

WESTERN AUSTRALIA.



ANNO SEXTO

EDWARDI SEPTIMI REGIS,

X.

No. 10 of 1906.

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

[Assented to 29th September, 1906.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Second-hand Dealers Act*, 1906. Short title.

2. Every person who carries on the business of purchasing, selling, or exchanging second-hand articles shall be deemed a second-hand dealer within the meaning of this Act. Second-hand dealers.
N.Z., 1902, No. 23,
s. 2.

3. From and after the first day of January, one thousand nine hundred and seven, 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.
Ibid., s. 3.

Schedules.

SCHEDULES.

Section 4.

First Schedule.

The Second-hand Dealers Act, 1906.

APPLICATION FOR LICENSE.

To the Clerk of Petty Sessions at

I [*state name and occupation*], now residing at _____, hereby apply for a license to carry on the business of a second-hand dealer. My shop or place of business is situated at [*describe its situation*], and I intend to keep it as a second-hand dealer's shop.

Dated this _____ day of _____, 19 _____.

(*Signature.*)

Section 4.

Second Schedule.

The Second-hand Dealers Act, 1906.

LICENSE.

I, the undersigned Police Magistrate [*or Resident Magistrate*] for the Magisterial District of _____, being satisfied that _____ is a person of good character, hereby authorise him to carry on the business of a second-hand dealer, at his shop or place of business, situated at _____. This license is granted subject to the provisions of the Second-hand Dealers Act, 1906, and, unless sooner cancelled, continues in force for the period of twelve months from this date.

Granted at _____, this _____ day of _____, 19 _____.

P.M. [*or R.M.*].

Section 7.

Third Schedule.

The Second-hand Dealers Act, 1906.

REGISTER OF ARTICLES BOUGHT OR EXCHANGED.

Date and time of purchase or exchange.	Description of article bought or exchanged.	Amount paid, or description of article given in exchange.	Signature of person buying or exchanging.	Signature and address of person selling or exchanging.

11. If any person fails to comply with any of the provisions of this Act, he shall be guilty of an offence, and liable, on summary conviction before two justices of the peace, to a penalty not exceeding five pounds, and in the case of a continuing offence to a further penalty not exceeding five pounds for every day after the first during which such offence continues.

Penalties.
N.Z., 1902, No. 2,
s. 11.

12. In all proceedings against a licensee under this Act for any such offence the court, when convicting him, may, in addition to imposing the penalty, cancel the license by memorandum to that effect signed by the convicting justices, whereupon all the rights and privileges of the licensee under the said license shall absolutely cease and determine.

Cancellation of
licenses.
Ibid., s. 12.

13. Nothing in this Act shall apply to any person who does not carry on the sale or exchange of second-hand articles at a shop, store, or place of business, nor to any person purchasing such articles for the purpose of manufacturing other articles therefrom, except purchasers of second-hand jewellery.

Act not to apply in
certain cases.
Ibid., s. 14.

14. Where the ownership of any goods brought before two justices of the peace, and which have been unlawfully sold or exchanged, is established to the satisfaction of the justices, they may order that such goods shall be delivered up to the owner either without compensation or with such compensation to the person to whom they were so unlawfully sold or exchanged as the justices deem fit.

Disposal of
recovered goods.
Ibid., s. 15.

15. Nothing in this Act shall apply to the purchase or sale by any person of second-hand household furniture, books, mining machinery or appliances.

Act not to apply to
certain goods.

16. If any licensee under this Act buys or exchanges any second-hand goods from or with any intoxicated person, such licensee shall be guilty of an offence under this Act, and liable, on summary conviction therefor before two justices of the peace, to a penalty not exceeding ten pounds; and further, on such conviction, his license shall be forfeited or cancelled.

Restrictions as to
persons under the
influence of intoxi-
cating liquor.

Schedules.

SCHEDULES.

Section 4.

First Schedule.*The Second-hand Dealers Act, 1906.***APPLICATION FOR LICENSE.**

To the Clerk of Petty Sessions at

I [*state name and occupation*], now residing at _____, hereby apply for a license to carry on the business of a second-hand dealer. My shop or place of business is situated at [*describe its situation*], and I intend to keep it as a second-hand dealer's shop.

Dated this _____ day of _____, 19 _____.

(Signature.)

Section 4.

Second Schedule.*The Second-hand Dealers Act, 1906.***LICENSE.**

I, the undersigned Police Magistrate [*or Resident Magistrate*] for the Magisterial District of _____, being satisfied that _____ is a person of good character, hereby authorise him to carry on the business of a second-hand dealer, at his shop or place of business, situated at _____. This license is granted subject to the provisions of the Second-hand Dealers Act, 1906, and, unless sooner cancelled, continues in force for the period of twelve months from this date.

Granted at _____, this _____ day of _____, 19 _____.

P.M. [*or R.M.*].

Section 7.

Third Schedule.*The Second-hand Dealers Act, 1906.***REGISTER OF ARTICLES BOUGHT OR EXCHANGED.**

Date and time of purchase or exchange.	Description of article bought or exchanged.	Amount paid, or description of article given in exchange.	Signature of person buying or exchanging.	Signature and address of person selling or exchanging.