

Chapter:	362C	TRADE DESCRIPTIONS (MARKING) (PLATINUM) ORDER	Gazette Number	Version Date
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		Empowering section		30/06/1997
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(Cap 362 section 4)

[1 April 1989]

(Originally L.N. 98 of 1988)

Paragraph:	1	Citation		30/06/1997
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This order may be cited as the Trade Descriptions (Marking) (platinum) Order.

(Enacted 1988)

Paragraph:	2	Interpretation	L.N. 271 of 2008	02/03/2009
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- (1) In this order, unless the context otherwise requires-
- "fineness" (純度) means the number of parts by weight of platinum in 1000 parts by weight of alloy;
- "platinum" (白金) has the meaning given to it under the Trade Descriptions (Definition of Platinum) Regulations (Cap 362 sub. leg.);
- "standard of fineness" (純度標準) means any one of the standards of fineness specified in Schedule 1.
- (2) For the purpose of construing markings relating to the fineness of platinum, a description which-
- consists of the letters "PT" and arabic numerals indicating that an article, or metal in an article, is so many parts per 1000; or
 - indicates that an article, or metal in an article, is "足白金" or "足鉑金", (L.N. 83 of 2008)
- shall be presumed to be an indication that the article or metal is of platinum, and that its fineness is that specified in Schedule 1 for that number of parts.

(Enacted 1988)

Paragraph:	3	Prohibition on supply of unmarked articles	L.N. 271 of 2008	02/03/2009
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No person shall supply or offer to supply an article of platinum in the course of any trade or business at retail level unless it is marked in accordance with this order.

(Enacted 1988. L.N. 83 of 2008)

Paragraph:	4	Marking of articles	L.N. 271 of 2008	02/03/2009
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- (1) Subject to subparagraph (3), every article of platinum that is supplied or offered for supply in the course of any trade or business at retail level shall bear a mark consisting of- (L.N. 83 of 2008)
- the letters "PT" and arabic numerals; or
 - the Chinese characters "足白金" or "足鉑金", (L.N. 83 of 2008)
- according to the fineness of the article being a standard of fineness specified in Schedule 1.
- (2) Each letter, number or character of the mark specified in sub-paragraph (1) shall not be smaller than 0.5 mm² in size.
- (3) This paragraph shall not apply to any article specified in Schedule 2.

(Enacted 1988)

Paragraph:	5	Articles of differing fineness		30/06/1997
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- (1) Subject to subparagraph (4), where an article mentioned in paragraph 4 consists of different parts which are

of different finenesses of platinum, then either-

- (a) each part shall be marked as if it were a separate article; or
- (b) one mark shall be affixed which shall be that of the fineness of the article as a whole.

(2) Where an article mentioned in paragraph 4 consists of different parts one or more of which are platinum and another or others are of another metal, the part or parts of which are platinum shall be marked under paragraph 4 and the other part or parts shall be described in the invoice or receipt supplied under paragraph 6.

(3) The solder used in an article shall not be less than 95% by weight of gold, platinum, palladium or silver or a combination of 2 or more of them, and shall not be less than 50% by weight of gold, platinum or palladium or a combination of 2 or more of them.

(4) Where the solder of an article constitutes not more than 5% of the finished article, the finished article may be marked with the standard of fineness of the main body.

(Enacted 1988)

Paragraph:	6	Supply to be accompanied by written particulars	L.N. 271 of 2008	02/03/2009
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(1) Any person who supplies any article of platinum in the course of trade or business at retail level shall, at the time of supply, issue to the person to whom the article is supplied an invoice or receipt which shall contain- (L.N. 83 of 2008)

- (a) the full name and address of the supplier;
- (b) the price at which the article is supplied;
- (c) the date of supply;
- (d) the details of—
 - (i) where the whole article is of platinum or platinum alloy of the same fineness, the mark required under paragraph 4 borne on the article and the corresponding fineness of the platinum content specified in Schedule 1; or
 - (ii) where the article consists of different parts which are of different fineness of platinum or platinum alloy, the mark required under paragraph 4 borne on each such part of the article by virtue of paragraph 5(1) and the corresponding fineness of the platinum content specified in Schedule 1; (L.N. 171 of 2008)
- (e) where the article consists of different parts which are of platinum or platinum alloy and other metal-
 - (i) a description of the parts which are of platinum or platinum alloy; and
 - (ii) a description of the type of such other metal and the relevant parts;
- (f) where appropriate, a description of any article or part of any article exempted by virtue of Schedule 2; and
- (g) where the whole article is of platinum or platinum alloy the fineness of which is not less than 990 parts by weight of platinum in 1000 parts by weight of alloy, the weight of the article. (L.N. 83 of 2008)

(1A) For the purposes of subparagraph (1)(d), where-

- (a) an article has been subjected to soldering; and
- (b) by virtue of paragraph 5(4), the article is marked with the standard of fineness of its main body,

the whole article is regarded as being of platinum or platinum alloy of the same fineness. (L.N. 83 of 2008)

(2) A supplier shall retain a copy of the invoice or receipt issued under subparagraph (1) for a period of not less than 3 years after the date of issue.

(3) Any person who contravenes subparagraph (2) commits an offence and is liable on conviction to a fine at level 2 and imprisonment for 1 month. (L.N. 83 of 2008)

(Enacted 1988)

Paragraph:	7	Notice to be displayed	L.N. 271 of 2008	02/03/2009
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(1) No person shall supply or offer to supply any article of platinum in the course of trade or business at retail level unless a notice in the form specified in Schedule 3 is displayed prominently to all customers at the point of supply or offer.

(2) A notice displayed under subparagraph (1) shall not be less than 210 mm × 297 mm in size.

(3) The letters and characters appearing on a notice displayed under subparagraph (1) shall not be less than 5 mm in height.

(L.N. 83 of 2008)

Paragraph:	8	Surface treated articles	L.N. 271 of 2008	02/03/2009
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(1) If an article with a surface treatment of platinum is marked with words describing the treatment which include "platinum", the other words in the description— (L.N. 83 of 2008)

- (a) shall be in English; and
- (b) shall not be less prominent than the word "platinum" . (L.N. 83 of 2008)

(2) If an article with a surface treatment of platinum is marked with words describing the treatment which include the characters “白金” or “鉑金” , the other words in the description—

- (a) shall be in Chinese; and
- (b) shall not be less prominent than the characters “白金” or “鉑金” , as the case may be. (L.N. 83 of 2008)

(Enacted 1988)

Paragraph:	9	Position of auctioneer	L.N. 271 of 2008	02/03/2009
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(1) For the purposes of this order, where an article of platinum is sold by auction—

- (a) the auctioneer shall be regarded as the supplier of the article; and
- (b) it shall, in the absence of evidence to the contrary, be presumed to be supplied in the course of trade or business at retail level.

(2) For the purposes of this order, where an article of platinum is offered for sale by auction, it shall—

- (a) be regarded as being offered for supply by the auctioneer; and
- (b) in the absence of evidence to the contrary, be presumed to be offered for supply in the course of trade or business at retail level.

(L.N. 83 of 2008)

Schedule:	1	STANDARDS OF FINENESS	L.N. 271 of 2008	02/03/2009
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[paragraphs 2, 4 & 6]
(L.N. 83 of 2008)

The standards of fineness (that is the number of parts by weight of platinum in 1000 parts by weight of alloy) are-

Standard	Fineness, not less than
足白金 or 足鉑金 (Chuk Pak Kam)	990
PT 990	990
PT 950	950
PT 900	900
PT 850	850

(Enacted 1988. L.N. 83 of 2008)

Schedule:	2	EXEMPTED ARTICLES	L.N. 271 of 2008	02/03/2009
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[paragraphs 4(3)
& 6(1)(f)]
(L.N. 83 of 2008)

1. Any coin which is, or was formerly, current coin of Hong Kong or elsewhere. (65 of 2000 s. 3)
2. Any article which has been used, or is intended to be used, for medical, dental, veterinary, scientific or industrial use.

3. Any article of platinum thread.
4. Any raw material (including any bar, plate, sheet, foil, wire, strip or tube) or bullion.
5. Any article or part of an article which is so small or thin as to render the marking of it impracticable, and which is less than 2 grams in weight.
6. Any article manufactured more than 100 years ago, provided that this is so stated in the invoice or receipt required by paragraph 6(1).

(Enacted 1988)

Schedule:	3		L.N. 271 of 2008	02/03/2009
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[paragraph 7]

NOTICE
TRADE DESCRIPTIONS ORDINANCE
(Chapter 362)

告示
商品說明條例
(第362章)

In accordance with the Trade Descriptions (Marking) (Platinum) Order (Cap 362 sub. leg.), every article made of platinum that is supplied or offered for supply in the course of trade or business at retail level shall bear a mark indicating the fineness of the platinum content and a detailed invoice or receipt shall be issued by the supplier in respect of every article supplied.

按照《商品說明(標記)(白金)令》(第362章, 附屬法例), 每一件在零售層面的營商過程或業務運作中所供應或要約供應以白金製成的製品, 均須註有標記以顯示白金含量純度, 而供應人亦須就其供應的每件製品發出詳細的發票或收據。

Standards of Fineness

純度標準

The standards of fineness (that is the number of parts by weight of platinum in 1000 parts by weight of alloy) are-

純度標準(即按重量計算白金在1000等份合金中所佔等份的數字)如下—

Standard	Fineness, not less than	標準	純度不低於
足白金 or 足鉑金 (Chuk Pak Kam)	990	足白金或足鉑金	990
PT990	990	PT990	990
PT950	950	PT950	950
PT900	900	PT900	900
PT850	850	PT850	850

(Enacted 1988. L.N. 87 of 1997; L.N. 83 of 2008; L.N. 171 of 2008)