

BRITISH HALLMARKING COUNCIL

CORPORATE STATEMENT

1. **Founding Legislation**

The British Hallmarking Council (“BHC”) is established by the Hallmarking Act 1973 (“the Act”). The constitution of BHC is set out in Schedule 4 of the Act. The supervisory department of BHC is the Department of Trade and Industry.

2. **Classification**

For policy/administrative purposes BHC is classified as an executive non departmental public body.

For national accounts purposes BHC is classified to the central government sector.

3. **Aims**

To promote a policy relating to the maintenance of high levels of protection currently enjoyed by consumers of precious metal items and the trade relating to them

To monitor and where necessary promote changes in legislation in order to ensure that the policy is achieved so far as is possible, and to advise the Secretary of State accordingly

To ensure the adequacy of hallmarking facilities in the UK

To monitor the working of the Assay Offices and their established sub Offices

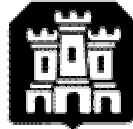
To apply (and every three years review) the system concerning applications for new sub Offices

To continue to foster relationships with and between “stakeholders” concerning the market in precious metal articles

4. **Objectives**

To complete the review of the future of hallmarking to plan follow on implementation action before the end of 2005

During 2005 to work with BJA, NAG and DTI to create an acceptable Regulatory Impact Assessment concerning proposed secondary legislation to amend the Act,



and to continue to help to promote those changes as necessary through the legislature

5. Rules and guidelines concerning Duties and Powers

The duties and powers of the BHC are set out in the Hallmarking Act.

Broadly, it is the function of BHC to try to ensure that the UK hallmarking system is adequate, and to monitor the activities of the Assay Offices. Also, to try to ensure that the law is enforced by the Trading Standards departments, and to advise DTI about issues arising from time to time, especially those which appear to make a change in the law desirable.

Particular powers given to BHC are to fix the maximum amounts which the Assay Offices can charge, to authorise an Assay Office to open and run a sub Office at a separate location, and to issue directions and regulations concerning practical aspects of hallmarking by the Assay offices.

There are no specific rules and guidelines laid down concerning the performance of the duties or the exercise of the powers, save for those set out in BHCs:

Sub Office Policy and Procedure

Code of practice for Council members

Publication Scheme (for the purposes of the Freedom of Information Act)

Race Equality Scheme

6. Finance

BHC's annual accounts (year end 31 December) are audited by the National Audit Office.

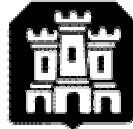
At the first meeting of the Council each year the Report and Accounts are adopted and any observations and recommendations of NAO are considered. Further, a draft budget for the year prepared by the Secretary and approved by the Chairman is put to the meeting for approval.

At the third meeting of Council each year a report of expenditure compared with budget prepared by the Secretary is put to the meeting for consideration and approval.

7. Officers

The Chairman of BHC is elected by Council from amongst its members to serve for a term of three years from election at the first meeting in an election year until the same meeting three years later. At the election meeting the remuneration of the Chairman is fixed - normally for the whole term of office, subject to interim review as may be found necessary.

The Secretary of BHC is appointed by Council on such terms as it thinks fit from time to time.



8. Responsibilities of Chairman and Secretary

The Chairman is responsible to the Secretary of State for the performance of BHC, and for leadership of the Board in strategic, decision making, efficiency and propriety issues, as well as for representing BHC to the public.

The Chairman is also responsible for Council membership issues including induction, vacancies and appointments and re appointments. Further, he is responsible for the adoption and operation of a Code of Practice.

The Secretary is responsible for the secretarial, administrative and financial affairs of BHC and is also normally appointed as the Accounting Officer of BHC by DTI. The Secretary is responsible for legal and financial compliance by BHC and for advising the Board on legal and compliance issues.

9. Communication between DTI and BHC

Officers in the group within DTI responsible for hallmarking (currently the Fair Markets Group) are invited to and attend Council meetings and receive the meetings papers for and minutes of these.

The Chairman of BHC has access to the Secretary of State for Trade and Industry and the departmental Minister and Officers responsible for hallmarking, and vice versa, as may be necessary from time to time.

The Secretary of BHC has access to responsible Officers, and vice versa, as may be necessary from time to time.

Amanda Eden for DTI

Tom Murray for BHC

January 2005