CHAPTER 44.

An Act for regulating the business of Marine Store Dealers and Dealers in Second-hand Goods in Ireland.

[14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

General dealers to be licensed.

1.—(1) No person shall carry on the business of a general dealer without having in force a licence under this Act.

(2) An application for a licence under this Act or a renewal thereof shall be made, in the prescribed manner and at the prescribed time, to the licensing authority and may be granted or refused at the discretion of that authority.

(3) A licence under this Act may be revoked or suspended by a court of summary jurisdiction, on conviction before such court of any violation of the terms of the licence or of any provision of this Act.

(4) Every person applying for a licence under this Act or a renewal thereof shall pay to the clerk to the licensing authority a sum not exceeding two shillings and sixpence as the expense attending such application and of recording the prescribed particulars relating thereto.

(5) A licence under this Act shall be in the prescribed form, shall be dated on the day on which it is issued and shall determine on the first day of January unless sooner revoked or suspended.

(6) If a person acts as a general dealer, without having in force a licence under this Act, or contravenes the terms of his licence, he shall be liable on summary conviction to a fine not exceeding five pounds.

General dealers to furnish a description of their premises and keep books.

2.—(1) Every person applying for a licence under this Act or a renewal thereof shall, at the time of his application, furnish to the clerk to the licensing authority a description in writing of his premises, including all cellars, closets and other places proposed to be used by him in the course of his business.

(2) Every general dealer shall enter in a book, to be kept by him on his premises, the particulars of each transaction in his business, including—

(*a*) a proper and distinctive description of each article purchased or received by him;

(*b*) the name and place of abode of the person from whom he purchased or received the article;

(*c*) the date and hour of the day of each transaction; and

(*d*) the price paid or agreed to be paid for the article:

Provided that, where articles of the same kind, value and description are on any particular occasion bought or sold in a lot or parcel, it shall be sufficient to describe such lot or parcel without describing each of the several articles comprising same.

(3) If any general dealer fails to comply with any requirement of this section, he shall for each offence be liable on summary conviction to a fine not exceeding five pounds.

General dealers to retain articles for seven days after having received them.

3.—(1) Every article purchased or received by a general dealer shall be kept by him in his shop, or other place where his ordinary business is carried on, for seven days from the date on which it was so purchased or received, unless in the meantime he shall, on giving twenty-fours hours previous notice to the licensing authority, have received from that authority permission to dispose of such article.

(2) Every general dealer shall attach to each article a ticket or label with the date of purchase or receipt written thereon.

(3) Every general dealer shall, when required so to do by a police constable, produce to him any such article before the expiration of the said period of seven days.

(4) If any general dealer fails to comply with any requirement of this section he shall be liable for each offence on summary conviction to a fine not exceeding five pounds.

General dealers to enter names of purchasers, &c.

4.—(1) Every general dealer shall enter in his book the name and address of the person to whom any article, lot or parcel is sold or delivered by him and also the date of the sale.

(2) If any general dealer fails to comply with the requirement of this section he shall be liable for each offence on summary conviction to a fine not exceeding twenty shillings.

General dealers to produce articles and books on demand.

5.—(1) Every general dealer shall at all reasonable times produce on demand to any police constable, having the general or special authority of a justice of the peace to make the demand, all articles in his possession and also the book in which the description of any article is or ought to have been entered.

(2) Any police constable obtaining the production of any such book shall on each occasion subscribe his name immediately after the last entry therein.

(3) Whenever any articles which have been stolen, embezzled or fraudulently obtained are found in the possession of any general dealer, he shall, on being informed by a police constable, authorised as aforesaid, that such articles were stolen, embezzled or fraudulently obtained, deposit the same with the constable.

(4) If any general dealer fails to comply with any requirement of this section, he shall be liable for each offence, on summary conviction, to a fine not exceeding five pounds, without prejudice to his being also proceeded against according to law as a receiver of stolen goods.

General dealers to report stolen goods.

6.—(1) If any articles, with respect to which information in writing is given by any police constable to a general dealer that they have been stolen, embezzled or fraudulently obtained, are then in, or subsequently come into, the possession of the dealer, he shall as soon as may be give information to a police constable that articles answering to the description of the said articles are in his possession, and shall also state the name and address given by the person from whom the articles were received.

(2) If any general dealer contravenes the provisions of this section he shall be liable for each offence on summary conviction to a fine not exceeding five pounds: Provided that, in the case of articles which it may be difficult to trace out and identify, no fine shall be imposed under this section, unless it appears to the court that the articles were knowingly concealed by the dealer.

General dealers not to alter or deface articles without permission.

7. If any general dealer, after receiving information of the theft, embezzlement or fraudulent obtaining of any metals or other articles, melts, alters, defaces or puts away any metals or articles answering to the description of the aforesaid metals or articles, or causes the same to be melted, altered, defaced or put away, without having been authorised in writing by a justice of the peace so to do, and if it is found that the said metals or articles were stolen, embezzled or fraudulently obtained by the person from whom the general dealer received the same or by any other person, then in such case it shall be held that the general dealer knew that the said metals or articles were stolen, embezzled or fraudulently obtained, and he shall be proceeded against, according to law, as a receiver of stolen goods, and no evidence of his guilt shall be necessary other than the evidence of such melting, altering, defacing or putting away, after receiving such information as aforesaid.

Business not to be transacted with persons under fourteen years of age.

8.—(1) A general dealer shall not sell to or purchase from any person apparently under the age of fourteen years, whether such person is acting on his own behalf or on behalf of any other person.

(2) If any general dealer contravenes the provisions of this section, either by himself or any agent or servant, he shall be liable for each offence on summary conviction to a fine not exceeding five pounds.

General dealers not to transact business between certain hours.

9.—(1) A general dealer shall not sell to or purchase from or have any business transactions whatsoever with any person between ten o'clock on Saturday night and nine o'clock in the morning of the following Monday, or between ten o'clock on any other night and eight o'clock on the following morning: Provided that it shall be permissible to make delivery within the said hours of goods previously sold.

(2) If any general dealer contravenes the provisions of this section, either by himself or any agent or servant, he shall be liable for each offence on summary conviction to a fine not exceeding five pounds.

General dealers to have their names painted over shop doors.

10.—(1) Every person licensed as a general dealer under this Act shall have his name, with the words "licensed general dealer," painted over the door or principal entrance of his premises in large characters, either black upon a white ground or white upon a black ground, and shall replace the same if removed, obliterated or defaced.

(2) If any person fails to comply with the requirements of this section he shall be liable for each offence on summary conviction to a fine not exceeding twenty shillings.

Rules.

11. The Lord Chancellor may make rules for prescribing anything which may under this Act be prescribed, and all rules so made shall be laid so soon as may be before both Houses of Parliament.

Definitions.

12. In this Act, unless the context otherwise requires,—

The expression "general dealer" means any person buying, otherwise than at a public auction held by a licensed auctioneer, or selling old metal, scrap metal, broken metal or partly manufactured metal goods in quantities, at each particular purchase or sale, of less, in the case of iron, than ten hundredweight, or, in the case of copper, of less than fifty-six pounds weight, or, in the cases of lead, zinc, spelter, machinery or tools, respectively, of less than one hundred and twelve pounds weight, or buying or selling in any quantities bottles, syphons, tools, bags, sacks, packing cases, boxes, articles of pottery or glass, whether such person deals in those articles only or together with second-hand goods or marine stores, but the said expression does not include a pawnbroker or a licensed dealer in plate; and

The expression "licensing authority" means, in the police district of Dublin Metropolis, any divisional justice of that district, and in any other place two or more justices of the peace sitting in petty sessions.

Short title.

13. This Act may be cited as the General Dealers (Ireland) Act, 1903.

Commencement of Act.

14. This Act shall come into operation on the first day of January one thousand nine hundred and four.

CHAPTER 45.

An Act to make better provision for regulating the Employment of Children. [14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the authority of the same, as follows:

Power to make byelaws for regulating the employment of children.

1. Any local authority may make byelaws—

(i) prescribing for all children, or for boys and girls separately, and with respect to all occupations or to any specified occupation,—

(*a*) the age below which employment is illegal; and

(*b*) the hours between which employment is illegal; and

(*c*) the number of daily and weekly hours beyond which employment is illegal:

(ii) prohibiting absolutely or permitting, subject to conditions, the employment of children in any specified occupation.