

PERTH AND KINROSS COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT, 1982

SECOND-HAND DEALER'S LICENCE

CONDITIONS

1. These conditions apply to the second-hand dealer's licence granted to you by the Council and must be observed at all times.
2. The licence is valid to the date shown on the presentation licence which must be displayed clearly within the premises so that it can be seen by members of the public.
3. The licence holder, while dealing from other than the premises referred to in the presentation licence, must always carry the identity card issued as part of the licence. The identity card must be made available for inspection on request at any reasonable time by any member of the public, any authorised Officer of the Council, Police Scotland or Fire Scotland. A duplicate will be issued as necessary on payment of a £10 fee.
4. The licence holder shall not alter, erase or deface his licence or identity card in any way or allow them to be used by anyone other than the licence holder.
5.
 - (a) The licence holder shall keep or cause to be kept records of items bought and sold except where individual items or lots are purchased for less than £50 and, where items are purchased in lots, individual details of each item purchased need not be kept. This exemption will not be applied in respect of any item which it is intended be offered for sale at more than £50. The records must be kept in the form of a properly bound book with consecutively numbered pages or in another form approved by the Council and each article purchased by the licence holder must be numbered;
 - (b) records must be preserved for at least three years;
 - (c) the record must include the following details: date and approximate time of purchase; the name and address of the seller; a full description of each article; purchase price; date and approximate time of sale by the dealer; name and address of the purchaser; description of the article at the time of sale by the dealer in accordance with the sample page issued or in a style approved by the Council; and
 - (d) the licence holder shall not dispose of any items of his stock-in-trade until the expiry of 48 hours (excluding Saturdays and Sundays) after he acquires it with the exception of any item acquired in a public rroup and disposed of by him without being brought to his place of business.
6. The licence holder shall keep the records mentioned in condition 5 above available for inspection at any reasonable time by any authorised officer of Perth & Kinross Council or Police Scotland.

7. A licence holder operating from business premises within the area shall comply with or ensure compliance will all fire precaution requirements to the satisfaction of the Firemaster of Fire Scotland.
8. The licence holder shall store goods and articles purchased in the course of his dealing only in the premises specified in the licence or in other premises approved by the Council.
9. The licence holder shall ensure that any electrical appliances offered for sale comply with current consumer safety legislation.
10. The licence holder shall not receive or take goods in pledge.
11. The licence holder shall not receive or take a pawn ticket issued by a pawnbroker for any article which has been pawned, or negotiate in any manner with the holder of any such pawn ticket or any person on his behalf, for the purchase of any article to which the pawn ticket refers.
12. The licence holder shall not keep or permit to be kept on his premises any smelting pot or implement for smelting, altering or defacing gold, silver, lead or other metals without the approval of the Council.
13. The licence holder shall not acquire goods or articles from any person who appears to be under sixteen years of age, whether such person is acting on his own behalf or on behalf of another person.
14. Notwithstanding the above or any other conditions annexed a licence holder while trading shall comply with any reasonable order or instruction give by an Officer of Police Scotland;
 - (a) for the prevention of obstruction or annoyance to the public or to the occupiers of any premises; or
 - (b) in connection with any emergency or disturbance.
15. A licence holder shall notify the Council of any material change of circumstances affecting him/her or any other person or company named on the licence or affecting the activity to which the licence relates. A licence holder who ceases to act as such for the unexpired period of the licence or whose licence has been suspended by the Council shall, within seven days, return the licence to this service.

NOTES

1. The Council may, at any time, vary the terms of a licence in any grounds which they consider reasonable. Notice will be given to the licence holder at least seven days before any proposed variation is considered. The licence holder will be given an opportunity to be heard by the Council before any variation is made. A licence holder may, at any time, apply for a variation of any of the conditions.
2. Licences and identity cards issued to antique dealers to be known as “antique dealer’s licences”.
3. Dealers attending car boot sales are required to hold a second-hand dealer’s licence issued by either the Council or some other Local Authority.
4. The Council may order suspension of a licence if in their opinion:
 - (a) the holder is no longer a fit person to be the holder of such a licence, whether because of convictions for offences which have taken place since the grant or renewal of the licence or for any other good reason;
 - (b) the activity to which the licence relates is being managed by or carried on for the benefit of a person other than the licence holder, who would have been refused the grant or renewal of a licence;
 - (c) the carrying on of the activity to which the licence relates has caused, is causing or is likely to cause undue public nuisance or a threat to public order or public safety; and
 - (d) a condition of the licence has been contravened.
5. The Council will issue renewal notices to the last known address of the licence holder but it will be the duty of the licence holder to ensure that an application for renewal is made whether or not a renewal notice has been received.
6. It is an offence to contravene any condition attached to a second-hand dealer’s licence.

**L Simpson
Head of Legal Services**

2 High Street
Perth
PH1 5PH