

Hon. Mr. McGowan.

SECOND-HAND DEALERS.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Second-hand dealers to be licensed.</p> <p>4. Application for license. Council may grant license. Duration of license. License-fee.</p> <p>5. Alphabetical record to be kept.</p> <p>6. Name of licensee to be displayed.</p> <p>7. Unlicensed person may not act as second-hand dealer.</p>	<p>8. Register of articles bought, sold or exchanged, to be kept.</p> <p>9. License to be produced on demand.</p> <p>10. Restrictions as to purchase of goods.</p> <p>11. Penalties.</p> <p>12. Cancellation of licenses.</p> <p>13. Disposal of fees and penalties.</p> <p>14. Exemptions from Act. Schedules.</p>
---	---

A BILL INTITULED

AN ACT to provide for the Licensing of Second-hand Dealers, and to regulate the Sale of Second-hand Articles.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Second-hand Dealers Act, 1901."

Short Title.

2. Every one who carries on business by the purchase, sale, or exchange of second-hand articles is deemed a second-hand dealer within the meaning of this Act.

Interpretation.

3. From and after the first day of January, one thousand nine hundred and two, it shall not be lawful for any person to carry on business as a second-hand dealer unless he is the holder of a license under this Act.

Second-hand dealers to be licensed.

4. (1.) Any person wishing to obtain a license under this Act shall deliver to the Clerk of the borough or county within whose district he intends to carry on such business an application in the form of the First Schedule hereto, or to the like effect, and recommended by the chief officer of police in such borough or county and three householders resident therein.

Application for license.

(2.) The Council of the borough or county, as the case may be, if satisfied with the character of the applicant, may grant a license in the form of the Second Schedule hereto.

Council may grant license.

(3.) Every such license shall be signed by the Mayor or Chairman of the Council, and countersigned by the Clerk.

(4.) Such license, unless sooner cancelled, shall continue in force within such district as aforesaid, but not elsewhere, for one year from the date on which it was granted, but may be renewed from year to year as the Council thinks fit.

Duration of license.

License-fee.	(5.) There shall be payable in respect of every such license, and of every annual renewal thereof, the fee of <i>ten</i> shillings.	
Alphabetical record to be kept.	5. The Clerk of the borough or county by which such licenses are granted or renewed shall keep an alphabetical record thereof, and of every cancellation thereof.	5
Name of licensee to be displayed.	6. Every licensee under this Act shall have his name in full, together with the words "licensed second-hand dealer," painted in legible characters at least two inches long, so as constantly to be seen and read over the door of his shop or place of business.	
Unlicensed person may not act as second-hand dealer.	7. It shall not be lawful for any person not being a licensee under this Act to in any way or by any method or device hold himself out to be a licensed second-hand dealer.	10
Register of articles bought, sold, or exchanged to be kept.	8. (1.) Every licensee under this Act shall keep a book wherein he shall from time to time enter each article bought, sold, or exchanged, the date of the transaction, and, in case of any article bought by him or received by him in exchange, the name, residence, and calling of the person from whom he bought or received it. (2.) Every such entry shall be made on the date when the transaction takes place.	15
License to be produced on demand.	9. Every licensee under this Act shall at all reasonable times, on demand at his shop or place of business, produce his license to any constable or other member of the Police Force, and permit him to inspect such shop or place of business, the goods therein, and also the above-mentioned book.	20
Restrictions as to purchase of goods.	10. It shall not be lawful for any licensee under this Act, by himself or by any other person, to purchase or receive any second-hand goods before the hour of eight in the morning or after the hour of six in the evening, nor at any time from any person apparently under the age of sixteen years.	25
Penalties.	11. If any person fails to faithfully comply with any of the provisions of this Act he commits an offence, and is liable to a penalty not exceeding <i>five</i> pounds, and in the case of a continuing offence to a further penalty not exceeding <i>five</i> pounds for every day after the first during which such offence continues.	30
Cancellation of licenses.	12. (1.) In all proceedings against a licensee under this Act for any such offence he shall produce his license to the Court, and the Court when convicting him may, in addition to imposing the penalty, cancel the license by memorandum to that effect written across its face and signed by the convicting Justice, whereupon all the rights and privileges of the licensee thereunder shall absolutely cease and determine. (2.) In every case where a license is cancelled by the Court, the Clerk of the Court shall forward the same to the Clerk of the borough or county by which it was granted, and he shall record such cancellation.	35 40 45
Disposal of fees and penalties.	13. All fees paid and penalties recovered under this Act shall belong to the borough or county within which such fees and penalties are paid and recovered.	
Exemptions from Act.	14. Nothing in this Act shall apply to licensed auctioneers or to persons who deal exclusively in second-hand books or manuscripts.	50

SCHEDULES.

Schedules.

FIRST SCHEDULE.

APPLICATION FOR LICENSE.

Under "The Second-hand Dealers Act, 1901."

To the Council of
I, A. B. [*State occupation*], now residing at , hereby apply for a license to carry on the business of a second-hand dealer in the shop or place of business situated at [*Describe distinctly its situation*], and which I intend to keep as a second-hand dealer's shop.

Dated at , this day of , 19 .
(Signature.)

CERTIFICATE IN SUPPORT OF APPLICATION FOR LICENSE.

Under "The Second-hand Dealers Act, 1901."

WE, the chief officer of police in the Borough [*or County*] of , and the undersigned householders residing in such district, hereby certify that the above A. B. is a person of good fame and reputation, and fit and proper to be licensed as a second-hand dealer.

(Signatures.)

SECOND SCHEDULE.

LICENSE.

Under "The Second-hand Dealers Act, 1901."

THE Borough [*or County*] Council of , being satisfied that A. B. is a person of good character, and having received the license-fee of *ten* shillings, hereby authorises him to carry on the business of a second-hand dealer in the shop or place of business [*Describe it*] within this district, and not elsewhere. This license is granted subject to the provisions of "The Second-hand Dealers Act, 1901," and, unless sooner cancelled, continues in force for the period of twelve months from the date hereof, but may be renewed from year to year, if the Council thinks fit, on payment of a fee of *ten* shillings for each yearly renewal.

Granted at , this day of , 19 .
C. D., Mayor [*or Chairman*].

E. F., Clerk.