

OLD METAL AND MARINE STORES ACT

CHAPTER 84:07

Act

12 of 1904

Amended by

41 of 1942

51/1980

3 of 1994

6 of 2014

Current Authorised Pages

| <i>Pages (inclusive)</i> | <i>Authorised by L.R.O.</i> |
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Old Metal and Marine Stores

Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

Note on Adaptation

Certain fees in this Chapter were increased by the Commission under paragraph 4 of the Second Schedule to the Law Revision Act (Ch. 3:03). Where this occurs, a marginal reference in the form normally indicating an amendment is made to LN 51/1980 (the Legal Notice by which the President's approval was signified).

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UPDATED TO 31ST DECEMBER 2016

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OLD METAL AND MARINE STORES ACT

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CHAPTER 84:07

OLD METAL AND MARINE STORES ACT

1950 Ed.
Ch. 30. No. 7.
12 of 1904.

An Act relating to the sale of old metal and marine stores.

Commencement.

[26TH AUGUST 1904]

Short title.

1. This Act may be cited as the Old Metal and Marine Stores Act.

Interpretation.
[6 of 2014].

2. In this Act—

“licensing committee” means a licensing committee established under the Liquor Licences Act;

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“marine stores” means second-hand cables, sails, old junk, or other second-hand marine stores of any kind;

“old metal” means old metal, used or second-hand metal fittings, scrap metal, broken metal, partly manufactured metal goods, and defaced or old metal goods.

Dealers to be licensed.

3. It shall not be lawful for any person to carry on the business of a dealer in old metal or marine stores unless he has previously obtained a licence under this Act.

Licences.
[51/1980
3 of 1994
6 of 2014].

4. (1) Licences under this Act shall be granted by and at the discretion of the licensing committee of the district in which the premises to be licensed are situated.

(2) No such licence shall be granted without the previous report of the police officer in charge of the division in which the premises to be licensed are situated and before the expiration of twenty-one days at least after application in writing has been made therefor to the licensing committee.

First Schedule.

(3) Such licences shall be in the form in the First Schedule, and shall be annual licences terminating on the 31st of December of the year for which they are granted. A fee of two hundred dollars shall be paid to the licensing committee for each such licence.

4A. (1) Where an objection to the grant of a licence is made, a licensing committee shall meet with the applicant and the objector to assist them in reaching a mutually acceptable resolution.

Dispute resolution.
[6 of 2014].

(2) Where the parties fail to agree to a resolution, the matter shall be heard by a Magistrate assigned for duty in the magisterial district.

4B. (1) A person aggrieved by a refusal of a licensing committee to grant a licence may apply in writing to a Magistrate for a review of the decision.

Review of decisions of licensing committee and appeals from Magistrates' decisions.
[6 of 2014].

(2) A person aggrieved by an order of a Magistrate under subsection (1) may appeal from the decision to the Court of Appeal.

5. Over one of the principal entrances to the premises licensed under this Act there shall be placed a board on which are printed, in legible letters of at least two inches in length, the name in full of the person holding the licence and the words "Licensed Dealer in Old Metal and Marine Stores".

Signboard.

6. (1) Every person licensed under this Act shall keep a book in the form in the Second Schedule, in which he shall legibly enter in ink the date and hour of the day when any old metal or marine stores are purchased or received, the name in full, and the residence and occupation of the person from whom any such metal or stores are purchased and received, and in the case of an agent, the name and address of the principal, the quantity purchased and received, and the price paid for the same. Every such entry as mentioned above shall be made at the time of the sale, purchase, or dealing, and shall be signed by the licensee or his agent and by the vendor or his agent.

Dealer to keep book.
Second Schedule.

(2) No person shall purchase or receive any such old metal or marine stores except between the hours of seven o'clock in the morning and six o'clock in the evening.

Times for dealing.

(3) No person shall purchase or receive any old metal or marine stores from any person apparently under the age of sixteen years.

Persons under 16 years.

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Persons under
16 years.

(4) No person shall employ any servant or apprentice or other person under the age of sixteen years to purchase or receive such metal or stores.

Minimum
quantity.

(5) No old metal or marine stores shall be purchased or received at any one time in any quantity less than twenty-five pounds.

Power of entry
and inspection.

7. Any constable may at any time when the licensed premises are open for business, inspect any such book as aforesaid and all old metal and marine stores in the premises of any licensee under this Act; and the licensee, or his representative, or the person in charge of the premises, or the person in whose custody or charge the book, metal or stores may be, or the person who has made any entry in the book with respect to which any such constable may desire to ask any questions, shall permit the constable to inspect the book, metal, and stores, and shall answer all such questions as may be asked by the constable with reference to the book, metal or stores or any of the entries or contents of the book.

Goods
purchased to be
kept for
15 days.

8. (1) Subject to subsection (2), old metal and marine stores purchased or received by a licensed dealer shall be kept in the licensed premises and shall not in any way be changed in form or shape or disfigured for a period of at least fifteen days after the old metal or marine stores have been purchased or received.

Exemption.

(2) The police officer in charge of the division in which the licensee carries on his business may, in his discretion, on the application of any licensee, grant a permit—

- (a) for the shipment or alteration in form or shape of any such old metal or marine stores without the same having been kept for such period of fifteen days;
- (b) for the shipment of broken machinery direct from the place where the same is purchased, without compliance with the provisions of this section.

Failing to give
information to
Police.

9. Every person licensed under this Act who, after notice has been given to him by any constable or by advertisement in

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the *Gazette* that any old metal or marine stores have been stolen or fraudulently obtained, fails to give information to the Police that articles of the like description were offered to him or were or are in his possession, is guilty of an offence against this Act.

10. Any person who does or omits to do anything which is by this Act forbidden or required to be done, or who assaults, resists, opposes, hinders, prevents, or obstructs any person acting under and by the authority of this Act, or who in any way violates or assists in, or is party to, the violation of any of the provisions of this Act, or is guilty of any offence against this Act, is liable on summary conviction to a fine of fifteen thousand dollars.

Penalties.
[6 of 2014].

11. Where any person licensed under this Act is convicted of any offence against the provisions of this Act, the Court may, if it sees fit, cancel the licence of the person.

Licence may be cancelled on conviction.

12. All moneys received for licences, and all penalties recovered under this Act, shall be paid into the Consolidated Fund.

Appropriation of moneys.

FIRST SCHEDULE
FORM OF LICENCE

Section 4(3).
[51/1980
3 of 1994].

A.B. having this day paid the sum of two hundred dollars is hereby authorised and licensed to deal in Old Metal and Marine Stores at in accordance with the provisions of the Old Metal and Marine Stores Act.

This licence expires on the 31st December 20.....

C.D.

.....
Magistrate

Dated at this day of....., 20

\$200.00

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Section 6(1).

SECOND SCHEDULE

FORM OF BOOK TO BE KEPT BY LICENSEE

| Date | Hour | Name in full, residence and occupation of seller | Name and address of principal | Description and quantity of goods purchased and received | Price | Signatures of licensee and seller |
|------|------|---|-------------------------------------|---|-------|---|
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