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Ordinance on the Fees for Precious Metal Control (PMC-FeeO)

of 6 November 2019 (status as of 1 January 2020)

The Swiss Federal Council,

based on Article 18 paragraph 1, 19, 34 paragraph 2 and 37 paragraph 3 of the Federal Act of 20 June 1933¹ on the Control of the Trade in Precious Metals and Precious Metal Articles (Precious Metals Control Act, PMCA) and Article 46a of the Government and Administration Organisation Act of 21 March 1997²,
ordains:

Section 1 General Provisions

Art. 1 Subject matter

This Ordinance governs the fees for precious metal analysis, namely:

- a. fees for the services and decisions of the Central Office for Precious Metals Control, the federal assay offices and the cantonal assay offices;
- b. fees for assays of fineness carried out by trade assayers in accordance with Article 41 of the Precious Metals Control Act;
- c. fees for services provided by the Central Office.

Art. 2 Fees liability

Anyone who requests a service or decision in accordance with Article 1 letter a must pay a fee.

Art. 3 Applicability of the General Fees Ordinance

Unless otherwise stipulated in this Ordinance, the provisions of the General Fees Ordinance of 8 September 2004³ apply.

AS 2016 3771

¹ SR 941.31

² SR 172.010

³ SR 172.041.1

Art. 4 Fees

¹ The fees are calculated in accordance with the rates specified in the Annex.

² For services and decisions for which no rate is specified in the Annex, the fee is based on time spent (Art. 14).

³ Fees are periodically adjusted to the services actually performed and to technological developments.

Section 2 Official Analysis and Hallmarking**Art. 5 Principles**

The fees for the official Swiss hallmarking of watch-cases and other precious metal articles and mixed metal articles comprise:

- a. the fee for conformity testing;
- b. the hallmarking fee.

Art. 6 Fee for conformity testing

¹ For conformity testing of watch-cases and other precious metal articles and mixed metal articles, the fees specified in the Annex apply.

² For objects comprised of a combination of several precious metals, the rates for each individual metal are added together.

³ Certified material means precious metals and precious metal alloys whose fineness before production is confirmed with a conformity certificate that is issued or recognised by one of the bodies under Article 1 letter a.

Art. 7 Hallmarking fees

¹ For applying the hallmark on precious metal and mixed metal watch-cases or other articles, the fees specified in the Annex apply.

² A single mark is:

- a. the official Swiss hallmark; or
- b. the international hallmark in accordance with the Convention of 15 November 1972⁴ on the Control and Marking of Articles of Precious Metals.

³ A double mark is the combined Swiss/international hallmark. The double mark is applied as a single unit. The fee for a double mark is charged even if individual marks are applied separately and by the manufacturer itself.

⁴ SR 0.941.31

Art. 8 Acceptance fee

¹ If a series of fewer than ten objects is submitted for official hallmarking, an acceptance fee as specified in the Annex will be charged.

² The acceptance fee is not charged if the official hallmarks are applied by the applicant itself.

Art 9 Official hallmarking agreements

¹ For the conclusion of an agreement in accordance with Article 97 paragraph 2 and Article 117a paragraph 3 of the Ordinance on the Control of the Trade in Precious Metals and Precious Metal Articles of 8 May 1934⁵ (PMCO), the fees specified in the Annex apply:

- a. for creating the dossier and reviewing the application;
- b. for the audits carried out during the term of the agreement in accordance with Article 97 of the PMCO or for its renewal;
- c. for the additional audit in the case of a request for an agreement in accordance with Article 117a of the PMCO.

² The fees specified in paragraph 1 are payable before the conclusion or renewal of the agreement.

³ The fee for onsite supervision based on Article 117a paragraph 2 of the PMCO is based on time spent (Art. 14).

⁴ The Central Office charges an annual fee for the accreditation of suppliers and testing laboratories for certified material in accordance with the Annex.

Section 3 Fees for Fineness Assays**Art. 10** Assay of the fineness of samples

¹ A sample is defined as an object, a piece or any type of specimen taken from the same material which does not correspond to a parcel or a melted product.

² For assaying the fineness of samples, the fees specified in the Annex apply.

³ The fee covers the number of analyses necessary to assay the fineness of the sample.

⁴ Reduced-scope fineness assays include analyses for conformity with the legal standard of fineness on a single analysed metal.

⁵ The fee for assaying the fineness is doubled in the case of arbitration analysis.

⁶ For assays of fineness that cannot be carried out using standardised testing methods, the fees are based on time spent.

Art. 11 Assay of the fineness of melted products

¹ For assaying the fineness of melted products, the fees specified in the Annex apply.

² For the assay and marking of each melted product, an additional fee is charged as specified in the Annex.

Art. 12 Fees for conversion into analysable form

For the conversion into analysable form of material, solutions, salts and other materials which, due to their composition, require prior chemical and physical digestion, further fees as specified in the Annex are charged in addition to the fees set out in Articles 10 and 11.

Section 4 Other Flat-Rate Fees**Art. 13**

¹ Other flat-rate fees apply for:

- a. licences;
- b. registrations of responsibility marks;
- c. awarding of diplomas;
- d. ongoing supervision of trade assayers, melters and the cantonal assay offices;
- e. courses for precious metal assayers from industry or the cantonal assay offices;
- f. conformity testing of new coatings and materials.

² The fees are calculated in accordance with the rates specified in the Annex.

Section 5 Hourly Fees**Art. 14**

¹ For services, in particular expert opinions and decisions, for which no rate is specified in the Annex, a fee of CHF 90 to 135 per hour is charged.

² The exact fee within the range given in paragraph 1 is determined on the basis of the expertise required.

³ Hours may be divided into quarters of an hour. Each fraction of a quarter of an hour is counted as one full quarter of an hour.