

## Chapter Watch 1

## GENERAL

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**Watch 1.01 Definitions.** As used in these rules "statute" shall refer to sections 454.01 to 454.09, Wis. Stats. "Board" shall mean the Wisconsin Watchmaking Examining Board.

(1) Movement exchange means substitution of a new or reconditioned movement for a movement that needs repairing or replacing.

**History:** 1-2-56; am. Register, March, 1970, No. 171, eff. 4-1-70; cr. (1), Register, March, 1973, No. 207, eff. 4-1-73.

**Watch 1.02 Meetings.** The board shall hold at least 4 meetings a year at such times and places as the officers may direct.

**History:** 1-2-56; am. Register, March, 1964, No. 99, eff. 4-1-64.

**Watch 1.03 Rules.** Rules and regulations concerning the examination requirements, apprentice requirements, revocation proceedings, reciprocity and reinstatement requirements may be revised or amended by action of the board.

**Watch 1.04 Petition for rule changes.** Any individual or group interested in a change, deletion or extension of any administrative rule of the board may petition for a hearing. Such petition shall be submitted to the secretary of the board and shall specify the rule or rules the petition pertains to and outline the change requested. Upon receipt of such a petition requesting amendment, repeal, or extension of an administrative rule, the secretary will, if reasonable, consider, investigate or cause to be investigated the desires set forth in the petition and will arrange for a hearing if desired or if not will place the petition on the agenda for consideration at the next regular board meeting. The individual or spokesman of a group interested will be given 10 days' notice of the date, time and place the petition will be under consideration by the board in session and the hearing will be open to anyone interested in attending.

**Watch 1.05 Declaratory rulings.** Any individual or group desiring a declaratory ruling as to the applicability on any of the administrative rules or the statutory prerogatives of the board may submit to the secretary a petition in writing setting forth the pertinent facts and the need for the requested ruling. Upon receipt of such a petition the secretary may offer an opinion. However, the board will not be

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bound by an opinion of the secretary and if it is the desire of the individual or group to have an official ruling the secretary will place said petition on the agenda of the next regular board meeting. The secretary will then give to the individual or spokesman of the group 10 days' notice of the date and place the petition will be under consideration by the board in session which shall be open to anyone wishing to attend. The board shall not be required to make any ruling where the board's prerogatives are not clearly defined by statute.

**Watch 1.06 Prehearings.** In any matter pertaining to issues involving board consideration, any party may appear before any of the board members at the time and place agreed upon for the purpose of clarifying, simplifying, or arranging the issues to be presented. A written record of such hearings shall be kept and become a part of the hearing but no commitment by the members shall be official or binding unless a quorum is present.

**Watch 1.07 Applications.** Applications for examinations shall be filed with the secretary at least 10 days before the day of the examination, and shall be made on application blanks to be obtained from the secretary upon request.

**Watch 1.08 Applicant's affidavit.** Applicants for certificates of registration by examination shall file with the board an affidavit that he or she has not violated any of the provisions of chapter 454, Wis. Stats., and that he or she has satisfied an apprenticeship of 4 years or its equivalent in school training and practical experience. Detailed evidence must be presented which indicates that the following requirements have been complied with:

(1) That the applicant has met the requirements enumerated in the apprentice regulations which are issued by the Wis. Dept. of Industry, Labor and Human Relations, or

(2) Has satisfied the equivalent of a 4 year apprenticeship. In determining the equivalent of an apprenticeship of 4 years, 2 years of full time practical experience will be considered the equivalent of 1 year of apprenticeship. Full time practical experience means the practice of watchmaking as a profession for profit at the minimum of 2,000 hours a year. Part time experience will also be considered in determining the equivalent of an apprenticeship of 4 years. Four thousand hours of part time experience will be considered an equivalent of 1 year apprenticeship. Credit will also be given for full time attendance at a watchmaking school approved by the Board. Each month of attendance at said school will be considered the equivalent of 2 months of apprenticeship. No more than 3 years credit will be given for full time school attendance. Graduation from such a school will be considered the equivalent of 3 years of apprenticeship.

**History:** 1-2-56; am. Register, January, 1960, No. 49, eff. 2-1-60; am. Register, March, 1964, No. 99, eff. 4-1-64; am. Register, March, 1970, No. 171, eff. 4-1-70; r. and recr. Register, March, 1973, No. 207, eff. 4-1-73.

**Watch 1.09 Examination time.** A limit of 7 hours shall be given to applicants to complete the practical examination and 3 hours to complete the written examination.

**History:** 1-2-56; am. Register, March, 1964, No. 99, eff. 4-1-64.

**Watch 1.10 Examination.** (1) Examinee will be furnished a 16s, 17 jewel, American made pocket watch with the balance staff broken, hairspring distorted and escapement out of adjustment. He will fit

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a balance staff which will be furnished to him, true the hairspring, adjust the escapement and make all needed repairs. He will also make a stem to fit a Swiss wrist watch (without sample) and turn a portion of a balance staff to required dimensions.

(2) A prepared examination consisting of 50 questions pertaining to the theory of construction and repair of the modern watch.

**History:** 1-2-56; am. (1), Register, March, 1964, No. 99, eff. 4-1-64.

**Watch 1.11 Passing grade.** A passing grade in the examination for certificate of registration shall be an average of 75% provided applicant shall have obtained grades of not less than 70% in all subjects.

**Watch 1.12 Determining grade.** All grades are determined by the board during meetings at which a quorum is present and the applicant will be notified in person or by mail.

**History:** 1-2-56; r. and recr. Register, March, 1973, No. 207, eff. 4-1-73.

**Watch 1.13 Re-examination.** Persons failing in an examination shall be required to take an examination in all subjects in which their grades were less than 75% and, upon receiving a passing grade in said subjects and a passing average grade in the examination, a certificate of registration may be issued.

**Watch 1.14 No temporary permits.** No authority being given in chapter 454, Wis. Stats., for issuing of temporary permits or licenses to engage in watchmaking, no such permits or licenses shall be issued.

**History:** 1-2-56; am. Register, March, 1970, No. 171, eff. 4-1-70.

**Watch 1.15 Withholding certificate.** The board shall reserve the right to withhold the issuance of a certificate of registration until it is satisfied that all representations made in the application are true.

**Watch 1.16 Replacing lost certificate.** The board shall issue only one large embossed certificate to a registered watchmaker. Upon proof, satisfactory to the board, that a certificate has been lost or destroyed, the board may issue a new certificate upon the payment of \$2.50 therefor.

**Watch 1.17 Registration after revocation.** No person, whose certificate of registration has been revoked for any cause, shall be again registered until after he has successfully passed the examination and fulfilled such other requirements as established by the board.

**Watch 1.18 Reciprocity.** In granting reciprocity under section 454.06 (2), Wis. Stats., the following rules shall govern:

(1) Moral and ethical character of applicant must be satisfactory.  
(2) Applicant shall have received his certificate by passing a regularly conducted state examination and not by exemption.

(3) Standards of examination, established in applicant's state, must be as high as those in this state.

(4) The examining board of applicant's state must be granting reciprocity of Wisconsin registered watchmakers under regulations as reasonable as these.

(5) Reciprocity shall not be granted until after a personal interview with the applicant by the board or an authorized representative thereof.

**History:** 1-2-56; am. (2) and (5), Register, April, 1962, No. 76, eff. 5-1-62; am. intro. par., Register, March, 1970, No. 171, eff. 4-1-70; am. (2), Register, March, 1973, No. 207, eff. 4-1-73.

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**Watch 1.19 Military or defense service.** No certificate of registration will be revoked while the holder thereof is an active member of the military or naval forces of the United States or engaged as a civilian in the service of the federal government for national defense work during a period of national emergency or limited national emergency, provided that such holder is not during said time engaged in the practice of watchmaking in this state. Upon the return of the holder to the practice of watchmaking, his certificate may be renewed upon payment of the renewal fee for the then current year.

**Watch 1.20 Unethical conduct.** "Unethical conduct" as used in sections 454.01 to 454.09, Wis. Stats., includes and means any conduct of a character likely to mislead, deceive or defraud the public and specifically includes, without limitation because of enumeration: advertising in which untruthful or misleading statements are made; advertising of prices of watch repairing; advertising or giving watch crystals, watch parts, attachments or any article gratis or at less than cost; performance of any service in pursuance of such advertising; loaning of a certificate of registration to any person; failure to display the certificate of registration conspicuously at all times; representing that a watch has been cleaned although its major parts have not been disassembled and dirt and old oil completely removed from the train wheels, pivots, bearings, jewels and other parts; performance of any work upon a watch in an unworkmanlike or unskilled manner; representing that certain services or parts are necessary or have been or will be used in the repair of a watch although such services or parts are not necessary or have not been used in such repairs; employing, directly or indirectly, any unregistered person to perform any watchmaking; or non-compliance, within 30 days, with the directive given in a written notice from the board to terminate employment of or with any person who is violating any of the provisions of sections 454.01 to 454.09, Wis. Stats., or rules established in accordance therewith.

**History:** 1-2-56; am. Register, January, 1960, No. 49, eff. 2-1-60; am. Register, March, 1970, No. 171, eff. 4-1-70.

**Watch 1.21 Movement exchange.** The implementation of any movement exchange shall be a watchmaking function. Each consumer must be made aware of the quality and description of the original and the replacement movement. Also each consumer must consent in writing to such exchange. Whenever any watchmaker implements a movement exchange, (the following provisions shall not pertain to the replacement of pin lever movements), said watchmaker shall prepare and supply each consumer with an agreement providing the following:

- (1) Name, address, and authorizing signature of said watch owner.
- (2) Name, address, and signature of the watchmaker performing the movement exchange.
- (3) A full and adequate description of the original and replacement movement which shall include at the minimum the number of jewels, if any, the name which appears on the dial and plates, Caliber numbers in trademark or Ebauche number(s) if applicable and whether replacement movement is new or reconditioned. A duplicate copy of the agreement must be retained for a period of 3 years.

**History:** Cr. Register, March, 1973, No. 207, eff. 4-1-73.