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PART I : SECTION (I) — GENERAL

Government Notifications

L.D. B. 1/98.

NATIONAL GEM AND JEWELLERY AUTHORITY ACT, No. 50 OF 1993

REGULATIONS made by the Minister of Enterprise Development and Investment Promotions under Section 53 of the National Gem and Jewellery Authority Act, No. 50 of 1993 read with Paragraph (k) of Section 14 of the aforesaid Act.

ROHITHA BOGOLLAGAMA,
Minister of Enterprise Development
and Investment Promotions.

Colombo,
10th March, 2006.

Regulations

1. These regulations may be cited as the Assaying and Hallmarking Regulations 2006. These regulations shall apply to jewellery manufactured in or imported into Sri Lanka for the purpose of trading and being offered for commercial or public sale, which are sold in such commercial or public sale.

2. No person carrying on a jewellery industry shall, supply or offer to supply jewellery, made of gold, silver or platinum or its alloys, to a purchaser or prospective purchaser unless such jewellery conforms to the authorized standards applicable in respect of gold, silver or platinum set out in regulation 3.

3. (1) The authorized standards of fineness in respect of gold, silver and platinum shall be as follows : -

<i>Precious Metal</i>	<i>Fineness</i>
(a) Gold	- 999 PPT corresponding to 24 Kt. - 916.6 PPT corresponding to 22 Kt. - 875 PPT corresponding to 21 Kt. - 750 PPT corresponding to 18 Kt. - 585 PPT corresponding to 14 Kt. - 417 PPT corresponding to 10 Kt. - 375 PPT corresponding to 09 Kt. - 333 PPT corresponding to 08 Kt.

(b) Silver - 999 PPT
- 925 PPT
- 800 PPT

(c) Platinum - 999 PPT
- 950 PPT
- 900 PPT
- 850 PPT

(d) No minus tolerance is allowed under this regulation.

(2) Where the precious metal content in an article is found to lie between two standards specified in paragraph (1), such precious metal shall be hallmarked at the lowest of the two standards provided the other required specifications are fulfilled.

(3) Where the word "Carat / Karat" or "Sterling" is used in describing an article it shall be presumed that the article is made of gold or silver as the case may be and that it shall not be less than the following standard of fineness.

(a) Carat / Karat - Carat / Karat / Ct / Kt / C or K designation preceded by a number may be used to express the quality of gold of an article having a minimum quality of 8 Carats or any higher number of Carats - the standard of fineness of gold should correspond to that number of carats.

(b) Sterling Silver - 925 parts per 1,000 silver

4. (1) The solder used for joining must be made with an alloy of the same metal of the same standard of fineness as the article itself except in the following circumstances : -

(a) Gold articles : -

- (i) where the article is of gold alloys above 750 PPT standard, the fineness of the solder must not be less than 750 PPT ;
- (ii) where the article is filigree worked or is a watchcase of 750 PPT standard, the fineness of the solder must not be less than 740 PPT ; and
- (iii) where the article is made of "white gold" of 750 PPT and 585 PPT standard, the fineness of the solder must not be less than 585 PPT and 500 PPT respectively.

(b) Silver articles - the fineness of the solder must not be less than 650 PPT

(c) Platinum articles - two or more of Gold, Silver, Platinum and Palladium to total minimum combined precious metal content of 950 PPT.

(2) An article shall not be hallmarked where excessive solder is used or the solder does not comply with the required standard of fineness referred to in paragraph (1).

(3) Solder of a fineness less than the standard of fineness of the article shall not be used for strengthening, weighting, filling or decorating.

(4) The joining of precious metal articles with non-precious metal parts shall be permissible under these provisions where such base metal parts are clearly visible or easily distinguishable by a mark specifying that such part is made of a non-precious metal or indicating the name of the non-precious metal.

(5) When precious metal articles are joined with parts made of other precious metals, the different precious metals used must be distinguishable from one another, in particular through the stamping or engraving of the respective fineness marks.

(6) The use of non-metallic substance shall be permitted provided that its extent is visible and easily distinguishable from the precious metal, in particular by a respective mark on the article.

(7) For mixed precious metal articles, the solder can be the permitted solder for the fineness of the least precious metal.

5. (1) Where an article is made of two or more precious metals and where : -

- (a) more than fifty *per centum* of the weight of the article is of one precious metal and the remainder is of a more precious metal or metals, the article shall be marked on the less precious metal, with the hallmark appropriate for that metal ;
- (b) more than fifty *per centum* of the weight of the article is of one precious metal and the remainder is of a less precious metal, such article shall be marked on the more precious metal, with the hallmark appropriate for that metal.

(2) For the purpose of this regulation : -

- (a) platinum shall be considered as more precious as more precious than gold or silver ;
- (b) gold shall be considered as more precious than silver.

(3) Where an article is made of platinum and gold and where more than fifty *per centum* of the article is of platinum and the remainder is of not less than 750 P.P.T of gold such article shall be hallmarked as platinum only if such gold is clearly distinguishable in colour and the solder used is not less than 750 PPT standard.

(4) The Assay Officer shall have discretion to -

- (a) add the standard hallmark only upon the more precious metal ; and
- (b) omit the standard hallmark from any small working part of an article, where it is impracticable to strike a mark.

6. (1) A silver article coated in whole or in part with gold shall be hallmarked as silver and gold, silver or platinum article coated with rhodium in whole or in part shall be hallmarked as gold, silver or platinum respectively.

(2) Undercoats or final coatings of metals other than is permitted in paragraph (1) for precious metals shall be prohibited.

(3) Base metal articles, or jewellery coated with precious metals resembling the precious metal article in appearance shall be marked by the manufacturer or seller, with either the mark "METAL" or "MET" or to be marked otherwise as agreed with the Assay Office.

7. Any precious metal article or jewellery that is of a fineness not than the minimum standard of fineness for that precious metal and passes the standards of fineness and complies with the conditions in these regulations, shall be marked with an approved hallmark appropriate for the precious metal and fineness. The approved hallmark shall consist of the "Assay Office Mark" and the "Standard Mark".

- (a) The Assay Office Mark shall consist of a Flower pot (punkalasa) ;
- (b) The Standard Mark shall consist of the following mark for the metal type and fineness : -

	Mark for metal type	Fineness
(i) Gold	Lamp	999 - for 24 Kt.
	Lamp	916 - for 22 Kt.
	Lamp	875 - for 21 Kt.
	Lamp	750 - for 18 Kt.
	Lamp	585 - for 14 Kt.
	Lamp	417 - for 10 Kt.
	Lamp	375 - for 09 Kt.
	Lamp	333 - for 08 Kt.

(ii) Silver	Mask	999
	Mask	925
	Mask	.800
(iii) Platinum	Pt	999
	Pt	950
	Pt	900
	Pt	850

8. Multi-metal jewellery or articles which consist of precious metal and base metal shall conform to the following conditions : -

- the legal standard of fineness of the precious metal shall be stamped therein.
- the specific mark for base metal shall be stamped on the relevant part.
- the different metal colours of precious metals and base metals should be clearly visible.
- the jewellery or article shall not be an imitation.

8. Imitation jewellery or articles shall be those in which -

- the precious metals articles are below the minimum standard of fineness or which do not satisfy other conditions of quality as precious metal articles ; or
- the articles corresponding to multi metal or plated articles or jewellery which are not marked as such, or do not satisfy the criteria required under these regulations.

10. Plated Jewellery or articles shall consist of a precious metal layer applied or deposited by means of a chemical, mechanical, metallurgical or other process, permanently to another material which bears a legal mark corresponding to the standard of fineness of the precious metal.

11. Precious metal jewellery or articles shall be -

- the articles made of precious metal alloys with at least the minimum legal standard of fineness and which satisfies other required specifications ;
- where an article consists of parts of different finenesses of the same precious metal, the hallmark of the lowest standard of fineness shall be marked ;
- mixed precious metal articles which comprise more than one precious metal in which each precious metal part shall be at least of the minimum legal standard of fineness marked.

12. (1) Precious metal articles and the precious metal parts of multi-metal articles may not be filled with base metals or precious metals with lower standards of fineness - or any other substance differing from the main mass. It is forbidden to use a filling to make an article seem more substantial, heavier or to contain more precious metal :

Provided that the Assay Office may grant exemptions for cases submitted with the support of any sample or samples or technical drawing.

(2) The use of mechanisms or parts made of base metal or alloys of precious metals of a lower standard of fineness on precious metal articles, may be permitted by the Assay Office for technical reasons. The relevant part or parts may be coated plated with gold, silver or rhodium.

13. (1) The "Sponsor's Mark" shall be stamped on an article by the jewellery trader or manufacturer in the course of such trade or business.

(2) The Assay Office shall keep a separate register of every Sponsor's Mark registered.

14. In these regulations unless the context otherwise requires -

"Assay Office" means the office established by the National Gem and Jewellery Authority Act, No. 50 of 1993 for assaying, precious metal articles or jewellery ;

"fineness" which is used to describe the precious metal content in an article, means the ratio of mass of precious metal content in an alloy to a mass of the alloy expressed in parts per thousand, abbreviated as P.P.T. ;

"Precious metals" includes platinum, gold, silver and metals such as Iridium, Osmium, Palladium, Rhodium Ruthenium of the Platinum group used either as pure metals or as alloys with other metals ;

"Sponsor's Mark" means the mark of the manufacturer or trader of the article. The mark shall contain one or several letters, a symbol or symbols or a combination of letters and symbols ; and

"approved hallmark" means marks stuck by an independent Assay Office in Sri Lanka whether before or after the commencement of these regulations under the law of the time being in force or marks stuck by an Assay Office under the law of a country outside Sri Lanka.