

THE PRECIOUS METAL AND GEM DEALER ACT (EXCERPT)
Act 95 of 1981

445.482 Definitions.

Sec. 2. As used in this act:

(a) "Agent or employee" means a person who, for compensation or valuable consideration, is employed either directly or indirectly by a dealer.

(b) "Dealer" means any person, corporation, partnership, or association, which, in whole or in part, engages in the ordinary course of repeated and recurrent transactions of buying or receiving precious items from the public within this state.

(c) "Gold" means elemental gold having an atomic weight of 196.967 and the chemical element symbol of Au, whether found by itself or in combination with its alloys or any other metal.

(d) "Internet drop-off store" means a person, corporation, or firm that contracts with other persons, corporations, or firms to offer its precious items for sale, purchase, consignment, or trade through means of an internet website and meets the conditions described in section 3(3).

(e) "Jewelry" means an ornamental item made of a material that includes a precious gem.

(f) "Local governmental unit" means a city, village, township, or county.

(g) "Local police agency" means the police agency of the city, village, or township, or if none, the county sheriff of the county, in which the dealer or internet drop-off store conducts business.

(h) "Platinum" means elemental platinum having an atomic weight of 195.09 and the chemical element symbol of Pt, whether found by itself or in combination with its alloys or any other metal.

(i) "Precious gem" means a diamond, alexandrite, ruby, sapphire, opal, amethyst, emerald, aquamarine, morganite, garnet, jadeite, topaz, tourmaline, turquoise, or pearl.

(j) "Precious item" means jewelry, a precious gem, or an item containing gold, silver, or platinum. Precious item does not include the following:

(i) Coins, commemorative medals, and tokens struck by, or in behalf of, a government or private mint.

(ii) Bullion bars and discs of the type traded by banks and commodity exchanges.

(iii) Items at the time they are purchased directly from a dealer registered under this act, a manufacturer, or a wholesaler who purchased them directly from a manufacturer.

(iv) Industrial machinery or equipment.

(v) An item being returned to or exchanged at the dealer where the item was purchased and that is accompanied by a valid sales receipt.

(vi) An item which is received for alteration, redesign, or repair in a manner that does not substantially change its use and returned directly to the customer.

(vii) An item which does not have a jeweler's identifying mark or a serial mark and which the dealer purchases for less than \$5.00.

(viii) Scrap metal which contains incidental traces of gold, silver, or platinum that are recoverable as a by-product.

(ix) Jewelry which a customer trades for other jewelry having a greater value, and which difference in value is paid by the customer.

(k) "Silver" means elemental silver having an atomic weight of 107.869 and the chemical element symbol of Ag, whether found by itself or in combination with its alloys or any other metal.

History: 1981, Act 95, Eff. Sept. 11, 1981;—Am. 1990, Act 34, Eff. May 1, 1990;—Am. 2006, Act 295, Imd. Eff. July 20, 2006.