

#281

## Chapter Watch 1

## GENERAL

Watch 1.01	Definitions	Watch 1.12	Determining grades
Watch 1.02	Meetings	Watch 1.13	Re-examination
Watch 1.04	Petition for rule change	Watch 1.14	No temporary permits
Watch 1.05	Declaratory ruling	Watch 1.15	Withholding certificate
Watch 1.06	Prehearing	Watch 1.16	Replacing lost certificate
Watch 1.07	Applications	Watch 1.18	Reciprocity
Watch 1.08	Applicant's affidavit	Watch 1.19	Military or defense service
Watch 1.09	Examination time	Watch 1.20	Unethical conduct
Watch 1.10	Examination	Watch 1.21	Movement exchange
Watch 1.11	Passing grade		

**Watch 1.01 Definitions.** As used in these rules, "statute" refers to chapter 454, Wis. Stats., "board" means the watchmaking examining board, and "watch" and "portable time piece" interchangeably mean any time keeping device which is normally worn on or about the body.

**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, r. and recr., Register, August, 1975, No. 236, eff. 9-1-75.

**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 1.04 Petition for rule change.** Any individual or group interested in a change, deletion or extension of any administrative rule may petition for a hearing. A petition shall be submitted to the chairman of the board and shall specify with particularity the change or changes requested. Upon receipt of a petition requesting amendment, repeal, or extension of an administrative rule, the chairman shall upon the advice and consent of the board, consider, investigate or cause to be investigated the request set forth in the petition. A public hearing shall be held, and interested individuals shall be provided at least 10 days notice of the date, time and place of the hearing. Notice shall be transmitted by certified mail.

**History:** 1-2-56; r. and recr., Register, August, 1975, No. 236, eff. 9-1-75.

**Watch 1.05 Declaratory ruling.** Any individual or group desiring a declaratory ruling as to the applicability of any of the administrative rules or the statutory prerogatives of the board shall submit a petition to the board in writing setting forth the pertinent facts and the need for the requested ruling. A public hearing shall be held and the secretary shall provide all interested individuals at least 10 days notice of the date and place for said hearing.

**History:** 1-2-56; r. and recr., Register, August, 1975, No. 236, eff. 9-1-75.

**Watch 1.06 Prehearing.** In matters pertaining to issues involving board consideration, any party may appear before the board at the time and place specified for the purpose of clarifying, simplifying, or defining the issues to be presented. A written record of such hearings shall be kept and shall become part of the official record.

**History:** 1-2-56; r. and recr., Register, August, 1975, No. 236, eff. 9-1-75.

**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 Wisconsin department 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 8 hours shall be given to applicants to complete the practical and written examination.

**History:** 1-2-56; am. Register, March, 1964, No. 99, eff. 4-1-64; am. Register, June, 1978, No. 270, eff. 7-1-78.

**Watch 1.10 Examination.** Each examinee will be furnished a pocket watch with the hair spring distorted and escapement out of adjustment. Each examinee shall fit a balance staff, to be furnished by the board, true a hair spring, adjust the escapement and make all necessary repairs and adjustments as the board shall determine. Each examinee will be required to turn a portion of the balance staff to required dimensions. Each examinee shall complete a written examination pertaining to the theory of construction and repair of various types of portable time pieces.

**History:** 1-2-56; am. (1), Register, March, 1964, No. 99, eff. 4-1-64; r. and recr., Register, August, 1975, No. 236, eff. 9-1-75; am. Register, June, 1978, No. 270, eff. 7-1-78.

**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.** 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.

**History:** 1-2-56; r. and recr. Register, August, 1975, No. 236, eff. 9-1-75.

**History:** Watch 1.17 Registration after revocation. 1-2-56; r. Register, August, 1975, No. 236, eff. 9-1-75.

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

(1) Applicants shall have received a certificate by passing a regularly conducted examination and not by exemption, and shall have been registered in and engaged in watchmaking for a period of not less than 2 years.

(2) Standards of examination established in applicant's state, shall be equivalent to Wis. Adm. Code sections Watch 1.08, Watch 1.10, and Watch 1.11.

**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; r. and recr., Register, August, 1975, No. 236, eff. 9-1-75.

**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 forces of the United States, provided that such holder is not then 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 annual licensing fee.

**History:** 1-2-56; r. and recr., Register, August, 1975, No. 236, eff. 9-1-75.

**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; loaning of a certificate of registration to any person; failure to display the certificate of registration conspicuously at all times; representing

Register, August, 1975, No. 236

that a watch has been cleaned although its major parts have not been cleaned and dirt and old lubricant has not been 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 replacement parts are necessary or have been or will be used in the repair of a watch although such services or replacement parts are not necessary or have not been used in such repairs; employing, directly or indirectly, any unregistered person to perform any watchmaking function.

**History:** 1-2-56; am. Register, January, 1960, No. 49, eff. 2-1-60; am. Register, March, 1970, No. 171, eff. 4-1-70; am. Register, August, 1975, No. 236, eff. 9-1-75.

**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.