

Pursuant to Paragraph 2 of Article 29 of the Precious Metal Articles Act (RS Official Gazette No. 85/00), the Minister of Education, Science and Sport hereby issues

I N S T R U C T I O N
on performing supervision of articles of precious metals on the market

Article 1

This Instruction lays down in detail the method for performing supervision of articles of precious metals (hereinafter called "the articles") on the market. Supervision of the articles shall be performed by the inspectors of the Metrology Institute of the Republic of Slovenia.

Article 2

The inspectors shall perform regular, repeated and extraordinary supervision. Regular supervision shall be performed on the basis of an annual work programme. The inspector may decide on a repeated supervision when any major anomalies have been found by regular supervision. Extraordinary supervision shall be performed when, on the basis of a written report received by the inspector, he has good reason to suspect that the provisions of the Precious Metal Articles Act (RS Official Gazette No. 85/00) have been breached.

Article 3

Before starting the supervision the inspector shall identify by presenting his official card. A legal person or a sole trader (hereinafter called "the client"), who is being supervised, shall allow the inspector to perform the supervision unhindered, which includes his entering the facilities in which the articles are placed on the market or kept in order to be placed on the market. During the supervision, the client shall provide to the inspector all the data and documents relating to the articles that are necessary for the performance of the supervision.

Article 4

The client shall show to the inspector all the articles placed on the market by him or ready to be placed on the market.

The client shall prepare the articles referred to in the above paragraph for supervision, which means that he shall remove any packaging and labels denoting the price or mass of the article, should these cover the marks made on the article. The client shall also ensure additional illumination, when the existing illumination does not allow detailed inspection of the articles and thus the supervision of the articles.

Article 5

Should the inspector establish that an article on the market is not marked in the prescribed way, he shall withdraw the article from the market and issue a decision banning its sale until the deficiencies have been eliminated.

The inspector shall seal the envelope containing the articles that he has withdrawn from the market.

On the envelope referred to in the above paragraph the inspector shall write the following data:

- Case no.;
- Date of supervision;
- Type of the article;
- Mass of the article.

Article 6

The client shall make a written statement for any articles withdrawn from the market that he does not wish to replace on the market.

Article 7

The inspector shall have the right to withdraw an article from the market and order its assaying, when there is suspicion that:

- the actual fineness of the article is lower than the one marked on the article,
- the marks struck on the article have been transferred from another article,
- the marks on the article have been counterfeited.

When the inspector orders assaying of an article, he shall define in his decision ordering the assaying the term by which the client should submit for assaying the articles withdrawn from the market.

Article 8

The client shall pay the expenses of supervision and assaying of the article when the supervision or the assaying procedure ends up unfavourably for the client.

Article 9

A report shall be made of the supervision performed, which shall contain the following information:

- Business name and address of the client, and basic data of the sole trader or the responsible person of the legal person (name, registry no., place of birth, profession and employment, domicile, job performed);
- Place, date and time of supervision;
- Findings of supervision;
- Term for elimination of deficiencies, if any;
- Data regarding on-the-spot fine, if any;
- Client's remarks, if any;
- Inspector's signature;
- Signature of the legal person's or sole trader's responsible person.

Article 10

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

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Done in Ljubljana, on 10 May 2002

Dr. Lucija Čok, m.p.
Minister
of Education, Science and Sport