

No. 12514

**AUSTRIA
and
SWITZERLAND**

**Agreement concerning reciprocal recognition of assay office
marks on watch-cases of precious metal. Signed at
Vienna on 14 February 1972**

Authentic text: German.

Registered by Austria on 16 May 1973.

**AUTRICHE
et
SUISSE**

**Accord relatif à la reconnaissance réciproque des poinçons
apposés sur les boîtiers de montre en métal précieux.
Signé à Vienne le 14 février 1972**

Texte authentique: allemand.

Enregistré par l'Autriche le 16 mai 1973.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE REPUBLIC OF AUSTRIA AND THE
SWISS CONFEDERATION CONCERNING RECIPROCAL RE-
COGNITION OF ASSAY OFFICE MARKS ON WATCH-CASES
OF PRECIOUS METAL

The Federal President of the Republic of Austria and
The Swiss Federal Council,

Desiring to promote and facilitate the exchange of watch-cases, have resolved
to conclude an agreement, and have for that purpose appointed as their
plenipotentiaries:

The Federal President of the Republic of Austria: Dr. Hans Heller, Senior
Counsellor, Federal Ministry of Finance;

The Swiss Federal Council: Dr. Charles Lenz, Director-General of Customs.

The plenipotentiaries, having exchanged their full powers, found to be in
good and due form, have agreed as follows:

Article 1. For the purposes of this Agreement:

1. The term "Austrian Act" means the Federal Act of 24 February 1954 con-
cerning the standard of articles of precious metal (Hallmarks Act);

2. The term "Swiss Act" means the Federal Act of 20 June 1933 concerning
the regulation of trade in precious metals and articles of precious metal;

3. The term "watch-case" means any gold, silver or platinum enclosure for a
watch movement, with or without movement;

4. The term "maker's mark" means the maker's mark referred to in article 4
of the Austrian Act or the manufacturer's officially approved trade mark; the term
"hallmark" means the hallmark referred to in article 12 of the said Act;

5. The term "mark of origin" means the mark referred to in article 9 of the
Swiss Act; the term "official stamp" means the official stamp (hallmark) referred
to in article 15 of the said Act.

Article 2. (1) Austrian watch-cases which at the time of their importation
into Switzerland bear the maker's mark and the hallmark shall not require the
apposition of the official stamp, provided that they are in conformity with the
other provisions of the Swiss Act.

(2) Swiss watch-cases which at the time of their importation into Austria
bear the mark of origin and the official stamp shall not require the apposition of the
hallmark, provided that they are in conformity with the other provisions of the
Austrian Act.

(3) Gold, silver or platinum watch-straps which are firmly attached to watch-
cases shall be assimilated to watch-cases if they exhibit the marks and characteristics
referred to in paragraph (1) or (2).

¹ Came into force on 6 April 1973, i.e. one month after the exchange of the instruments of ratification, which
took place at Berne on 6 March 1973, in accordance with article 7 (2).

Article 3. Immediately after the entry into force of this Agreement, the Austrian Central Hallmark and Assay Office (Hauptpunzierungs- und Proberamt) and the Swiss Central Inspectorate of Precious Metals (Zentralamt für Edelmetallkontrolle) shall deliver to each other representations of the official stamps and hallmarks prescribed in their respective States.

Article 4. Watch-cases coming from the territory of a Contracting Party which, upon inspection by the competent authority of the other Contracting Party, are found to be not in conformity with the legislative provisions of that Party shall be returned to the exporter. The competent authority of the other Contracting Party shall be notified accordingly.

Article 5. (1) The scratch test shall be employed to verify the standard of a watch-case. In doubtful cases, preliminary analyses shall be carried out on small quantities of a sample taken in the form of shavings or filings. If the standard is found to be inadequate, one quarter of a gramme of the article shall be subjected to analytical tests.

(2) The analytical tests shall be carried out by the following methods:

- In the case of gold: gravimetric analysis, by cupellation and parting with nitric acid;
- In the case of silver: titration, by dissolving in nitric acid and titration with sodium chloride solution (Gay-Lussac method) or titration with ammonium or potassium thiocyanate solution, using ferric ammonium sulphate as an indicator (Volhard method);
- In the case of platinum: gravimetric analysis, by dissolving in aqua regia, precipitation with ammonium chloride and reduction to metallic platinum.

Iridium precipitated or separated out with the platinum shall be considered to be platinum.

(3) The permissible test tolerances shall be as follows:

- In the case of gold and silver: up to one thousandth short;
- In the case of platinum: up to two thousandths short.

(4) Every assay shall be accompanied by a comparison (check) test. The test result shall be stated accurate to one ten-thousandth in the case of gold and one thousandth in the case of silver and platinum.

(5) The Governments of the two Contracting Parties may approve other methods of testing.

Article 6. (1) A mixed commission, which shall be constituted as soon as possible after the entry into force of the Agreement, shall be responsible for:

- (a) The formulation of any proposals for the amendment of this Agreement or for the approval of new methods of testing;
- (b) The settlement of any difficulties which may arise from the implementation of the Agreement.

(2) The commission shall be composed of an Austrian delegation and a Swiss delegation, each having three members. The members of the commission may be accompanied by experts.

(3) The commission shall meet at the request of the chairman of either delegation.

Article 7. (1) This Agreement is subject to ratification. The instruments of ratification shall be exchanged as soon as possible at Bern.

(2) This Agreement shall enter into force one month after the date of the exchange of the instruments of ratification.

(3) This Agreement may be denounced in writing at any time and shall cease to have effect one year after the date of denunciation.

IN WITNESS WHEREOF the plenipotentiaries of the two States have signed this Agreement.

DONE at Vienna, on 14 February 1972, in two original copies.

For the Republic of Austria:
Dr. HELLER

For the Swiss Confederation:
Dr. LENZ
