team shall submit a report on the visit to the Standing Committee.
17. The Standing Committee shall examine whether the arrangements of the Applicant State comply with the conditions of the Convention and its Annexes and make a recommendation in that respect for consideration by the Contracting States.

18. The recommendation shall be sent by the Depositary to the Contracting States asking them at the same time whether they agree that the Applicant State be invited to accede to the Convention.
19. Upon receipt of the agreement given by all Contracting States, the Depositary shall forward the invitation to the Applicant State.

2.2 APPLICATION FORM AND QUESTIONNAIRE

Please provide a complete dossier which supply the information requested with reference to the appropriate questions! All questions must be completed by countries wishing to accede to the Convention.

For a clear understanding of the questions and the terms used, please refer to the Glossary (section 2.4).

Return Application form & Questionnaire to:

Secretariat of the Precious Metals Convention
c/o PIC/S
Rue du Roveray 14
CH-1207 Geneva
E-mail: daniel.brunner@picscheme.org

1.	Applicant State (<i>official name of the country</i>)
1.1	Authority which applies on behalf of the State (<i>name</i>)
1.2	Address
1.3	Contact person (<i>name and title</i>)
1.4	Phone
1.5	Fax
1.6	E-mail
1.7	Web site
1.8	Date & Signature
2.	General
2.1	Supply a complete English translation of your national hallmarking legislation including reference and date of entry into force
2.2	Which ministry is responsible for hallmarking?
2.3	How many articles of precious metals did you hallmark in the last calendar year? How many did you reject?

3.	Organisation
3.1	Assay Office(s)
3.1.1	Is the control and marking of precious metals carried out by Assay Offices?
3.1.2	Is there a hierarchy among the offices (e.g. main office, regional offices, sub-office)? Please provide an organisation chart.
3.1.3	Attach a list of offices with addresses
3.2	Laboratory
3.2.1	Is your laboratory accredited? Please state the standards (e.g. ISO 17025).
3.2.2	If so, please indicate for which methods of analysis (scope).
3.2.3	Does your laboratory participate in interlaboratory testing?
3.2.4	If so, what kind of interlaboratory testing (internal, on national or on international level?) Please provide results obtained during Round Robins during the last two calendar years (compared to the average result) as well as your z-scores.
3.2.5	Apart of laboratory accreditation, are your Assay Offices accredited for further tasks (e.g. inspection)?
4.	Legislation
4.1	Do you comply with all parts of Annexes I and II to the Convention? If not, list the paragraphs you do not comply with.
4.2	To what kind of articles does your legislation not apply?
4.3	Which standards of fineness are recognised in your legislation?
4.3.1	For platinum?
4.3.2	For gold?
4.3.3	For palladium?
4.3.4	For silver?
4.4	What coatings are permitted for articles of precious metals? (precious metals? including rhodium? other coatings like enamel?)

5.	Hallmarks
5.1	Are your hallmarks protected by law (e.g. criminal law) against forgery and misuse? What are the sanctions? If so, please provide an English translation of the relevant articles.
5.2	What system (e.g. market surveillance) do you have in place to ensure the protection of hallmarks?
5.3	Do you have more than one hallmark? Please attach a copy of all the marks used by the Assay Offices in your country.
5.4	What security measures do you have for keeping your hallmarks safe:
5.4.1	- for punches ?
5.4.2	- for laser software?
5.5	Do you already recognise the CCM? If not, will you change your legislation to recognise (and protect) the CCM when joining the Convention?
5.6	Do you recognise foreign hallmarks (based on a bilateral or multilateral convention) and if so, which ones?

6.	Accession Arrangements
6.1	How will you ratify the Convention? By government decree? By parliamentary ratification (i.e. by law)?
6.2	What steps have you already undertaken to ensure the ratification? (e.g. support of other Ministries)

7.	Facilities for the Inspection Team
7.1	The full cost (or participation) to the 2-day visit by the Inspecting Team can be requested from the Applicant State. What facilities can you extend to the Members of the Inspection Team?

2.3 EXAMPLE OF A LETTER OF INTENT FOR A COUNTRY INTERESTED TO JOIN THE CONVENTION

[Responsible Ministry]

Secretariat of the Precious
Metals Convention
c/o PIC/S
Rue du Roveray 14
CH-1207 Geneva

[place, date]

Convention on the Control and Marking of Articles of Precious Metals

Dear Sirs,

I have the honour of informing you that *[name of Ministry]*

- herewith expresses the willingness of *[name of State]* to accede the Convention on the Control and Marking of Articles of Precious Metals and apply its provisions as from the date of its entry into force;
- confirms that all the arrangements have been or will be taken in order to fulfil all the obligations deriving from the accession to the Convention, and
- will undertake to contribute to the effective operation of the Convention by means of constructive co-operation with the other Members of the Standing Committee.

The duly filled-in application form and questionnaire is attached *[or: will be sent in due time]*. The name and address of the Authorised Assay Office(s) according to Article 5 of the Convention is the following:

*[Assay Office
Address
Telephone:
Fax:
E-Mail:]*

[Signature]

2.4 GLOSSARY

The Glossary contains (i) terms, which appear in the Convention's Annexes, Technical Decision or Compilation of Acts, (ii) commonly used terms in the field of precious metals.

ACCURACY	See "measurement accuracy"
ALLOY	See "precious metal alloy"
ANALYSIS	Determination of the constituent elements of an alloy (The testing of a substance or mixture to determine the amounts and proportions of its chemical constituents)
ASSAY	Analysis of a precious metal alloy by a destructive or non destructive method
ASSAY OFFICE	Official control body which assays and usually marks articles of precious metals. An Assay Office must be independent to ensure third-party control.
ASSAY OFFICE (AUTHORISED)	An official control body, which has been appointed by a State party to the Precious Metals Convention in line with Article 5 (1).
ASSAY OFFICE MARK	Control mark which identifies the Assay Office which undertook the control and which is unique to the Assay Office. The control mark can be a combined control and fineness mark.
ASSAYER	Person qualified by education, training and experience to carry out an assay.
BASE METAL	All metals except platinum, gold, palladium, and silver (Article 1.7 of Annex I to the Convention)
BRANCH OFFICE	A part of an Assay Office which is separate from the main office / headquarters. Normally, a branch office has permanent staff and a distinct Assay Office mark. The assaying (e.g. chemical) may be performed at the main office. See also "Sub-Office".
CALIBRATION	<p>(i) "The process of determining the performance parameters of an artefact, instrument, or system by comparing it with measurement standards. Adjustment may be a part of a calibration, but not necessarily. A calibration assures that a device or system will produce results which meet or exceed some defined criteria with a specified degree of confidence." (McGraw-Hill Encyclopaedia of Science and Technology)</p> <p>(ii) "A set of operations which, under specified conditions, determines relations between quantitative values indicated by a measuring system (or tested instrument) and corresponding values represented by standards" (T. Juška & Czech Wikipedia)</p> <p>(iii) "Operation that, under specified conditions, in a first step, establishes a relation between the quantity values with measurement uncertainties provided by measurement standards and corresponding indications with associated measurement</p>

	uncertainties and, in a second step, uses this information to establish a relation for obtaining a measurement result from an indication.” (BIPM ¹)
CHIEF ASSAYER	A laboratory manager with appropriate qualification and/or professional experience, who is in charge of running the laboratory, managing and supervising assaying activities including the interpretation of laboratory results.
COATING	1) The process of putting a visible or invisible covering layer over an inner core 2) The name for a visible or invisible covering layer over an inner core
COMMON CONTROL MARK (CCM)	An official control mark, as described in Annex II of the Convention, which is applied by an authorised assay office; which certifies that a precious metal article has been assayed and marked in line with the Convention’s requirements; and which indicates (i) that the alloy meets the mini-mum standard of fineness and (ii) the type of metal.
CONTROL	Order and regulate the system. (A system for ensuring the maintenance of proper standards in manufactured goods, especially by periodic random inspection of the product)
CONTROL MARK	A mark which shows / guarantees that an article of precious metal has been verified by an independent, third party (see also “Hallmark”).
DEPARTMENT	Specialised division (operational or functional) within an organisation / government.
DEPOSITARY	The Government which is designated under an international treaty and which is entrusted with archiving the said treaty and all ratification instruments
DEROGATION	1) Non-application of a rule in a specific case 2) Partial suspension of a legal act
ELECTROFORMED ARTICLE	An article built up in layers on a moulded form by electrolytic deposition of the metal. (In line with the Convention’s requirements, an electroformed article must be hollow.)
EXEMPTION	The act or state of not being covered (e.g. by a regulation) / of being outside the scope (e.g. of the Convention)
FILLED ARTICLE	An article filled with a non metallic substance (e.g. wax) to make it stronger and give it stability.
FINENESS	The content of the named precious metals measured in terms of parts per thousand by weight of alloy (Article 1.4 of Annex I to the Convention)
FINENESS MARK	A distinctive symbol which indicates the (minimum) purity of a precious metal article (normally in Arabic numerals or in carats)

¹ International Bureau of Weights and Measures

FINENESS MARK (CONVENTION)	A distinctive figure in Arabic numerals which indicates the minimum fineness (for “fineness”, see above)
GUARANTEE MARK	See “Hallmark”
HALLMARK ²	An <u>official</u> control mark (or combination of marks), applied by a State-appointed, independent assay office. See also “Control Mark”.
HALLMARKING	The process (i) to assess the conformity of precious metal article and (ii) to certify that it is in compliance with national requirements, which is confirmed by applying a control / guarantee mark.
HALLMARKING / MARKING DEPARTMENT	The unit / division within an Assay Office, which is responsible for applying control marks on precious metals articles
HALLMARKING SYSTEM	A set of legal prescriptions in a country, which provide for the control / verification of precious metals articles by an independent, third party. The control can be either compulsory (all articles are controlled) or voluntary (only articles presented to the Assay Office are controlled). There are also some hybrid systems (e.g. only gold articles or only watch cases are subject to compulsory control while other precious metals articles are only checked on a voluntary basis). See also “Marking System”.
INDEPENDENT	Free from the influence, control or authority of any other party (see also ISO 17020 for the definition of an independent inspection body)
INSPECTION	Examination of a product design, product, service, process or plant, and determination of their conformity with specific requirements or, on the basis of professional judgement, general requirements (ISO 17020)
INSPECTION BODY	Body which performs an inspection (ISO 17020)
ISO STANDARD	A standard issued by the International Standards Organisation which is internationally recognised (see also definition of “standard”) ³ .
LABORATORY (FOR PRECIOUS METALS)	The unit / division within an Assay Office, which is responsible for testing and analysis of precious metals articles, either by destructive or non-destructive methods.
LABORATORY MANAGER	See Chief Assayer
LASER MARK	A mark(s) applied by a laser rather than by a punch, engraving or casting

² In French: “poinçon de garantie”; in German: “Amtliche Prüfung und Stempfelung”.

³ For Assay Offices, the most common ISO standards are ISO 17020 (inspection), ISO 17025 (analytical testing) and ISO 9001 (quality management).

LOT	A collection of units of product from which a sample shall be drawn and inspected to determine conformance with the acceptable criteria, and which may differ from a collection of units designated as a lot for other purposes (for example production, shipment, etc.) (ISO 2859-1)
MANUFACTURERS	Person or organisation which produces or assembles a product for sale.
MARK	A distinctive feature, sign or character providing information on the article (e.g. maker, fineness, precious metal type, etc.), often applied by the manufacturer on the article.
MARKER	Person qualified by training and experience to apply marks and hallmarks.
MARKING	The action of applying a mark on a precious metals article
MARKING DEPARTMENT	See Hallmarking Department
MARKING SYSTEM	A set of legal prescriptions in a country, according to which precious metals articles must be marked with at least the fineness mark and the responsibility mark. See also “Hallmarking System”
MARKET SURVEILLANCE	The action which is carried out by public authorities in order to check whether a product on the market (or to be marketed) is in conformity with the relevant regulations and requirements.
MEASUREMENT	Process of experimentally obtaining one or more quantity values that can reasonably be attributed to a quantity (BIPM)
MEASUREMENT ACCURACY	(i) “Closeness of agreement between a measured quantity value and a true quantity value of a measurand” (BIPM) (ii) “Approximation of a measured value and a true value of a measurand” (Guide ISO/IEC 99:2007)
MEASUREMENT REPEATABILITY	“Measurement precision under a set of repeatability conditions of measurement” (BIPM)
MEASUREMENT REPRODUCIBILITY	“Measurement precision under reproducibility conditions of measurement” (BIPM)
MEASUREMENT UNCERTAINTY	“Non-negative parameter characterizing the dispersion of the quantity values being attributed to a measurand, based on the information used” (BIPM)
METHOD ROBUSTNESS	The capacity of a method to withstand varying and disturbing conditions (see also “Robust Method”).
METHOD OF ANALYSIS	A procedure which is used in order to determine the content of a material. The method can be destructive or non-destructive.
MIXED PRECIOUS METAL	An article made of a combination of two or more precious metals, platinum, gold, palladium and silver.
MULTIMETAL ARTICLE	An article made of a combination of a precious metal of a legal fineness and non-precious metals (for a more detailed definition, see Article 1.8 of “Technical Decisions regarding Annex I”)

NEGATIVE TOLERANCE	A legally defined amount or percentage by which the fineness of a precious metal can be below the stated title and still be hallmarked.
OFFICE MARK	See Assay Office mark
OFF-SITE MARKING	The authorised assaying and hallmarking of precious metals articles in a sub-office located on a manufacturer / supplier's site within the national boundaries.
OFF-SHORE MARKING	The assaying and hallmarking of precious metals articles in a sub-office located on a manufacturer / supplier's site outside the national boundaries (off-shore marking is not permitted under the Convention).
PLATING	The coating of precious metals articles (plating is synonymous to coating)
PRECIOUS METAL	Platinum, gold, palladium and silver. Platinum is the most precious metal followed by gold, palladium and silver (Article 1.1. of Annex I to the Convention)
PRECIOUS METAL ALLOY	A precious metal alloy is a solid solution containing at least one precious metal (Article 1.2 of Annex I to the Convention)
PRECIOUS METAL OPERATOR	Individual or company involved in commercial activities of precious metals
PROFICIENCY TESTING	(i) An exercise in which a laboratory is subject to a blind evaluation aiming at verifying the level of knowledge and expertise in a particular field. See also "Round Robin". (ii) "Evaluation of participant performance against pre-established criteria by means of interlaboratory comparisons" (ISO/IEC 17043:2010)
PUNCH	A stamping tool/die used for applying a mark.
PURITY	See fineness
QUALITY SYSTEM	"The sum of all that is necessary to implement an organisation's quality policy and meet quality objectives. It includes organisation structure, responsibilities, procedures, systems, processes and resources. Typically these features will be addressed in different kinds of documents as the quality manual and documented procedures, modus operandi etc." (PIC/S ⁴ PI 002)
REFERENCE MATERIAL	"Material, sufficiently homogeneous and stable with reference to specified properties, which has been established to be fit for its intended use in measurement or in examination of nominal properties" (BIPM)

⁴ Pharmaceutical Inspection Co-operation Scheme

REFERENCE MATERIAL (CERTIFIED)	“Reference material, accompanied by documentation issued by an authoritative body and providing one or more specified property values with associated uncertainties and traceabilities, using valid procedures” (BIPM)
ROBUST METHOD	A procedure which is capable of producing reliable results under varying and perturbing conditions (see also “Method Robustness)
RESPONSIBILITY MARK	Under the Convention: a registered symbol which identifies the responsible precious metal operator (e.g. manufacturer or importer) that has produced or submitted the article to the Assay Office.
ROUND ROBIN	Sequential or simultaneous interlaboratory proficiency testing scheme on precious metals, during which pieces of homogeneous material are submitted to laboratories for testing (see also “Proficiency Testing”)
SAMPLER	Person qualified by training and experience to take samples for assaying.
SAMPLING	The process or technique of obtaining one or more representative samples.
SCREENING	The inspection process of a lot which may consist of one or more of the following operations: e.g. visual inspection, preliminary test, magnetic test, touchstone testing, XRF-examination for homogeneity of lot, testing of scrapings combined from several articles, identification of coating, identification of alloy type.
SOLDER	A metal alloy used (in the molten state) for joining metals together
SPONSOR	The term used in Ireland and the UK for the responsible precious metal operator.
SPONSOR MARK	The mark identifying the sponsor. Equivalent to “responsibility mark”.
STANDARD	“A published specification that establishes a common language, and contains a technical specification or other precise criteria and is designed to be used consistently, as a rule, a guideline, or a definition” (BSI ⁵). See also “ISO Standard”.
STANDARD OF FINENESS	The minimum content of the named precious metals measured in terms of parts per thousand by weight of alloy (Article 1.5 of Annex I to the Convention)
SUB-OFFICE	A satellite office of an Assay Office, located on the premises of a manufacturer / supplier. See also “Branch Office”.
TOUCH ACID	An acid used to give a good early indication of fineness as part of the screening process.
TOUCH ACID TESTING	A testing process using specific acids which when applied to some precious metals gives a good early indication of fineness as part of the screening process

⁵ British Standards Institute

TOUCHSTONE	A special stone which when used with precious metals and acids gives a good early indication of fineness as part of the screening process.
TOUCHSTONE TESTING	A process using a special stone which when used with precious metals and acids gives a good early indication of fineness as part of the screening process.
TRADE	(i) Persons and organisations which derive income from the precious metal industry. (ii) Commercial transaction; the action of buying and selling precious metals articles.
VALIDATED METHOD	A procedure which was systematically verified and documented for its performance and robustness within a defined scope
VALIDATION	(i) A systematic process determining the degree of conformity of a method (ii) “Verification, where the specified requirements are adequate for an intended use” (BIPM)
VERIFICATION	“Provision of objective evidence that a given item fulfils specified requirements” (BIPM)
X-RAY FLUORESCENCE SPECTROSCOPY (XRF)	A spectroscopic method commonly used for the non-destructive testing of precious metals.

2.5 SOP FOR ANALYTICAL SAMPLES DURING A CONVENTION AUDIT

(as foreseen in paragraph 15 of the Accession Guidelines)

1. The samples shall be selected from available samples of previous Round Robins and tested by the audited laboratory (laboratories) in line with Round Robin Guidelines (see PMC/W 3/2007 – latest revision) unless stated otherwise in this SOP.
2. The audited laboratory (laboratories) shall analyse the item by a standard test method mentioned in the Compilation of Technical Decisions (PMC/W 2/2001 – latest revision).
3. Only alloys of precious metals, which are legal in the country and which are assayed by the audited laboratory (laboratories) (see annual statistics), shall be tested.
4. The results of the analyses shall be reported to the Secretary of the Convention (i) during the Convention's audit for XRF analyses; (ii) latest 5 working days after the audit for chemical analyses.
5. The results shall be communicated on the standard result form, annexed to the RR Guidelines.
6. The results shall be analysed by the Inspection Team, which shall calculate the z-score based on the statistical parameters of the relevant RR compilation. If the latter is unsatisfactory (see box below), the audited laboratory (laboratories) shall conduct a cause analysis in line with the RR Guidelines. Based on the cause analysis, the Inspection Team shall make a recommendation to the Standing Committee.

$ z \leq 2 = \text{satisfactory}$ $2 < z < 3 = \text{questionable}$ $ z \geq 3 = \text{unsatisfactory}$

7. If there are several independent laboratories in an Acceding State and one of them has not successfully demonstrated its competence in line with the present SOP and the RR Guidelines, the Acceding State – if invited to accede to the Convention – shall refrain from notifying the latter as “authorised Assay Office” in line with Article 5 of the Convention.

2.6 GUIDELINES FOR THE ASSESSMENT REQUIREMENTS OF AUTHORISED, INDEPENDENT ASSAY OFFICES

Introduction

1. The present Guidelines have been drafted in order to assist the Inspection Team, when visiting an Applicant State, to assess whether an Assay Office (to be authorised) is “independent” in line with the Convention’s requirements. The Convention based on the principle of “independent, third-party control” but the requirements are not defined except for the Assay Office staff and management, as recently introduced in Article 5 (3) of the Convention by the 2001 Amendment.
2. The Guidelines may also be useful to States wishing to accede to the Convention, which – due to historical or cultural reasons – may have a different understanding on “independent, third-party control”, as commonly understood by the current Contracting States to the Convention.
3. The Guidelines only apply to Assay Offices, which are in charge of controlling and marking articles of precious metals (as provided for in Annex II of the Convention) and which have been (or will be) authorised, i.e. appointed by State or a State representative body e.g. Parliament, Government, Minister, etc. on the basis of Art. 5 (1) of the Convention, and notified to all Contracting States by the Depositary.
4. The main sources on which these Guidelines are based are:
 - The Convention on the Control and Marking of Articles of Precious Metals
 - ISO 17025: 2005 “General requirements for the competence of testing and calibration laboratories”
 - ISO 17020:2004 “General Criteria for the operation of various types of bodies performing inspection”
 - EA IAF/ILAC Guidance on the Application of ISO/IEC 17020
5. In particular relevant for the Guidelines is the type of inspection body (i.e. type A, B or C) as defined in ISO 17020:2004 “General Criteria for the operation of various types of bodies performing inspection”. Contracting States have all agreed that authorised Assay Offices should comply with the requirements of a Type A of inspection body, as defined in ISO 17020 (see box on next page).

A.1 The inspection body shall be independent of the parties involved. The inspection body and its staff responsible for carrying out the inspection shall not be the designer, manufacturer, supplier, installer, purchaser, owner, user or maintainer of the items which they inspect, nor the authorised representative of any of these parties.

A.2 The inspection body and its staff shall not engage in any activities that may conflict with their independence of judgement and integrity in relation to their inspection activities. In particular, they shall not become directly involved in the design, manufacture, supply, installation, use or maintenance of the items inspected, or similar competitive items.

A.3 All interested parties shall have access to the services of the inspection body. There shall not be undue financial or other conditions. The procedures under which the body operates shall be administered in a non-discriminatory manner.

6. Assay Offices of Type B and C of an Acceding State will have to be duly assessed by the Inspection Team before being accepted as “authorised Assay Office” under the Convention.
7. The present Guidelines look at the various aspects covering the independence of Assay Offices starting with the independence of management and staff, good governance, quality management, etc. All these aspects, taken together, are essential to the independence of authorised Assay Offices as well as their reputation.

Independence (of management & staff)

8. The AO (or its staff) should neither be manufacturing, selling or supplying precious metals articles nor be engaged in any activities that may conflict with its independence of judgement and integrity. For example, the AO (or its staff) should not sell precious metals articles.
9. The AO should have documented procedures to ensure that the AO staff members are free from commercial, financial or other pressures which might affect their judgement. For more details, see “Personnel” below.
10. If the AO is linked to a party directly involved in precious metals business by (i) common ownership, (ii) common ownership appointees on the board, (iii) directly reporting to the management of another party, (iv) contractual or informal arrangements, neither the owner nor any stakeholder should have the ability to influence assaying & marking activities. In addition, the AO and the organisation directly involved in precious metals business, to which the AO belongs, should have separate legal identities. If this is not the case, the Chief Executive of the legal entity of which the AO is a part should define and document a policy in order to maintain the AO independent.
11. There should not be any undue financial or other conditions to access to the AO’s services. All (registered) precious metals operators should have access to the services

of the AO. Fees or subsidies are not considered as “undue” but may influence AO activities. In the latter case, fees or subsidies should not improperly influence AO activities.

Management / Good governance

12. The AO should operate independently and not outsource its activities due to a lack of resources or equipment. It should thus have the necessary resources and equipment to enable it to carry out its obligations effectively and efficiently. An AO, which is not delivering, may have its independence questioned by the State or precious metals operators. A good indicator to measure the efficiency of an AO is the time required to have articles assayed and marked. The average delivery time in the Convention – under normal circumstances – is between 2 and 3 days. A reasonable time limit is a working week.
13. The management should be competent to run the AO: it should be familiar with precious metals control and have the appropriate management skills. If the AO is part of another organisation, the Assay Master and/or Head of Laboratory should normally report directly to the CEO. If this is not the case, then they should not report to someone who may be, directly or indirectly, involved in precious metals business.
14. The AO should have its own budget and be able to manage it as it wishes. If the AO is part of another organisation, then the AO should have no difficulties in getting the necessary financial authorisation to e.g. replace critical equipment, which has broken down. See also under “Equipment”.

Personnel

15. The AO should have sufficient qualified staff available. An AO, which does not have qualified staff, will have to rely on e.g. external consultants to perform its duties. While consultancy may be acceptable during a transitional period or for a very small AO, which cannot afford e.g. a full-time laboratory manager, long-term outsourcing may have as an unwanted consequence that the State and/or precious metals operators request that all AO activities be outsourced as a matter of principle, thus putting the existence of the independent AO at stake.
16. Staff should be technically competent, have the necessary education and receive the necessary training. Records of staff training should be maintained.
17. Staff’s professionally integrity should be ensured; there should be clearly defined rules for deontology, ethics, confidentiality, conflict of interest and improper influence. Employees should be required to declare their compliance with rules on conflict of interest and be bound by professional secrecy.

Premises & Equipment

18. The AO should have the necessary means and equipment available (for the link between the independence of AO and equipment, see paragraph 12 above). The equipment should be sufficient and adequate. The equipment should be working, i.e. it should be operational, correctly maintained and – when relevant / necessary – calibrated.
19. Environmental conditions, in and around the AO, should not influence assaying results of precious metals articles. If they do, the necessary precautions or remedies should be taken in order that the reputation of the AO is not tarnished and its independence put into question.
20. Procedures should be in place to ensure that equipment, which is not working well or not at all, is replaced or repaired within reasonable time. There should be a recovery or contingency plan for critical equipment. If the AO is part of another organisation, the latter should not be able to postpone or reject the request to repair or replace critical equipment.

Quality Management / System, Working Procedures & Records

21. The AO should be able to prove conformance to relevant ISO standards and follow them. This is the best way to ensure its independence as well as its professional reputation. As a result, the AO may wish to be accredited to relevant ISO standards (NB: the issue of whether accreditation should be a requirement under the Convention is currently under discussion; for the time being, accreditation is not required).
22. The AO's quality system should ideally be based on a recognised international standard. The quality system should be implemented and followed. There should be a documentation system in place and the quality system should be reviewed and audited. Complaints of precious metals operators or consumers should be recorded and duly investigated. The necessary corrective action should be taken and the outcome of the investigation communicated back. There should be documented instructions or procedures on the use and operation of equipment. Records should be maintained / archived.

Security

23. Security is essential to the independence of AO and the reputation of the Convention's Common Control Mark (CCM), which stands for the independent, third-party control of precious metals articles in line with the Convention's requirements. Security is particularly critical when the AO is off-site marking.
24. There should be instructions (i) for the manufacturing and secure custody of the tools for producing the CCM; (ii) for the safe storage of CCM punches in use; and (iii) for the safe storage of CCM punches not in use. CCM punches should be subject to constant monitoring in the premises.

2.7 GUIDELINES FOR THE ASSESSMENT REQUIREMENTS OF A TESTING LABORATORY

1.1 Management Organisation

The laboratory shall be competent to perform the tests concerned.

1.2 Personnel

The test laboratory shall have sufficient personnel with the necessary education, training and technical knowledge. Records of the training should be maintained.

1.3 Premises and equipment

1.3.1 The test laboratory shall have all the correct equipment to perform the tests.

1.3.2 The environment in which the tests are performed shall not invalidate the test results. Good housekeeping shall apply throughout the testing laboratory.

1.3.3 Equipment

All equipment shall be correctly maintained and calibrated.

1.3.4 Calibration of measuring equipment

Calibration procedure shall be carried out at intervals established by stability and usage.

Calibration records shall be retained for 3 years.

1.4 Working procedures

Test methods. The testing laboratory shall have documented instructions on the use and operation of equipment. The testing laboratory shall use documented methods and procedures. There should be a documented system for calculating, checking and reporting results.

1.5 Records

The testing laboratory shall maintain records of tests and calibration for a period of 3 years.

1.6 Handling of samples

The laboratory shall have a system to ensure no confusion regarding the identity of samples.

1.7 Confidentiality and security

Personnel of the testing laboratory to observe professional secrecy.

1.8 Co-operation with other laboratories to take part in exchange of samples. The objectives being to have uniform test procedures and to improve the quality of testing.

2.8 LIST OF ESSENTIAL ANALYTICAL AND MARKING EQUIPMENT

1) Analytical Equipment

Note: for the material, see the relevant ISO standard!

Silver Analysis (normative reference: ISO 11427/13756)

Gold Analysis by cupellation (normative reference: ISO 11426)

Platinum & Palladium Analysis (normative reference: ISO 11494 & ISO 11495)

2) Marking Equipment

- Fly press
- Hand operated press
- Pneumatic powered bench press (with foot pedal)
- Support bed for presses
- Support stakes (usually highly polished)
- Hammer (size depending on articles: recommended 0.5 kg and 1 kg)
- Hallmark punches (hand and press punches)
- 10x magnifying glass
- Secure / safe storage solution
- Recommended: Laser marking machine

* * * * *

Section 3: Standing Committee

3.1 RULES OF PROCEDURE OF THE STANDING COMMITTEE⁶

General

1. These Rules of Procedure shall apply to the meetings of the Standing Committee provided for in Article 10 of the Convention, hereinafter referred to as "the Committee".
2. The Committee shall be composed of representatives of the Contracting States. The representatives shall be chosen from officials of the national administrations and of Assay Offices authorised in the sense of Article 5 of the Convention.
3. A Secretariat shall be appointed to deal with the services and meeting facilities for the Committee and sub-committees.
4. The Contracting States shall notify the Secretariat of the competent authorities to whom all communications shall be sent and also of the names of their representatives.

Chairmanship

5. The conduct of business shall be in the hands of the Chairperson, who shall be assisted in his/her task by two Deputies (First Deputy, Second Deputy).
6. The Chairperson shall be elected by the Committee and shall exercise his/her functions for a renewable term of two calendar years (starting on 1st January).
7. The Committee shall also elect two Deputy Chairpersons to normally serve for a similar period, one of whom shall assume the functions of the Chairperson in his/her absence.
8. In the event of a vacancy in the chairmanship, Members of the Standing Committee shall be informally consulted on whom they consider the most competent or suitable to serve as the next Second Deputy Chairperson.
9. Once a candidate or several candidates have been found, the Standing Committee will elect the new Second Deputy Chairman: either by acclamation if there is only one candidate; or by secret ballot by absolute majority voting if there are several candidates (one vote by Contracting State).
10. The First Deputy Chairperson shall normally be elected Chairperson. The Second Deputy Chairperson shall normally be elected First Deputy Chairperson. Both shall be elected by acclamation, unless a secret ballot (by majority voting⁷) has been requested. The above procedure is also applicable in the event of a re-election.

⁶ Adopted in 1975 at the 1st meeting of the Standing Committee and subsequently revised.

⁷ In line with paragraph 23 of the Rules of Procedure (four-fifth majority voting)

Meetings

11. Subject to paragraph 12 the Committee shall, in consultation with the Secretariat, decide the dates of its meetings.
12. The Chairman shall convene a meeting:
 - (a) if during the course of any period of twelve months a meeting would not otherwise have been held;
 - (b) upon the request in writing of any Contracting State to the Secretariat stating the subject matter to be considered;
 - (c) where he/she deems it advisable for the effective functioning of the Convention;
 - (d) upon receipt by the Chairman of a notification referred to in paragraph 1 of Article 9 of the Convention;
 - (e) to be held within one month of receipt by the Contracting States of a notification referred to in paragraph 4 of Article 9 of the Convention.
13. The meetings shall be held in Geneva unless otherwise agreed by the Committee.
14. The Secretariat shall notify the competent authorities of Contracting and Applicant States of all meetings convened in accordance with these rules.
15. Representatives of Contracting and Applicant States shall regularly attend meetings unless other arrangements have been made (e.g. an Assay Office or a Surveillance Authority may represent a Ministry and vice-versa).
16. Representatives of non-Contracting States, others than Applicants, can attend meetings of the Standing Committee in line with the Guidelines on Non-Members (see Section 3.4).

Agenda

17. The Secretariat shall in conjunction with the Chairmanship establish a provisional Agenda for each meeting and shall communicate it to the competent authorities of the Contracting States at least fourteen days before the meeting.
18. A final Agenda shall be adopted by the Committee at the beginning of each meeting.

Voting procedures

19. In accordance with Article 10 of the Convention, Committee decisions consists of (i) recommendations or proposals to the Contracting States regarding the amendment of the Convention or its Annexes and (ii) decisions on technical and other matters. The following rules apply:

20. Each Contracting State has one vote.
21. Voting shall be by hand and take place during Committee meetings. For votes in-between meetings, see paragraph 25.
22. Committee decisions are made by unanimous vote with the exception of those listed at paragraph 23. Abstentions from voting will not prevent decisions from being unanimous.
23. If no consensus can be reached, Committee decisions are made by four-fifths majority voting in the following matters, provided that at least four-fifths of all Contracting States are represented at a meeting:
 - (a) Disputes between States / Recommendation by the Standing Committee (Art 9 (2) and Art 10 (2), 5th indent, Convention);
 - (b) Interpretation of Convention's provisions (Art 10 (2), 3rd indent, Convention);
 - (c) Appointment of Secretariat (Paragraph 3, Rules of Procedure);
 - (d) Election of Chairman and Deputy (Paragraphs 6 & 7, Rules of Procedure);
 - (e) Date of meeting (Paragraph 11, Rules of Procedure);
 - (f) Place of meeting (Paragraph 13, Rules of Procedure);
 - (g) Non-payment of fees / Measures to be taken (Paragraph 1, letter g of Financial Regulations);
 - (h) Amendment of the Compilation of Acts with the exception of paragraph 23.
24. Committee decisions by majority voting shall be taken by hand unless (i) a secret ballot is requested by one Delegation; (ii) there are several candidates to an election. Abstentions, blank or invalid votes (e.g. spoiled, null or void) shall not be considered as votes cast.
25. Committee decisions (whether by majority or unanimous voting) may also be taken in-between meetings by written procedure. The procedure, which is initiated by the Secretariat, is done entirely in writing. The timeframe shall normally be one month unless a longer timeframe (not exceeding 3 months) is required by a Contracting State. A Contracting State may object to the written procedure and request that the matter is discussed and submitted to voting at the next meeting.
26. Applicant States and other non-Contracting States are consulted on Committee decisions, which are of particular interest to them (e.g. on Round Robin).

Amendment to the Convention and Annexes

27. In line with Article 10.5 of the Convention, the Secretariat shall transmit all recommendations of the Committee relating to either the implementation of the Convention or proposals for the amendment of the Convention to the Depository which shall notify the Contracting States.

Decisions on Technical Matter

28. In line with Article 10.2(3) of the Convention, the Committee may adopt decisions on technical matter as provided for in the Annexes. Such a decision can be presented either orally at a meeting of the Standing Committee and confirmed in writing subsequently, or sent in writing to the Secretariat by a Contracting State. The Secretariat distributes the paper to all Contracting States and the Contracting States vote or give their opinion as soon as possible but at least within six weeks. The Secretariat and the initiating Contracting State prepare the conclusion of the result and, if necessary, send out a new proposal for voting. If needed, the initiating Contracting State may constitute a small working group to prepare the matter for decision. If a positive decision is taken, the Secretariat circulate the new decision which enters into force at the date of that paper and the assay office may start immediately to mark the article concerned with the CCM. The decision is confirmed at the next Standing Committee meeting with a note in the Summary Records. Where necessary, a Contracting State may request to see the article of precious metal concerned before confirming the decision.
29. The vote may be carried out by post, fax or e-mail.
30. The Secretariat shall incorporate decisions on technical matter in a compilation in accordance with paragraph 31 below.

Compilation of Acts of the Committee and Decisions on Technical Matter

31. All decisions on technical matters adopted under Article 10.2(3) and all other acts adopted by the Committee relating to the securing of uniform interpretation and application of the provisions of the Convention (Article 10.2(5)) may be incorporated into a compilation.

Sub-committees

32. The Committee may set up any sub-committee as may be required. Each sub-committee shall report to the Committee which shall remain responsible for all actions required under the Convention.
33. Sub-Committees may be open to the participation of Applicant States and other non-Contracting States.

Records of meetings

34. The Secretariat shall prepare a summary record of the proceedings of each meeting. This record shall be circulated to the competent authorities and the representatives of all Contracting and Applicant States.

3.2 EXPLANATORY NOTES TO THE ORIGINAL CONVENTION OF 15.11.1972 (as amended in 1988 and 2001)

1. These explanatory notes express the views of representatives of the States who have been engaged in drawing up and amending the text of the Convention. The notes are an attempt to make clear the intentions of the text of the Convention and they should therefore be helpful as a guide to its interpretation.
2. The explanatory notes were originally issued at the end of the negotiations for the Convention. They were subsequently amended by the Standing Committee at its 69th meeting in Tel Aviv on 11 October 2010 (following the entry into force of the 2001 Amendment on 27 February 2010) and at its 74th meeting in Geneva on 27 March 2014. The Notes also reflect legal opinions (e.g. by the Depositary), which have been endorsed by the Standing Committee.

EXPLANATORY NOTES

Title and scope of the Convention

3. The purpose of this Convention is to facilitate trade in articles of precious metals between the Contracting States by obliging the importing State to accept control and marking performed in another Contracting State in accordance with the provisions of the Convention. It should be noted however that the Convention does not prevent traders from following the procedure adopted in national law for exports and imports of articles of precious metals in general.
4. While the primary goal of the Convention is the facilitation of international trade in precious metals, measures to facilitate trade must be taken in such a way that they do not affect (i.e. reduce) consumer protection (Legal Opinion PMC/W 2/2009).
5. The Convention's original preamble consisted only of one paragraph but was then completed with 3 other paragraphs in 2001 in order to emphasize that compulsory hallmarking is not required from the Contracting States and that marking with the Common Control Mark (CCM) is carried out on a voluntary basis.
6. The Convention is divided into four parts: the first part deals with the scope and operation of the Convention and the second with the controls and sanctions which it imposes, the third with the Standing Committee and amendments to the Convention; the fourth part contains final provisions in respect of entry into force, accession and withdrawal. There are also two Annexes, dealing with definitions and technical requirements and control by the authorised assay offices.

Article 1 - paragraphs 1 and 2

7. These paragraphs contain the basic provisions of the Convention. The principle adopted is that those categories of articles of precious metals which fall within the definitions and the conditions set out in Annex 1 shall, provided they are marked by an authorised assay office in accordance with the requirements of Annex II, not be subject to any further assay or marking upon importation from one Contracting State to another. Assay or marking mentioned here is intended to refer not only to assay and marking in connection with assay office procedure but also to national requirements where marking is only required to indicate the responsible precious metal operator, the nature of the metal or the standard of fineness of the articles without any assay mark being required, these marks being normally put on by the responsible precious metal operator of such articles. The responsible precious metal operator is the maker or other person (e.g. importer) accepting responsibility for the articles.
8. Originally, the Convention applied only to articles imported from the territory of another Contracting State regardless of their origin. With the 2001 Amendment, paragraphs 1 and 2 were rewritten and the reference to “*articles of precious metals imported from the territory of another Contracting State*” was deleted. This means that Contracting States must accept CCM articles regardless of their origin (i.e. where they have been made and from where they are imported).

Article 1 - paragraph 3

9. Many Contracting States prohibit the import or sale of articles of precious metals which either do not fulfil certain national standards of fineness or are not considered as precious metals. These standards as well as the definitions of precious metals articles differ in the various Contracting States. It is specifically provided in this paragraph that a Contracting State may continue to prohibit the entry of articles , which do not comply with its national standards of fineness, even though the articles are of a standard which is listed in Annex I to this Convention. The same applies for articles which would not be considered precious metals articles in the importing country.

Article 3

10. Articles of precious metals which can be traded freely under the terms of this Convention shall be marked with the minimum marks, as listed in Annex II (currently, they include: a responsibility mark, a mark indicating the fineness of the metal, an assay office mark and the CCM). In every case the articles must be submitted to an authorised assay office which on receipt is obliged to make such assays as to satisfy itself that the articles are of the correct fineness and comply also with the other provisions of Annex I. Only then may the assay office put its recognized assay office mark and the CCM on the articles.
11. Whether the responsibility mark and the mark indicating the fineness of metal is affixed by the responsible precious metal operator (e.g. manufacturer, importer) before the articles are presented to the assay office or whether those marks are added by the assay office when the articles have been checked remains a matter of national legislation.

Article 4

12. Where an article after having been marked by an assay office has been altered in any way it will cease to benefit from the provisions of Article 1. However, the authorities of the importing country are free to admit the article without further assaying or marking.

Article 5

13. In order that the assay offices taking part in the scheme shall be known to each other and to the Contracting States the appointment of each assay office and its withdrawal must be notified to the depositary. At the same time the form of their assay office marks shall also be notified in order that steps can be taken for their protection in the other Contracting States to the Convention. Article 5 was substantially modified by the 2001 Amendment. The main changes are the following:

- ◆ A new paragraph 2 was added in order to define the requirements which authorised Assay Offices need to fulfil. Particular emphasis has been put on ensuring the independence of Assay Offices, in particular their staff, in line with the principle of “independent, third-party control” on which the Convention is based. Paragraph 2 is one of the core additions introduced by the 2001 Amendment.
- ◆ The reference to “territory” has been deleted in paragraph 1. Originally, the Convention stipulated that the Assay Offices were “*the only bodies authorized in its territory to carry out the control of articles of precious metals provided for in this Convention*”. As a result, an authorised Assay Office of a Contracting State can now use the assaying services of an authorised Assay Office of another Contracting State; and a Contracting State can either delegate some assaying competences to an authorised Assay Office of another Contracting State for a defined period of time. The fact that the reference to “territory” has been deleted does, however, not mean that authorised Assay Offices can CCM-mark articles outside their territorial boundaries (so-called “off-shore marking”). According to the Depositary (see Legal Opinion in PMC/W 6/2006), such a practice would first require a formal resolution by the Standing Committee.

Article 6

14. As an exception to the general rule of paragraph 2 of Article 1, this Article provides that check tests may be carried out on articles of precious metals although such articles bear the marks provided for by this Convention. The purpose of this exception is to enable the competent authorities of the importing countries to make tests to verify whether the Convention is being complied with. In any event, these tests are not to hamper unduly trade in such articles. This Article would, therefore, not allow all imported articles of precious metals or even a large part of imported articles under this Convention to be tested as a matter of routine by the authority of the importing country. Moreover, while Contracting States may implement market surveillance measures in addition to spot checks, there is nothing in the text of the Convention which indicates that market

surveillance measures constitute an obligation for Contracting States (Legal Opinion PMC/W 2/2009).

Article 7

15. It is important that the CCM should have the maximum protection against forgery or misuse both inside the Contracting States and in third countries. A means of protection is given by Article 6ter of the Paris Convention, to which all the present Contracting States subscribe in its Act of London of 1934. This provides that on registration with WIPO all the countries of the Paris Union agree to refuse or to invalidate national registration by others and to prohibit the unauthorised use of the CCM.

Article 8

16. This Article provides for protection to be given in all the Contracting States against forgery, unauthorised alteration and misuse of the CCM and the marks of the authorised assay offices, and against alteration of the other marks. Normally proceedings shall be instituted under criminal law in all cases where offences have been committed in order that the marks may be properly protected. This constitutes a positive obligation for Contracting States, which are expected to gather evidence on the possible forgery etc. of the CCM and other (hall)marks (Legal Opinion PMC/W 2/2009). In certain cases of a minor nature other action may be taken where this would be more appropriate.
17. The fineness mark and responsibility mark will be marks which should be protected under national law. The only specific provision on this subject included in the Convention is the requirement that Contracting States shall have legislation prohibiting any alteration or obliteration of these marks after the CCM has been applied.

Article 9

18. This Article introduces a procedure for entering into immediate consultation with the authorised assay office in respect of which there is reason to believe that some irregularity has taken place. The latter office is under the obligation to promptly lend all reasonable assistance for the investigation of the case.
19. The purpose of this procedure is to eliminate preferably through direct consultations between the assay offices concerned any misunderstandings that may arise in the day-to-day operation of the Convention.
20. The additional surveillance in paragraph 3 of this Article is intended to take the form of special control by Customs offices or by other authorities.
21. There may be exceptional cases where the importing Contracting State may be confronted with substantial imports of articles which have been assayed by a particular assay office in relation to which there is evidence of repeated misapplication of the CCM of a serious nature. In such an exceptional case, the importing Contracting State may take immediate action unilaterally and may temporarily refuse to accept articles bearing the assay office marks concerned. It is expressly provided, however, that all

other Contracting States should be notified immediately and the Standing Committee must meet within one month to consider the matter.

Article 10

22. In order to ensure that the Convention operates smoothly a Standing Committee is established which shall meet whenever necessary and should in any case meet at least once a year. This Committee will be composed of representatives of the Contracting States and each State may be represented by one or more persons who may be either governmental officials or experts. Each delegation will have one vote. The purpose of the Standing Committee is to deal with difficulties that may arise in connection with the operation of the Convention and to consider ways in which its machinery may be improved. The Standing Committee may make recommendations for the better functioning of the Convention and also proposals for the amendment of the Articles of the Convention and its Annexes. The Committee shall also have the duty to consider measures for the protection of the marks against forgery and misuse. The 2001 Amendment considerably enlarges the powers of the Standing Committee and enables the latter to take decisions on technical matters, as provided for in the Annexes, by unanimous vote. Paragraph 2, third indent, of Article 10 is one of the core additions introduced by the 2001 Amendment.

Article 11

23. The 2001 Amendment clarifies the procedure for the adoption of amendments, either to the Convention or to the Annexes.
24. Regarding the Convention, formal acceptance is required by all Contracting States in the case of proposals received from the Standing Committee to amend Articles of the Convention, or in the case of proposals for amendment of the Convention received from a Contracting State. A Contracting State may, however, request that negotiations take place on the proposal provided that such a request is lodged within a period of three months from the date of the submission of the proposal in question. In such a case the depositary would have to arrange for such negotiations to be held.
25. Regarding the Annexes, a simplified procedure for the amendment of the Annexes, if proposed by the Standing Committee, has been incorporated which seeks to avoid the procedure of ratification. The amendment will subsequently automatically come into force after a fixed period, normally of six months or longer if so provided for in the amendment, unless a negative reply indicating dissent has been received from the Government of any Contracting State no later than 3 months after the date of notification by the depositary.

Article 14

26. A Contracting State wishing to withdraw from the Convention shall give the usual formal notice of twelve months, but it is also possible for all the Contracting States to agree to the withdrawal of a party on other terms.

27. A Contracting State, which withdraws from the Convention, should after withdrawal no longer be free to continue to use the CCM for any purpose. An undertaking to this effect is therefore included in this Article. After its withdrawal the remaining Contracting States are no longer under any obligation to accept articles which have been marked by an authorised assay office of that Contracting State during the period of its membership of the Convention.

Convention's Annexes⁸

Annex I

28. This Annex sets out the technical conditions that must be satisfied before an article of precious metal is entitled to the benefits of the provisions of the Convention. The conditions set out are minimum conditions which must be complied with by each such article in any exporting Contracting State before the article may be marked under the Convention.
29. The Convention applies to all complete articles of precious metals of at least the minimum standard of fineness but excludes parts, semi-manufactures and industrial raw materials, the marking of which might lead to deception. Certain articles such as medical or scientific apparatus, samples, antiques or articles too small to be marked, are generally exempted from the assaying and marking regulations of the Contracting States. These exemptions are broadly the same in the participating countries, but they do not correspond exactly. It would be a substantial task to try to harmonize national legislation in this respect. However, in cases where articles normally exempted require marking by an importing country there is nothing to prevent the assay office of the exporting country from controlling and marking them.
30. The standards of fineness contained in the Convention are those standards which are currently in force in many countries.
31. Only these standards are recognized by the Convention, so that a fineness of say 595 for gold would be regarded as being of a standard of fineness of 585.
32. The principle relating to solder is that the solder shall be of the same fineness as the article itself. However some relaxation is permitted for practical reasons and where such solder is below the standard of fineness of the article, only the minimum quantities required for the purpose are to be used.
33. Where an article consists of more than one precious metal, only one metal may bear the marks set out in Annex II. In order to avoid deception, the metal which is so marked shall be the one which is generally regarded as the least precious.

⁸ Annexes I and II were substantially revised in 1998 (with entry into force in 2000), 2010 (with entry into force in 2011) and 2018 (with entry into force in 2019).

Annex II

34. The Contracting State concerned or its assay offices must keep an official register of responsibility marks, but the conditions of registration, including the entitlement of persons to be entered in the register, is an internal matter for the State concerned.
35. Where the provisions of the Convention are found to be complied with, the assay offices will normally stamp their marks on the articles concerned.
36. Off-site marking has been permitted under the Convention since 1984. Contracting States are responsible for the implementation by authorised Assay Offices of off-site marking requirements, which must be in line with existing guidelines by the Standing Committee, in particular the secure custody of punches.

3.3 GUIDELINES ON THE SHARING OF INFORMATION, CONFIDENTIALITY AND CONFLICT OF INTEREST

Sharing of Information

1. This Chapter applies to all information shared under the Convention, whether classified (e.g. restricted) or non-classified in line with the Standing Committee's classification policy⁹.
2. With the exception of explicit obligations deriving from the Convention (e.g. Article 9), the sharing of information under the Convention is voluntary. Each National Administration / Assay Office remains competent on how to use the shared information.
3. The aim of sharing information is to facilitate application of the Convention, in particular (i) the control and marking of precious metals articles with the CCM; (ii) the harmonisation and interpretation of standards and requirements. It gives National Administrations and Assay Offices the possibility to share in confidence any information on other matters such as falsified (hall)marks, information on customers; internet trade and market surveillance, non-complying articles, etc. Duplication with other existing bodies or channels (e.g. the IAAO) should be avoided, in particular for matters unrelated to CCM articles and/or the Convention..

Confidentiality & Absence of Conflict of Interest

4. National Administrations and Assay Offices undertake to respect the classification of documents and information, as defined by the SC. They also undertake to avoid any potential or real conflict of interests with activities and issues under discussion in the Convention. The undertaking applies to the respective authorities as well as to their representatives.
5. National administrations are responsible that rules regarding confidentiality and the absence of conflict of interest are effectively applied by Assay Offices and that the latter are not under the "improper" influence of any other party, in particular trade.
6. Sensitive information shall be circulated with the word "restricted"¹⁰ (or equivalent) and shall not be shared with non-Members of the Convention, in particular trade. The disclosing of information, including "restricted" documents, is, however, subject to national law (e.g. Freedom of Information Act).
7. Observers and Guests attending SC meetings shall be required to sign a declaration (see Annex 2) on (i) the confidentiality of information received during and in-between meetings; and (ii) any potential or real conflict of interests with activities and issues under discussion in the Convention.

⁹ See PMC/W 6/2012

¹⁰ Is considered "restricted", information which is sensitive (test or assessment results, etc.) and whose circulation should be limited to those it is intended to. To be considered restricted, documents or communications must be circulated with the word "restricted".

3.4 GUIDELINES ON THE REPRESENTATION OF NON-MEMBERS

1. The present Guidelines have been issued with the aim of facilitating the creation of an international forum, as part of SC meetings, comprising Members and Non-Members for the exchange of information and promotion of technical co-operation between Ministries, authorised State Assay Offices and industry stakeholders.
2. Participation will not be dependent on Convention membership nor will it be conditional to assentation of membership.
3. In order to do this, the SC encourages Non-Members to participate in the work of the SC. This will allow:
 - a) To develop mutual confidence and facilitate the exchange of information between Assay Offices and National Administrations;
 - b) To ensure the equivalence of test results between Assay Offices through the participation in Round Robin (RR);
 - c) To keep abreast on technical and technological developments in the field of precious metal control;
 - d) To promote the international harmonisation of precious metal control and marking practices taking into account the Convention's established standards;
 - e) To identify, and discuss, technical or administrative barriers to trade or problems in the field of precious metal control;
 - f) To co-operate with a view of promoting worldwide the long-established practice and the system of (voluntary or compulsory) control of precious metal articles; and
 - g) To work with a view of establishing a common position on issues of mutual interest discussed in other fora (e.g. EU or ISO standards).
4. A Non-Member is either a State or an organisation, as defined below:
 - State = UN Member State, which is not party to the Convention;
 - Organisation = national or international non-for-profit organisation in the field of standards, consumer protection or trade related to the field of precious metals.

For other terms used in these Guidelines, see Glossary at Section 2.4.

5. Non-Members can attend SC meetings as:

Technical Programme Participant	An Assay Office (see glossary), which aims at regularly participating in SC meetings and RR
Observer	A State (represented by a Ministry and an Assay Office), an Assay Office, a national or international organisation (as defined above), which intends to regularly attend SC meetings.
Guest	A Ministry, an Assay Office, a national or international organisation (as defined above), which desires to occasionally attend SC meetings.

6. The status implies rights and obligations, which are detailed in these Guidelines.
7. The status of “Technical Programme Participant” and “Observer” is granted to Non-Members by the SC upon application (for the form, see 3.5); it can be suspended or terminated by the SC, notably if the Non-Member does not fulfil its obligations.
8. The status of guest is granted by the SC Chairman.
9. Invitations to SC meetings are sent by the Secretariat to Non-Members, including all (former) IAAO Members.
10. The representation of a Non-Member State can be at a dual level: National Administration and the Assay Office(s).
11. SC meetings take usually place twice a year: one meeting is normally for one day focusing partly on matters relating to the operation of the Convention and partly on technical matters in relation testing and marking ; the other meeting is normally for 1.5 days and will focus partly on matters relating to the operation of the Convention but also on technical issues as well as on updates and presentations on technical and technological developments in the field of precious metal control.
12. Non-Members have the following rights:
 - To participate in:
 - o SC meetings and discussions unless they are confidential¹¹;
 - o Sub-Committees and Working Groups unless they are purely Convention-related; and
 - o RR.

¹¹ Confidential issues will be regrouped at either the beginning or the end of the meeting’s Agenda.

- To be consulted on:
 - o Technical issues (e.g. on RR) with the exception of Technical Decisions and the Convention's Annexes;
 - o Regulatory issues if the regulations of the Non-Member are based on those of the Convention.
 - To receive:
 - o SC and sub-committee meeting documents unless they are confidential or strictly reserved for Members, subject to the signing of a declaration of confidentiality;
 - o RR reports, if it has participated in the RR.
13. Non-Members have the following obligations:
- to pay fees in line with their status, as defined in the Financial Regulations;
 - to comply with the SC's Guidelines on the Sharing of Information, Confidentiality and Conflict of Interest and sign a declaration of confidentiality, as contained in the Compilation of Acts.
14. Non-Members have the possibility to sign a "Memorandum of Understanding" (MoU) detailing rights and obligations. The MoU will establish a basis for the co-operation with Non-Members and facilitate the payment of fees. For the template, see at Annex 3.

3.5 APPLICATION FORM FOR NON-MEMBERS

Return Application form electronically to:

Secretariat of the Precious Metals Convention
c/o PIC/S
Rue du Roveray 14
CH-1207 Geneva
E-mail: info@hallmarkingconvention.org

Application to become (<i>indicate with a cross which is applicable</i>)	
[...]	Technical Programme Participant (TPP)
[...]	Observer (OBS)
1. Authority / Organisation which applies (<i>indicate the name</i>)	
1.1	Official address
1.2	Official phone
1.3	Office e-mail
1.4	Official web site
1.5	Contact person (<i>name</i>)
1.5.1	Position
1.5.2	Phone
1.5.3	E-mail
2. General	
2.1	Is there a control of precious metal articles in your country?
2.2	Is the control voluntary or compulsory? (<i>describe briefly</i>)
2.3	Supply the hyperlink to your national legislation on precious metal control and, if available, an English translation.
2.4	Which ministry is responsible for precious metal control?
3. Organisation	
3.1	List of Assay Office(s) – including sub-offices and branches

3.2	Laboratory
3.2.1	Is your laboratory accredited? Please state the standards (e.g. ISO 17025).
3.2.2	If so, please indicate for which methods of analysis (scope).
3.2.3	Does your laboratory participate in interlaboratory testing? (<i>state which ones</i>)

4.	Legislation
4.1	Which metals are considered as precious metals under your legislation?
4.2	Which standards of fineness are recognised in your legislation?
4.2.1	For platinum
4.2.2	For gold
4.2.3	For palladium
4.2.4	For silver
4.3	Are there weight exemptions for precious metal articles?
4.3.1	For platinum
4.3.2	For gold
4.3.3	For palladium
4.3.4	For silver

5.	Control marks
5.1	Please attach a copy of all the control marks used by the Assay Office(s) in your country.
5.2	Do you recognise the CCM?
5.3	Do you recognise foreign hallmarks (based on a bilateral or multilateral convention) and if so, which ones?

6.	Date & Signature

Section 4: Standing Technical Group

4.1 TERMS OF REFERENCE

MANDATE

1. The Standing Technical Group (STG) is established by the Standing Committee which can – at its own discretion – terminate the STG.
2. It shall assist and advise the Standing Committee on technical questions related to the control and marking of articles of precious metals.
3. While assisting and advising the Standing Committee in setting or revising technical requirements (as defined in the Convention’s Annexes and their Schedules), the STG shall take into account the particular needs of assay offices, industry and consumers and the Convention’s main goal to harmonise the control and marking of articles of precious metals.”
4. The STG shall also be responsible for monitoring, on behalf of the Standing Committee, Round Robins organised under the auspices of the International Association of Assay Offices (IAAO).

MEMBERSHIP

STG Members

5. The members of the STG shall be technical experts in the field of precious metal control, who are employed by an authorised Assay Office.
6. The STG shall comprise at least three Members from three different Contracting States and not more than seven Members.
7. Members are nominated by the Standing Committee for a renewable term of 2 years.

Corresponding Members

8. The STG may invite other representatives from the Standing Committee, who have shown an interest, as well as technical experts outside the Standing Committee when the STG feels it is necessary to receive assistance on a specific subject. These representatives are referred to as “Corresponding Members”. They may be invited to STG meetings or consulted at distance. A shortlist of Corresponding Members is kept up-to-date by the Secretariat.

ORGANISATION

9. The STG shall normally meet at least once a year.
10. Members shall elect a Chairperson, who shall serve for a period of normally 2 years. The Chairperson of the STG shall not be the Chairperson of the Standing Committee.
11. The Chairperson shall be responsible for
 - a) Calling meetings,
 - b) Issuing agendas,
 - c) Chairing discussions,
 - d) Clearing summary records of meetings in time for the next Standing Committee meeting.
12. The Chairperson shall also report to the Standing Committee at each meeting.
13. The Chairperson may call on the Secretariat of the Standing Committee to provide secretariat services to the STG.
14. Members shall elect a Deputy Chairperson, who shall serve for a period of normally 2 years. The Deputy Chairperson of the STG shall take over the responsibilities, mentioned at paragraph 11 above, in the absence of the Chairperson.

SCOPE

15. The scope of the STG is to:
 - a) Address technical issues relevant to the Convention which have been submitted to it by the Standing Committee;
 - b) Review specific technical requirements, notably those contained in Annexes I and II of the Convention, the Technical Decisions as well as the Compilation of Acts, and advise on new testing methods;
 - c) Organise Round Robins (RR) in line with the RR Guidelines, determine parameters for the evaluation of results, analyse results and recommend conclusions for Convention's Contracting States;
 - d) Discuss new practices, which have developed in the Contracting States in the field of assaying and marking;
 - e) Identify possibilities for promoting international harmonisation under the Convention;
 - f) Make recommendations and/or proposals on technical issues to the Standing Committee, which can accept or reject them.

4.2 PROFILE OF STG MEMBERS AND CORRESPONDING MEMBERS

The following profile provides a general description and recommendation to help the Standing Committee appoint STG Members. The description is a recommendation only. It is not mandatory to comply with all requirements.

A “STG Member”:

1. is a Member of the SC or of an authorised Assay Office.
2. has experience in the areas of assaying and/or marking e.g. 5-10 years’ experience as Assay Master (or Deputy), Head of the laboratory (or Deputy), Head of the Marking Department (or Deputy).
3. is familiar with ISO standards in quality management and precious metals testing (e.g. ISO 9001, 17020 and 17025) and the Convention’s technical requirements;
4. is able to communicate in English, both orally and in writing.
5. is available to travel to (one-day) STG meetings, usually two per year (one in Geneva in January/February and one somewhere else between June and August).
6. is able to attend at least one annual meeting of the SC.
7. has the support of his/her Assay Office to work for the STG, attend STG meetings and possibly one annual meeting of the SC (NB: the related travel costs are paid by the Assay Office).
8. is willing to actively contribute to the work of the STG by e.g. submitting proposals, making comments, etc.
9. is available to be consulted by the Secretariat by e-mail or phone on technical issues.

A “Corresponding Member”:

1. is a Member of the SC or staff of an authorised Assay Office.
2. agrees to be occasionally consulted by the STG on specific, technical issues by e-mail or phone.
3. has experience in the areas of assaying, marking, etc.
4. is able to communicate in English, in particular in writing.
5. has the support of his/her Assay Office, which agrees to allow him/her to work for the STG.

Section 5: Secretariat Services

Background

1. In accordance with paragraph 3 of the Rules of Procedures of the Standing Committee, a Secretariat was appointed to deal with the services and meeting facilities for the Committee and sub-committees.
2. For historical and practical reasons, the Secretariat services have been entrusted to the EFTA Secretariat as from the entry into force of the Convention. The decision was made at the first meeting of the Standing Committee held in Geneva from 21 to 23 October 1975 (PMC/SR 1/75, paragraph 8).
3. In 1995, following the withdrawal of Austria, Finland and Sweden from EFTA and the closure of the “old” EFTA Secretariat, the Chairmen of the Committees set up under the Precious Metals Convention, the Pharmaceutical Inspection Convention and the Pharmaceutical Evaluation Scheme undertook to secure the continuity of the secretariat services so far provided by the EFTA Secretariat.
4. In March 1995, the then Secretary-General of EFTA agreed that the Secretariat services be further provided by the “new” EFTA Secretariat under the condition, however, that all the countries parties to the Conventions and Scheme participate in the cost incurred. The total cost of the secretariat services to the Precious Metals Convention for a whole year, including salaries, insurances, meeting rooms, office space, facilities and supplies, as well as reproduction, telephone, mailing and travel costs would amount to SFR 60,000.-- a year. It would have to be shared by all Contracting States to the Convention.
5. The appointment of the EFTA Secretariat was confirmed at the thirty-ninth meeting of the Committee, which was held in La Chaux-de-Fonds from 17 to 19 May 1995 (PMC/SR 1/95, paragraph 19) but revoked at the fifty-third meeting of the Committee, which took place in Vienna on 15 October 2002 (PMC/SR 2/2002, paragraph 56).
6. On the basis of a Memorandum of Understanding (see Annex 1), signed on 3 October 2003, the Secretariat services have been entrusted to the Pharmaceutical Inspection Co-operation Scheme (PIC/S).

Secretariat services

7. The secretariat services consist of:
 - the necessary staff at professional level responsible for:
 - the servicing of the Standing Committee set up under the Convention, as well as the working groups, and other workshops organised under the auspices of the Committee,
 - the liaison between the Authorities and their representatives,

- the relation with third countries interested in the Convention, with other related international organisations and with the industry,
- the preparation of guides, reports and other working papers,
- the reproduction and distribution of documents, the editing and issuing of Compilation of Acts of the Committee,
- the dissemination of information on the Convention (Guides, technical papers, etc.),
- the relations with the Depositary State, and any necessary advice and assistance for ensuring the good operation of the Convention,

and

- the necessary offices, technical facilities and meeting rooms.

8. The staff shall constitute the Convention Secretariat.

Contributions

9. Each Contracting State, Applicant State and participating Non-Contracting State has to contribute to the cost of the function of the Convention (Secretariat, actions taken by the Convention, gifts, etc.).
10. The contribution of Contracting States, Applicant States and participating Non-Contracting States is defined in Section 7 (Financial Regulations).
11. If necessary the Standing Committee can adapt contributions to new circumstances.

Section 6: Guidelines for authorised Assay Offices

6.1 INSTRUCTIONS FOR THE MANUFACTURING AND SECURE CUSTODY OF THE TOOLS FOR PRODUCING THE COMMON CONTROL MARK

General

1. Provisions for the control and application of the Common control Mark (CCM) on articles of silver, gold and platinum are given in the Convention of 1972 on the Control and Marking of Articles of Precious Metals.
2. The tools for CCM marking shall be punches or software for laser marking or mask for laser marking.
3. The approved sizes (height) of the CCM-mark are listed in Appendix 2 to Annex II to the Convention. There is no maximum size of the CCM-mark.
4. The sizes of the various CCM marks correspond to the height between the lowest to the highest points of the shield. The relationship between height and width must be kept.

Authorisation and Distribution

5. Detailed technical drawings for the manufacture of tools for CCM marks are kept at the Secretariat.
6. For manufacture purposes the authorised Assay Office can request the detailed technical drawings from the Secretariat.
7. The authorised Assay Office can order punches/software for laser marking based on the above drawing provided that the punchmaker/the producer of the software for laser marking, has signed a contract saying that it can only supply CCM punches/software for CCM laser marking to Assay Offices authorised for the purpose of the Convention on the Control and Marking of Articles of Precious Metals.

Safe Custody

8. Each authorised Assay Office shall take appropriate measures to ensure the safe custody and care of above drawings, punches and masks or software for laser marking in its possession. If a drawing, punch or software for laser marking is stolen or lost, the matter shall be reported without delay to the Standing Committee, together with a report of the circumstances and the steps taken to retrieve it.

Destruction of Tools

9. Every tool which has become obsolete shall be destroyed without delay.

6.2 GUIDELINES ON THE SAFEKEEPING OF LASER SOFTWARE FOR CCM MARKING

1. General principles

- 1.1 Reference is made to the “Instructions for the manufacturing and secure custody of the tools for producing the common control mark”. General requirements stipulate that these instructions are applicable to laser software and must be followed.
- 1.2 The present Guidelines address issues, which are specific to the protection of laser software.
- 1.3 The process of laser marking involves hardware and software. Both must be protected equally against unauthorised use.
- 1.4 To ensure a minimum level of security, access to both hardware and software should be restricted and protected. The basic protection consists of operational measures to restrict unauthorised access to laser system (e.g. access limitation to the location the laser machine is operated or by computer password access).
- 1.5 Such methods shall be in line with good practices (e.g. badged doors, secure passwords that are changed regularly, fingerprint reader or individual access card).

2. Laser machine

- 2.1 The laser machine consists of:
 - The laser device properly speaking
 - The controller (usually a PC with the appropriate software, e.g. laser marking programmes)
 - The laser table.
- 2.2 The laser machine should be kept in a room protected from unauthorised access. The room may be put under video-surveillance.
- 2.3 The laser machine could be equipped with a dongle (electronic security key) limiting its access. The dongle should be stored separated from the machine in a secure place (e.g. in a safe) if not in use for longer time (e.g. overnight). If the laser machine uses a USB dongle, then the write access must be turned off on the USB port.
- 2.4 The number of staff members operating the machine, should be kept limited. The Assay Master keeps the list of operators up-to-date.
- 2.5 The laser machine (i.e. the PC) should not be connected to internet, to a remote server (server located remotely, outside the Assay Office’s premises) or to any other electronic device. It may, however, be connected to a local (in-house) server, if the

access is password-restricted. In this case, the backup should be deactivated in order to avoid that data are saved on a disk, which may be accessible to others.

3. Software and drawings

3.1 The software used for applying the CCM drawings should be password-protected.

3.2 The CCM drawings in electronic form should be available in a read-only format. The possibility to edit or copy the drawings should not be possible except for the master copy, which should be stored separately and securely.

3.3 A digital protocol may be put in place, which enables the software for applying CCM drawings to be activated only if it is used on a specific laser machine. Such a protocol ensures maximum protection.

3.4 The software for applying CCM drawings may be stored:

- Directly on the laser machine;
- On the in-house server;
- On a portable electronic device (e.g. USB, CD-ROM);

3.4 The following conditions apply:

- If stored directly on the laser machine, the access to the software must be subject to a distinct password, which is different from the password granting access to the laser machine.
- If stored on the in-house server, the software should only be accessible from the laser machine, subject to a separate password. Access to the software e.g. from an in-house PC should not be possible.
- If stored on a portable electronic device, the latter should be numbered and kept securely locked (e.g. in a safe) unless it is used for laser marking.

3.5 The drawings should only be stored on an external disk. In case of non-use, the disk shall be stored separately from the machine in a secure place (e.g. in a safe).

6.3 GUIDELINES ON MARKING ARTICLES IN TRANSIT

1. Articles in transit are defined as “*articles which are brought into the country for assaying and hallmarking only, i.e. imported and re-exported immediately*”.
2. Marking articles in transit has been practiced by Contracting States for many years – including with the CCM. It is a well established practice also known as “in transit service”. The practice of CCM-marking articles while in transit was formally authorised by the Standing Committee at its 62nd meeting in London on 14 April 2008.
3. The following rules apply with regard to the CCM marking of articles in transit:
4. Articles brought for marking in transit shall be treated the same way as other nationally produced or imported articles, which are brought for CCM-marking to the Assay Office.
5. Articles in transit may originate from a State, which is not a party to the Precious Metals Convention.
6. Although in transit, the company must register its responsibility mark with the Assay Office or the relevant authority.
7. The marking of articles in transit with the CCM is carried out under the responsibility of the Assay Office, which shall ensure that these articles are assayed and marked in line with the Convention’s requirements.
8. Semi-finished articles can only be marked in transit if all metal parts of the article are presented.
9. Spot checks can be carried out by the Assay Office on semi-finished articles, which are marked in transit and then assembled in the company’s premises. Some fully assembled and finished articles can be sent for control to the Assay Office at the latter’s ad hoc request.

6.4 GUIDELINES ON COATING AFTER HALLMARKING

1. When articles are submitted for hallmarking in an unfinished state, the Assay Office usually does not know what kind of surface finishing may be applied after hallmarking. In some countries, coating after hallmarking is prohibited and subject to penalties; in other countries, coating is permitted but the coated articles may be retested, once on the market (as part of Market Surveillance).
2. The following rules apply for the coating of CCM articles:
3. It is a responsibility of the manufacturer to request the authorisation of the Assay Office, if he wishes to coat the CCM articles after the hallmarking process.
4. The request must be made at the same time as articles are submitted for control and marking.
5. The type of coating must be permitted under the Convention's requirements. For the permitted coatings, see paragraph 2.6.1 of the Compilation of Technical Decisions regarding Annex I of the Convention.
6. It is the responsibility of the Assay Office, which has authorised the posteriori coating of CCM articles, to ensure their compliance with the Convention's requirements.
7. Articles, which are coated after the CCM process, cannot be exported or put on the market until the Assay Office has given its expressed agreement. The CCM may be removed from non-complying articles unless the manufacturer undertakes to rectify the matter without delay.

6.5 GUIDELINES ON XRF TESTING

1 Scope

The ED-XRF technique (Energy-Dispersive X-Ray Fluorescence Spectrometry) is suitable for testing the conformity of precious metal articles under the Convention. ED-XRF can be used to detect and identify metallic coatings, analyse the chemical composition of precious metal alloys whose constituent elements are detectable by the ED-XRF technique.

2 Principle

2.1 ED-XRF is an analytical technique used to determine the composition of metal alloys. A primary x-ray beam is focused on the sample to causing energetic interaction. The emitted x-ray photons are detected and measured by the x-ray instrument. Each different element within the sample emits photons with characteristic energy properties: by counting these specific photons it is possible to calculate the concentrations of each element within the sample simultaneously.

2.2 Basically ED-XRF is a quick, reproducible and non-destructive test method. However, due to complex physical factors and interaction processes such as information depth¹², geometry, matrix effects and others, the representativeness of measurements, without an adequate sample preparation and/or without a matrix corrected quantification algorithm, is very poor and can lead to grave systematic errors. Therefore the use of ED-XRF for the purpose of conformity assessment under the Convention needs, beside a fit-for-purpose instrument and reference material, qualified staff and written procedures in place.

3 Application area

3.1 For the purpose of conformity assessment under the Convention ED-XRF can either be used for screening or for quantitative testing. Each of these applications requires a specific test method.

3.2 Screening can be described as a qualitative and semi-quantitative test method. The purpose of screening is to answer the following questions:

- What type of alloy is present (qualitative analysis)? (This is essential to be able to choose the appropriate analytical program and reference material.)

¹² The information depth results mainly of the energy of the emitted photons, the take-off angle between the sample and detector as well as the mass attenuation coefficient (more or less its density) of the sample (law of absorption by Lambert-Beer). As a thumb rule the information depth goes along the materials density and lies around 5-10µm for Pt, < 7-12µm << for Au, 30 µm for Pd and < 40µm for Ag.

- Is a coating present or any surface enrichment layer on the articles (qualitative and semi-quantitative)?
 - Does the solder match with the requirement (semi-quantitative)?
 - Does the alloy match with an analysed (quantitative) sample¹³?
 - Is the submitted batch homogeneous?
- 3.3 To apply screening a measurement strategy is required. This strategy defines the number of measurements per sample, the measurement time and the analytical program (quantification algorithm). In order for the testing to be as minimally destructive as possible, the surface layer is only removed on spots, where a coating or surface treatment, cannot be excluded.
- 3.4 Screening is the first level of testing. If the result of the screening test shows compliance, the articles can be passed for marking¹⁴. If a result is negative, the articles are rejected and forwarded to the second level of testing – the quantitative testing.
- 3.5 Quantitative testing (assay) can be described as a method to quantify the precious metal of interest at the highest possible accuracy. Usually the quantitative methods are harmonised and internationally accepted or are accredited by in-house test methods that are mostly in line with normalised methods.
- 3.6 ED-XRF can be used as a quantitative method. However, to meet the Convention's requirements, ED-XRF must comply with several requirements e.g. a destructive sample preparation. The exact conditions, under which XRF is authorised under the Convention as a testing method, are described in the Technical Decisions related to Annex II of the Convention (PMC/W 2/2001, latest revision), which reads as follows:
- For all precious metals: X-ray spectrometric method, when the internal method is accredited to ISO 17025 and the measurement uncertainty is equal to or better than that of already accepted methods.*
- 3.7 This procedure can only be effectively applied subject to compliance with the Convention's requirements, in particular the Guidelines on Sampling, as contained in Annex II to Convention (PMC/W 2/2000 latest revision).

¹³ Often Assay Offices use defective articles or casting shots, which are submitted with the batch to be hallmarked for chemical analysis (substitutional sample) instead of a finished article. In such cases the energy spectrum of both alloys must be identical. The same approach is applied when prior certified material is submitted for hallmarking.

¹⁴ The decision on passing or failing an article after screening is the Assay Offices' responsibility. In addition, the positive screening result there are usually other information on the history of the sample (history record of the customer, prior certification of the alloy, due consideration of measurement uncertainty specific to the alloy, etc.).

4 Equipment

- 4.1 An ED-XRF spectrometer must comply with the health and safety requirements in place for devices operating with ionising radiation.
- 4.2 Depending on the scope of application the specification can vary, therefore the following points are recommendations only:
- X-Ray tube: W-target (alternatively Mo, Rh)
 - Acceleration tension: 50kV
 - Primary filters: Al, recommended for Pt if W-target
 - Collimator: radial, one < 1 mm, one > 1 mm
 - Detector: Si-PIN, SDD
 - Long-term stability: < 0.1%
 - Spectral resolution: <180 keV
 - Algorithm for quantification: FP (fundamental parameters)
 - Detectable elements: Z 22 (Ti) to Z 95 (U)

5 Reference material

- 5.1 In general, the reference material used for calibrating the ED-XRF measurement programs must be sufficiently characterised and documented. Fundamental points to be characterised and documented are its homogeneity, its chemical composition (ideally matrix matching to the samples) as well as the inherent uncertainty values of all components. The micro structure and surface finish can also be important information.
- 5.2 Reference material for accredited test must fulfil further requirements in regard to traceability.
- 5.3 For the purpose of in-house screening methods, reference material of lower characterization may be used if the method is backed by a chemical test method.

6 Standard operation procedures

- 6.1 For the ED-XRF instruments operation and the maintenance an adequate documentation shall be at hand.
- 6.2 Operational procedures shall be at hand. Their form can be in writing or in another useful form (e.g. interactive online guide).
- 6.3 A SOP shall be in place on how to prepare samples for measurement in order to ensure maximum measurement quality.

7 Staff qualification / Training

- 7.1 Staff must undergo comprehensive training and testing before being authorised to test articles by XRF analysis. Staff competence should be duly assessed through analysis of various alloy types, which are analysed on each instrument group. A staff member must be able to recognise the alloy type and analyse the material accordingly. The results are assessed by the supervisor and a record of acceptance is made. These alloys are retained for training purposes.
- 7.2 The process manager (supervisor, laboratory manager) must have the necessary qualification (scientist, certified Assayer, or comparable) to understand and manage the entire process.

8 Quality management

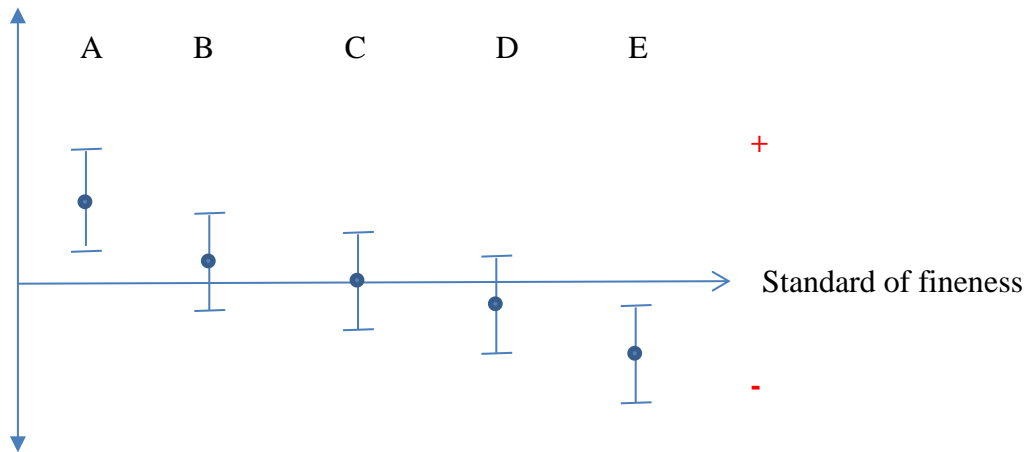
- 8.1 Analytical Quality Control (AQC) is essential for the good operation of XRF testing. Instruments must be calibrated regularly. The calibration algorithm must be defined. Control charts must be put in place. These charts allow monitoring of the instrument's performance and stability.
- 8.2 A general reference measurement is performed on XRF instruments on a routine basis. This ensures that the peaks seen on XRF spectra are all correctly positioned.
- 8.3 Reference material (QC standards) are re-analysed if necessary. Readings are recorded. The daily checks and the number of counts measured for the QC standard are recorded on the relevant AQC chart.
- 8.4 The QC standards should be examined and cleaned regularly to ensure they are tarnish-free.
- 8.5 Where a new instrument is evaluated, the acceptance criteria are defined by an analysis of QC standards, thus ensuring that the standard deviation of the results is within acceptable limits.

9 Results and records

- 9.1 The results and control sheets are checked by an authorised person within the Assay Office before being released for CCM marking.
- 9.2 The lower and upper pass limits are calculated by the laboratory. Appropriate correction factors can be used.
- 9.3 Records of analysis must be kept for a defined period of time.

6.6 SHARED RISK APPROACH

1. Measurement uncertainty is inherent to any testing method. ISO 17025 explicitly requires that measurement uncertainty be taken into account,
2. According to the International Organisation of Legal Metrology (OIML), the shared risk approach is “a common understanding between parties concerned with the outcome of a test that neither party will be given an advantage or suffer a disadvantage concerning consideration of measurement uncertainty.”¹⁵
3. The “shared risk approach” is applicable to all methods of testing. It implies “to accept as conforming (and reject otherwise) an item whose property has a measured value in the tolerance interval”¹⁶. However, as no negative tolerance is allowed under the Convention, the measured value must in all cases be above or equal to the standard of fineness.



Notes:

- = Average result
- = Measurement of uncertainty ($\pm \dots$ ppt)

4. Based on the “shared risk approach”, articles tested according to 3.2.1-3.2.4 of the Compilation of Technical Decisions and obtaining a result equal to or higher than the standard of fineness will be marked with the CCM irrespective of the measurement of uncertainty (A, B & C).

¹⁵ “The role of measurement uncertainty in conformity assessment decisions in legal metrology” OIML G 19:2017

¹⁶ BIPM, JCGM 106:2012, Evaluation of measurement data – The role of measurement uncertainty in conformity assessment

6.7 BENCHMARKS FOR XRF TESTING

In relation with XRF testing, the Compilation of Technical Decisions (PMC/W 2/2001 (latest revision)) provides the following:

3.2 The fineness of the precious metals content is determined by one of the following approved methods of analysis:

3.2.5 For all precious metals: X-ray spectrometric method, when the internal method is accredited to ISO 17025 and the measurement uncertainty is equal to or better than that of already accepted methods ⁽¹¹⁾.

(11) This means that the measurement uncertainty of the X-Ray spectrometric method should not exceed the following limits:

- gold $\pm 0.5\text{‰}$
- silver $\pm 1.0\text{‰}$
- platinum $\pm 5.2\text{‰}$
- palladium $\pm 5.8\text{‰}$

The above-mentioned limits (= benchmarks) are established as follows:

- In principle, the benchmarks to be achieved should be ≤ 2 x the mean value of the reproducibility standard deviations during the last five Convention's Round Robins.
- The benchmarks are defined by the SC based on a proposal of the STG.
- The STG calculates the benchmarks based on historical RR data (see table below), rounded to the next decimal.

RR	RR Au	RR Ag	RR Pt	RR Pd
1	39 $\pm 0.21 \text{‰}$	40 $\pm 0.39 \text{‰}$	41 $\pm 1.30 \text{‰}$	36 $\pm 4.11 \text{‰}$
2	37 $\pm 0.24 \text{‰}$	38 $\pm 0.42 \text{‰}$	31 $\pm 2.61 \text{‰}$	25 $\pm 1.82 \text{‰}$
3	34 $\pm 0.23 \text{‰}$	35 $\pm 0.85 \text{‰}$	21 $\pm 2.27 \text{‰}$	15 $\pm 2.71 \text{‰}$
4	33 $\pm 0.28 \text{‰}$	32 $\pm 0.44 \text{‰}$	12 $\pm 3.40 \text{‰}$	
5	30 $\pm 0.25 \text{‰}$	29 $\pm 0.42 \text{‰}$	11 $\pm 3.30 \text{‰}$	
mean sR (5 years)	$\pm 0.24 \text{‰}$	$\pm 0.50 \text{‰}$	$\pm 2.58 \text{‰}$	$\pm 2.88 \text{‰}$
2 x sR (95%)	$\pm 0.48 \text{‰}$	$\pm 1.01 \text{‰}$	$\pm 5.15 \text{‰}$	$\pm 5.76 \text{‰}$
Rounded	$\pm 0.5 \text{‰}$	$\pm 1.0 \text{‰}$	$\pm 5.2 \text{‰}$	$\pm 5.8 \text{‰}$

- The benchmarks are considered stable over time and can be updated by the STG either on request of the SC or if a significant change occurs (e.g. higher performance of the analytical technology).

Section 7: Financial Regulations

Collection of the Annual Fee

1. The Convention Secretariat shall be responsible for collecting the annual fee due from Contributing States and Organisations, as listed in the table below, as well as issuing receipt according to the following:

- (a) The Secretariat must send out calls for the payment of the fee covering the following year, by official invoice, no later than 31 October of each calendar year;
- (b) The invoice shall indicate the annual fee to be paid and give the following options:
 - * Payment by 30 April of the next calendar year = 100% of the fee
 - * Payment after 30 April of the next calendar year (but before 31 October) = 120% of the fee.
- (c) Any credit or arrears (e.g. unpaid invoice) should be deducted from or added to the annual fee;
- (d) By June of each calendar year, the Secretariat will send a reminder to those Contributing States and Organisations, which have not paid their fees yet;
- (e) Contributing States and Organisations, which have failed to pay their fees by 31 October of the current financial year, will be invited by the Chairman to explain the reasons for the delay;
- (f) The Chairman shall make recommendations to the Standing Committee regarding late payers;
- (g) The Standing Committee shall take the appropriate measures to deal with the late or non-payment of annual fees.

Payment of other fees

2. The Convention Secretariat shall be responsible for collecting other fees, as listed in the table below, as well as issuing receipt according to the following:

- (a) The Secretariat will issue invoices for other fees (meeting fee, RR fee, etc.), which shall be normally paid within 30 days;
- (b) The non-payment of an invoice within the time limit will have for consequence that the related service (e.g. meeting attendance, delivery of RR samples, etc.) will not be granted.

Fees

All figures in Swiss Francs

	Annual Fee	Meeting Fee per person (pp)	RR Fee per RR participant¹⁷
A) STATE			
Member State / Contracting State	8,900	-	500 (yearly / per participant ¹⁸)
Applicant State	4,950	-	500 (yearly / per participant)
Observer State	1,780	> 1p: 200pp	500 (for up to 2 samples); 750 (for 3 samples)
Guest State	-	300pp	500 (for 1 sample) 750 (for 2 samples) 1,000 (for 3 samples)
B) ORGANISATION			
Technical Programme Participant	890	-	500 (yearly / per participant)
Observer Organisation	890	> 1p: 200pp	500 (for up to 2 samples); 750 (for 3 samples)
Guest Organisation	-	300pp	500 (for 1 sample) 750 (for 2 samples) 1,000 (for 3 samples)
C) OTHERS¹⁹	-	-	500 (for 1 sample) 750 (for 2 samples) 1,000 (for 3 samples)

* * * * *

¹⁷ As defined in the RR Guidelines (i.e. 1 Assay Office, without branches or sub-offices)

¹⁸ All alloys, XRF & chem

¹⁹ E.g. Assay Office of a non-UN Member State

MEMORANDUM OF UNDERSTANDING
between the
Pharmaceutical Inspection Co-operation Scheme (PIC/S)
and the
Convention on the Control and Marking of Articles of Precious Metals
(Precious Metals Convention)
on the
Administration, Operations and Financing
of the
Convention Secretariat

1. The following is a Memorandum of Understanding (MoU) between the Pharmaceutical Inspection Co-operation Scheme (PIC/S) and the Convention on the Control and Marking of Articles of Precious Metals (Precious Metals Convention) concerning the establishment and functioning of the Convention Secretariat.
2. PIC/S herewith agrees to provide secretariat services to the Precious Metals Convention. The services shall be rendered by the PIC/S Secretariat Staff, who shall constitute the Convention Secretariat.
3. In exchange for the services rendered by PIC/S, Members and Observers of the Precious Metals Convention shall pay an annual membership fee, which shall finance the operations of the Convention Secretariat. The amount of the fee is reviewed periodically and agreed by mutual consent. An overview on how fees have been used during the year shall be provided by PIC/S to the Precious Metals Convention.
4. Upon request, PIC/S can make available a bank account to the Precious Metals Convention, which can be used for specific programmes and projects. While the bank account is in the name of PIC/S, the use of the money can only be decided by the Standing Committee of the Precious Metals Convention.
5. The Convention Secretariat is technically attached to the PIC/S Secretariat. It assists the Standing Committee of the Precious Metals Convention (and other entities, set up by the Committee) in carrying out related activities under the direct supervision of the Chairman of the Standing Committee.
6. When carrying out activities for the Precious Metals Convention, the Convention Secretariat will be autonomous and follow its own procedures.
7. The Chairman of the Standing Committee and the PIC/S Chairperson shall oversee that the activities of the Convention Secretariat are carried out in accordance with the provisions of this MoU.

8. The Precious Metals Convention shall be consulted on matters related to the administration, operations, staffing and financing of the Convention Secretariat.
9. This MoU will be valid for the period from the date of signature by the parties concerned to the end of the budgetary year. It will be tacitly renewed, year after year. It can be terminated by one of the two parties subject to a 12-month written notice. Amendments to this Memorandum of Understanding may be proposed by PIC/S and the Precious Metals Convention for consideration by both parties.

Signed on 9 December 2019*

.....
Scott Walter
Chairman
Standing Committee
Precious Metals Convention

.....
Boon Meow Hoe
Chairman
PIC/S Committee

* Original MoU signed on 3 October 2003

**DECLARATION OF CONFIDENTIALITY &
ABSENCE OF CONFLICT OF INTERESTS**

I, *[name]*, representing *[name of authority]* agree to comply with the following conditions:

Article 1

I pledge, subject to the provisions of article 2, to respect the confidentiality of all the information (written and oral) received in relation with meetings under the Precious Metals Convention [Standing Committee, Standing Technical Committee, etc.] or sent to me by the Secretariat, other Members and Observers. I shall use the information only within the framework of the Precious Metals Convention.

Article 2

The commitments resulting from article 1 are permanent, but will not apply:

- to information available to the public at the time it is supplied;
- to information that a third party has communicated to me lawfully without a confidentiality agreement.

Article 3

I have taken good note of the classification of information & documents and the restrictions on the (further) circulation distribution of restricted²⁰ information & documents. I undertake not to share any classified information & documents with outsiders (e.g. trade).

Article 4

I declare that I have no conflict of interest with issues discussed at Convention meetings [Standing Committee, Standing Technical Committee, etc.] and that I will spontaneously inform (i) the Secretariat in advance of a meeting; or (ii) all participants at the beginning of a meeting, should one item for discussion under the draft Agenda represent a potential or real conflict of interest.

Place & Date:

Signature:

²⁰ Is considered “restricted”, information which is sensitive (test or assessment results, etc.) and whose circulation should be limited to those it is intended to. To be considered restricted, documents or communications must be circulated with the word “restricted”.

“Memorandum of Understanding” (MoU) for Non- Members

The Secretariat of the Convention on the Control and Marking of Articles of Precious Metals

c/o PIC/S
Rue de Roveray 14
CH – 1207 Geneva
Switzerland
www.hallmarkingconvention.org

Represented by:

Family name, first name
Position
+41227389215/6
info@hallmarkingconvention.org

and

Name of Ministry, Assay Office, Organisation

Street, no
City
Country
Website

Having applied to become:

(...) Technical Partner Participant (TPP)
(...) Observer (OBS)

Represented by:

Family name, first name
Position
Phone
E-mail

Have agreed on the following:

1. Scope

The present Memorandum is limited to the co-operation between the above-mentioned parties and the participation of the TPP/OBS in activities of the SC subject to the conditions spelled out in the Compilation of Acts of the SC.

2. Rights & Obligations

2.1 The TPP/OBS has the following rights:

2.1.1 To participate in:

- a) SC meetings and discussions unless they are confidential;
- b) Sub-Committees and Working Groups unless they are purely Convention-related; and
- c) Round Robin (RR).

2.1.2 To be consulted on:

- a) Technical issues (e.g. on RR) with the exception of Technical Decisions and the Convention's Annexes; and
- b) Regulatory issues if the regulations of the Non-Member are aligned with those of the Convention.

2.1.3 To receive:

- a) SC and sub-committee meeting documents unless they are confidential or strictly reserved for Members; and
- b) RR reports, if it has participated in the RR.

2.2 The TPP/OBS has the following obligations:

2.2.1 To pay fees, as defined in the SC's Financial Regulations. NB: Invoices are issued by the Pharmaceutical Inspection Co-operation Scheme (PIC/S), which provides secretariat services to the Convention.

2.2.2 To comply with the SC's Guidelines on the Sharing of Information, Confidentiality and Conflict of Interest and sign a declaration of confidentiality, as contained in the Compilation of Acts.

3. General

3.1 This Memorandum of Understanding will come into force upon signing by both parties.

3.2 It may be amended by both parties, subject to mutual agreement.

3.3 It may be suspended or terminated by either party, subject to prior notification in writing three months beforehand.

3.4 Paid fees will not be reimbursed. Arrears are due irrespective of whether the Memorandum has been suspended or terminated.

3.5 Disputes will be resolved by mutual negotiations. If not successful, they can be subject to arbitration in line with internationally accepted arbitration practices.

Signature	Signature
Date	Date