# Consultation on hallmarking by UK Assay Offices at overseas sub-offices - response form

## Purpose of this consultation

This consultation is issued by the British Hallmarking Council (BHC) to understand whether stakeholders would wish articles of precious metals which are hallmarked by United Kingdom Assay Offices in their overseas sub-offices should carry a hallmark which is different from the hallmark applied in the United Kingdom.

The full consultation is available from:   
[www.gov.uk/government/consultations/hallmarking-by-uk-assay-offices-overseas](http://www.gov.uk/government/consultations/hallmarking-by-uk-assay-offices-overseas)

## How to respond

Your response will be most useful if it is framed in direct response to the questions posed, although further comments and evidence are also welcome.

Please add your responses to the questions below and respond by **Friday 22nd September 2017**.

E-mail to: [bhcconsultation17@gmail.com](mailto:bhcconsultation17@gmail.com)

Or send by post to:

British Hallmarking Council - Consultation

Shakespeare Martineau

60 Gracechurch St

London EC3V OHR

**Please give details:**

**Your name/ email: ………………………………………………………………….**

**Your organisation: ………………………………………………………………….**

**Nature and details of organisation (numbers of members/ staff represented):**

**………………………………………………….………………………………………………….**

## Questions

**A: The Government has been clear that in enabling UK Assay Offices to conduct hallmarking operations at overseas sub-offices, there will be no diminution of reputation or quality. As the BHC is responsible for approving overseas hallmarks, we are keen to understand what factors our stakeholders believe should be considered by the BHC when approving an overseas marks.**

1. Should UK-struck and offshore-struck marks be distinguished?
2. What factors should the BHC take into account when approving hallmarks for use by UK Assay Offices at overseas sub-offices? Factors that may be relevant include:
3. How extensive will the overseas operations be in comparison to the operation of the main UK-based Assay Office?
4. If precious-metal items manufactured overseas carry different marks depending on whether the Assay Office applied the mark in the UK or in its overseas sub-office, could it mislead or confuse consumers?
5. Could a different, overseas mark be confused with an existing hallmark?
6. What quality assurance processes will ensure hallmarking that occurs overseas is as robust as hallmarking that occurs in the UK?
7. How distinct would a different hallmark need to be?
8. Are there additional factors that you believe should be considered?
9. UK accreditation marks (e.g. CE mark and UKAS) are the same regardless of whether they are applied in the UK or overseas. Should hallmarks be treated in the same way or is there a case for treating them differently?

**B: Businesses are currently required by the Hallmarking Act 1973 to display notices in the form approved by the BHC describing approved hallmarks (a “Dealer’s Notice”). In issuing guidance about overseas hallmarking operations, the BHC will inform businesses of the process for approving offshore hallmarks and if a distinguishable mark is used, set out their responsibilities when selling items that have been hallmarked in an overseas sub-office. We are keen to ensure that our guidance does not impose unnecessary burdens on businesses in meeting their responsibilities and therefore we want to understand better the views of business in this regard and to ensure that misleading information is not provided to consumers.**

1. Should additional information be provided by the BHC to provide clarity to businesses supplying items that have been hallmarked at an overseas sub-office if a distinguishable hallmark is required?
2. If so, should this be by means of the Dealer’s Notice alone?
3. If not, by what other means should this be done e.g. guidance on the BHC’s website?
4. Should the BHC provide guidance to businesses about steps they can take to avoid providing misleading information to consumers and therefore reduce the risk of breaching consumer protection and fair trading legislation?

**C: The BHC aims to provide information to assist consumers in understanding hallmarking, including hallmarking at overseas sub-offices, when purchasing precious metals in the UK. In order to achieve this, the BHC is keen to understand how this information can best be provided to consumers in particular if a distinguishable hallmark is used overseas.**

How can the BHC ensure consumers have access to clear information prior to making a purchase of precious metals? We have considered the following factors and we are keen to understand from our stakeholders whether these are appropriate or whether there are additional factors that we should consider:

1. Is point-of-sale information (i.e. the Dealer’s Notice) sufficient?
2. Would it help to provide information on the GOV.UK website?
3. Would a short communications programme, raising awareness be effective? For example, coverage in social media, press notices and articles in trade press.
4. Should the statutory information that must be displayed in retail premises selling hallmarked items be changed?
5. What benefit if any would it be to consumers to have an additional mark to denote hallmarking overseas by a UK Assay Office?

Is there anything else that needs to be done to enable consumers to make informed choices?