PRECIOUS METAL ARTICLES
ACT
(Unofficial consolidated text)

I. GENERAL PROVISIONS

Article 1

This Act provides the technical requirements for precious metal articles (hereinafter referred to as 'the articles') on the market; the procedures for assessment and certification of conformity; trading and supervision of the articles.

The provisions of this Act shall not apply to blanks and semi-finished articles of precious metals, such as granules, bars, plates, flakes, wires, strips, and the like.

Article 1a

This Act shall be adopted taking into account the procedure for provision of information in accordance with the Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L no. 241 of 17 September 2015, p. 1).

Article 2

Only the articles which comply with the prescribed technical requirements, and which have been assayed and marked in compliance with this Act may be placed on the market.

Article 3

The terms used for the purpose of this Act shall mean: 1 "precious metals" – platinum, gold, palladium and silver. Platinum is the most precious metal, followed by gold, palladium and silver;
2 "alloy of precious metal" – a solid compound made of at least one precious metal and one or several other metals;
3 "articles" – items of jewellery, goldsmith’s, watchmaker’s or silversmith’s ware or other articles made entirely or partly from precious metals or their alloys. The articles shall be complete as regards all their metal components.
4 "fineness" - the mass portion of precious metal contained in total mass of an alloy, expressed in parts per thousand;
5 "standard of fineness" – the lowest mass portion of precious metal contained in total mass of an alloy, expressed in parts per thousand;
6 "coating of precious metals" – a coating or layer of precious metals applied on all parts of the article by means of a chemical, electro-chemical, mechanical or physical process;
7 "solder" – an alloy of precious metals which may only be used as a binder;
8 "blank of precious metal" – a piece of precious metal intended for reworking or processing;
9 "semi-finished article of precious metal" – an article intended for making a finished article;
10 "ingots and granules of precious metals" – pieces of non-worked or non-processed precious metal;
11 "supplier" – manufacturer, manufacturer's agent or importer.

Article 4

The technical and related administrative and organisational assignments in the field of precious metal articles laid down in this and other Acts shall be performed by the Metrology Institute of the Republic of Slovenia within the Ministry of Higher Education, Science and Technology (hereinafter referred to as 'MIRS').

Besides other assignments in the field of precious metal articles laid down in the Act, MIRS shall primarily:
- participate in the preparation of technical and other regulations which shall under the Act be issued by the relevant Ministers upon prior approval of the Minister responsible for precious metal articles (hereinafter referred to as "the Minister");
- propose liaisons with international organisations and foreign organisations in the field of precious metal articles;
- co-operate with international organisations and represent in them the national service for precious metals.

Article 5

The provisions of this Act shall not apply to:
1 articles intended for export;
2 articles imported on a temporary basis as samples or exhibits;
3 articles completely coated with enamel, precious stones, pearls, or with other non-metallic coatings;
4 articles of non-precious metal completely coated with precious metals;
5 coins that are or were legal tender abroad, and foreign coins issued for collection purposes;
6 precious metals in the form of ingots, granules, bars or plates from mints listed on the "Good Delivery List" of the London Bullion Market Association.

**Article 5a**

The provisions of this Act relating to assaying and marking of the articles shall not apply to:
– articles of gold and palladium of a mass lower than 1 g, and articles of silver of a mass lower than 7 g;
– blanks and semi-finished articles of precious metals.

**Article 6**

The provisions of this Act relating to articles marking shall not apply to:
1 articles of platinum of a mass lower than 1 g, and articles so small or fragile that it is technically impossible to affix the corresponding marks to them;
2 accessories of insignificant mass or value of precious metal on gemstones, pearls or other articles;
3 musical instruments or parts of such instruments made from precious metals;
4 articles or objects designed for medical, dental, veterinary, scientific and technical purposes;
5 precious metals in the form of ingots, granules, bars or plates with a mass and fineness accepted by the precious metal markets;
6 collector coins issued by the Republic of Slovenia, and medals made from precious metals.

The articles listed in the above paragraph shall have a certificate of conformity the contents and form of which shall be prescribed by the Minister.

**II. TECHNICAL REQUIREMENTS**

**Article 7**

The articles shall comply with one of the following standards of fineness:
1 Platinum articles
   999 parts per thousand (999/1000)
   950 parts per thousand (950/1000)
   900 parts per thousand (900/1000)
   850 parts per thousand (850/1000)
Article 8

Platinum articles whose standard of fineness is lower than 850 parts per thousand (850/1000), gold articles whose standard of fineness is lower than 333 parts per thousand (333/1000), palladium articles whose standard of fineness is lower than 500 parts per thousand (500/1000), and silver articles whose standard of fineness is lower than 800 parts per thousand (800/1000), shall not be the articles in the sense of this Act.

Article 9

When the standard of fineness of an article exceeds the standard of fineness defined in Article 7 hereof but does not reach the next higher standard, the article shall be considered to have the lower standard of fineness.
The articles may also contain solder. The standard of fineness of solder shall equal that of the article.
Solder shall have one of the standards of fineness listed in Article 7 hereof.

**Article 11**

The articles may contain non-precious metal and non-metal parts, provided that these are clearly distinguishable from the precious metal part of the article. Non-precious, metal and non-metal, parts must not be coated with a coating of precious metal, which would give them the appearance of precious metal.

**Article 12**

A coating of precious metal shall have at least the fineness of the article which is coated. Besides coatings of precious metal laid down in this Act, coating of rhodium is also permitted.

**Article 13**

For the items referred to in Articles 10, 11 and 12 hereof, the Minister shall prescribe detailed technical requirements which the articles shall meet.

For technical reasons, the Minister may prescribe derogations from the requirements referred to in Articles 10, 11 and 12 hereof.

### III. ASSESSMENT AND CERTIFICATION OF CONFORMITY

**Article 14**

The supplier shall have his mark registered by MIRS or by an institution authorized for registration of supplier’s marks in another Member State of the European Union or the European Economic Area.

A supplier who ensures the conformity of the articles with the regulations himself shall have his mark registered by MIRS.

The supplier shall notify MIRS of any changes in relation with his business or registered office, or of any changes in his establishments or branches as well as suspension of his operations within 15 days from the occurrence of the change or suspension of operations.
Article 14a

MIRS shall keep records of supplier data (hereinafter referred to as "the records").

The data referred to in the previous paragraph shall include the name and registered office of the person, or the name and address and tax number of the supplier.

Article 14b

Personal data from the records may only be processed for the needs of supplier registration.

In making statistical analysis, personal data may only be used and published without disclosing the identity of the individual.

Article 14c

The data from the records shall be permanently retained.

The provisions of Articles 14a and 14b hereof relating to managing, using and storing personal data from the records shall also apply to the documents from which the personal data have been collected.

Article 15

Prior to placing an article on the market, the supplier shall ensure its conformity with the prescribed technical requirements.

The supplier may ensure the conformity of the articles by maintaining the prescribed technical documentation or by submitting the articles to MIRS for assaying and affixing the mark of conformity.

The assaying and affixing of the mark of conformity shall be performed by the assay laboratory being an internal organisational unit of MIRS (hereinafter referred to as “the laboratory”).
Prior to placing an article on the market, the supplier shall affix the fineness and sponsor's mark on the article.

**Article 16**

The supplier may also submit the articles for assaying and affixing the mark of conformity to legal persons or sole traders appointed by the Minister. The Minister may only appoint such legal persons or sole traders whose competence has been previously verified according to the rules of accreditation, and who meet additional requirements for assaying and marking the articles.

Additional requirements for assaying and marking the articles shall primarily comprise the analytical methods for assaying blanks of precious metals, semi-finished articles of precious metals, individual parts of the articles and the articles, for compliance of fineness, and the ways of marking the articles.

The Minister shall lay down in detail, by a regulation, the additional requirements referred to in the previous paragraph, and the procedure of appointing the legal person or sole trader referred to in paragraph 1 of this Article.

**Article 17**

A supplier who ensures himself the conformity of the articles with the regulations shall describe in technical documentation the system for ensuring conformity with the regulations.

The technical documentation referred to in the previous paragraph shall include at least information referring to:
- the type (platinum, gold, palladium, silver) and fineness of the articles;
- the use of blanks of precious metals, semi-finished articles of precious metals and solders, supplied either by suppliers having a certified quality system or by suppliers not having a certified quality system, or with a statement that the supplier produces the alloys himself;
- the supply of individual parts of the articles (e.g. clasps, locks, etc.), either by suppliers having a certified quality system or by suppliers not having a certified quality system;
- the indication of standard analytical methods used by the manufacturer to test blanks of precious metals, semi-finished articles of precious metals, individual parts of the articles, and the articles, for compliance of fineness, and the frequency of the tests, or indication of the laboratory which conducts the tests;
- the description of all the procedures used in the production of the articles which affect the fineness;
- the description of other procedures and methods employed by the manufacturer to additionally assure the quality of his work and the conformity of his articles with the regulations;
- the description of the procedures for keeping records on the quantity of tested and marked articles;
- the way of reporting that he ensures himself the conformity of the articles with the regulations.

The Minister may prescribe in detail the contents of the technical documentation.

**Article 18**

In his request for assaying and affixing the conformity mark, the supplier shall indicate the number of articles, their total mass and the fineness of the alloy.

When the laboratory or the legal person or sole trader referred to in Article 16 hereof has established through assaying that the submitted article complies with the standard of fineness marked on it, and that it also meets the other prescribed technical requirements, it shall affix the conformity mark on the article.

When the laboratory or the legal person or sole trader referred to in Article 16 hereof has established through assaying that the submitted article does not reach the standard of fineness marked on it, or that it does not meet the other prescribed technical requirements, it shall reject the request for affixing the conformity mark.

Upon a written request by the supplier the assaying of the article shall be repeated by another accredited laboratory. The findings of the repeated assay shall be final.

When the result of the repeated assay is favourable for the client, the client shall not be charged for the cost of the repeated assay.

**IV. MARKING OF THE ARTICLES**

**Article 19**

Reworked articles in which a change of fineness of the alloy has occurred during the reworking process, shall be marked anew with the supplier’s mark, fineness mark and conformity mark.

Transfer of an affixed mark from one article to another shall be prohibited.

Once the article has been marked, no other accessories shall be added.
Article 20

The articles consisting of various alloys, or of various standards of fineness of the same precious metal, between which there is no clearly distinguishable limit or difference, shall bear the fineness mark of the least precious alloy. When the limit between the alloys is clearly distinguishable, each component part may be marked with the fineness mark, whereas the fineness mark on the part made of the least precious alloy shall be obligatory.

The articles composed of various alloys of various precious metals, between which there is no clearly distinguishable limit or difference, shall bear the fineness mark of the least precious metal. When the limit is clearly distinguishable, each component part may be marked with the fineness mark, whereas the fineness mark on the part of the alloy made of the least precious metal shall be obligatory.

The articles consisting of parts of precious metals as well as of parts of other materials shall bear the fineness mark on the part made of precious metal. The non-precious metal parts of the article shall bear the mark "metal".

The articles may be coated with a coating of a metal more precious than the alloy they are made of. Such articles shall bear the fineness mark of the precious metal they are made of.

Article 21

The Minister shall prescribe the procedure for determining the supplier's mark and its form, the procedure for its registration, the form of the fineness marks, the form of the conformity mark and the method of marking the articles.

V. PAYMENT OF COSTS

Article 22

The cost of assaying and marking the articles, as well as the cost of checking the system which ensures product conformity with the regulations, and the cost of checking the technical documentation and product conformity with the data in the technical documentation, shall be paid by the supplier.

The cost of monitoring referred to in Article 28 hereof shall be paid by the legal person or sole trader referred to in Article 16 hereof.

The amount of costs and the method of payment shall be prescribed by the Government of the Republic of Slovenia.
VI. TRADING IN THE ARTICLES

Article 23

In shops, the articles shall be kept separately from other merchandise.

Pictures of the conformity marks as well as a table of standards of fineness for precious metals referred to in Article 7 hereof shall be displayed at a visible place in the premises where the articles are sold. A magnifying glass shall be made available to the buyers of the articles, enabling them to see clearly and to distinguish the marks on the articles.

No articles of the type referred to in Article 5(2) hereof shall be allowed in the premises where the articles are sold.

VII. SUPERVISION

Article 24

MIRS shall perform the supervision of the articles on the market. The supervision of the articles on the market shall consist of checking them against the prescribed requirements.

The supervision referred to in the previous paragraph shall be performed by inspectors for precious metal articles, who are organised as a special internal organisational unit within MIRS.

Article 25
(Deleted)

Article 26

The inspector shall have the right to withdraw the articles from the market and to order their assaying in the laboratory. Based on the finding of the laboratory that an article, which the inspector has withdrawn from the market and ordered its assaying, does not comply with the prescribed technical requirements, the inspector shall issue a decision banning the sale of the article until the irregularities have been removed.
Should the inspector establish that the article on the market is not marked or that it is not marked in the prescribed way, he shall issue a decision banning its sale until the irregularities have been removed.

A legal person or a sole trader who is being supervised shall allow the inspector to perform the supervision unhindered, which includes his entering the premises in which the articles are sold or kept in order to be sold.

An appeal against the decision referred to in paragraphs 1 and 2 of this Article may be made to the ministry in charge of precious metal articles. The appeal against the decision shall not withhold its execution.

Article 27

The system for ensuring product conformity with the regulations, the technical documentation and the conformity of articles with the data provided in the technical documentation shall be checked by the laboratory or the legal person or sole trader referred to in Article 16 hereof. The checking may also consist in assaying samples of finished articles taken in specified time intervals.

Should the laboratory or the legal person or sole trader referred to in Article 16 hereof establish that the fineness of a sample of finished article that has been assayed in accordance with the above paragraph is not complying, MIRS shall issue a decision banning the sale of the article until the irregularities have been removed.

In the case of major or recurring infringements by the supplier referred to in Article 17 hereof, MIRS shall issue a decision requesting the supplier to submit to the laboratory or to the legal person or sole trader referred to in Article 16 hereof all the articles which have not yet been assayed and marked, for assessment of their conformity with the regulations and marking with the conformity mark.

The obligation of submitting the articles to the laboratory or the legal person or sole trader referred to in Article 16 hereof for assessment of product conformity with the prescribed requirements and marking them with the conformity mark may last up to one year maximum. When making the decision, MIRS shall take into account the nature of the deficiencies found and their consequences.

An appeal may be made against the decision referred to in paragraphs 2 and 3 of this Article. The appeal against the decision shall not withhold its execution.

Article 28

MIRS shall monitor the work of the legal persons or sole traders referred to in Article 16 hereof for which they have been appointed.
Should MIRS establish that the legal person or sole trader referred to in Article 16 hereof does not perform its work in conformity with the regulations, or that it no longer meets the requirements for appointment, it shall propose to the Minister to cancel the decision of appointment.

**Article 29 (Deleted)**

**VIII. MUTUAL RECOGNITION CLAUSE**

**Article 30**

The provisions hereof shall not apply to products which, pursuant to the national law providing an equivalent level of protection of the public interest, as laid down in the legislation of the Republic of Slovenia, are lawfully produced or marketed in other EU Member States as well as in Turkey, or produced in the European Free Trade Association's (EFTA) countries who are at the same time signatories to the European Economic Area Agreement.


**IX. PENAL PROVISIONS**

**Article 31**

A supplier shall be fined with a fine of Euro 420 for not having issued the certificate of conformity referred to in Article 6(2) hereof.

The responsible person of the supplier having committed the act as per the previous paragraph shall be fined with a fine of Euro 210.

A legal person or sole trader shall be fined with a fine of Euro 420 for not having the articles in his shop separated from other merchandise, or for not having displayed at a visible place in the premises where the articles are being sold pictures of the marks of conformity, fineness marks, and a table of standards of fineness of precious metals
referred to in Article 7 hereof, or for not making available a magnifying glass which makes it possible to see clearly and to distinguish the marks on the article (Article 23).

The responsible person of the legal person or the responsible person of the sole trader having committed the act as per the previous paragraph shall be fined with a fine of Euro 210.

**Article 32**

A legal person shall be fined with a fine of Euro 300 to 5,000 for placing on the market articles which are not marked or which are not marked in the prescribed way (Article 2, Article 15(4) and Article 20).

A sole trader having committed the act as per the previous paragraph shall be fined with a fine of Euro 200 to 4,000 le.

The responsible person of the legal person or the responsible person of the sole trader having committed the act as per paragraph 1 of this Article shall be fined with a fine of Euro 150 to 2,500.

**Article 33**

A legal person or a sole trader shall be fined with a fine of Euro 700 to 1,400 for:
1. having placed on the market articles which do not comply with the prescribed technical requirements (Articles 2, 7, 10, 11 and 12, and Article 15(1));
2. not having notified MIRS of changes in accordance with Article 14(3) hereof.

The responsible person of the legal person or the responsible person of the sole trader having committed the act as per the previous paragraph shall be fined with a fine of Euro 300 to 700.

**Article 34**

A legal person or a sole trader shall be fined with a fine of Euro 3,500 to 7,000 for the offence of:
1. not having registered the supplier’s mark (Article 14 (1))
2. having transferred an affixed mark from one article to another (Article 19(2));
3. having added other accessories to the article after it had been marked (Article 19(3));
4. not allowing the inspector to perform the supervision unhindered (Article 26(3));
5. placing articles on the market as a supplier who ensures himself the conformity of the articles with the regulations, despite the provision under Article 27 hereof, or despite the fact that he no longer maintains the prescribed technical documentation.
A fine of Euro 700 to 1,400 shall be imposed on the responsible person of the legal person or the responsible person of the sole trader who has committed an act as per the previous paragraph.

**Article 34a**

A fine in an amount higher than the lowest prescribed fine defined herein may be imposed by a rapid procedure for committing the acts stated herein.

**TRANSITORY AND FINAL PROVISION**

**Article 35**

The procedures that were started prior to the entry into force of this Act shall be finished according to the regulations in force to date.

**Article 36**

This Act shall enter into force on the fifteenth day following its publication in the Official Gazette of the Republic of Slovenia.