Short title, commencement and extent.

2.—(1) This Act may be cited as the First Offenders (Scotland) Act, 1960.

(2) This Act shall come into operation at the expiration of a period of one month beginning with the day on which it is passed.

(3) This Act shall extend to Scotland only.

CHAPTER 24

An Act to amend the Pawnbrokers Acts, 1872 and 1922. [13th April, 1960]

BE it enacted by the Queen'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:—

Increase in maximum loan.

1. In section ten of the Act of 1872 (which applies the provisions of that Act to every loan by a pawnbroker of forty shillings or under and, except as provided, to every such loan of above forty shillings and not above ten pounds, but excludes the provisions of that Act from any loan of above ten pounds) for the words "forty shillings" and "ten pounds" there shall be substituted respectively the words "five pounds" and "fifty pounds"; and the like substitutions shall be made in the following provisions of that Act, namely—

(*a*) section six (which, to prevent evasion, applies the Act to certain other transactions involving payments not exceeding ten pounds); and

(*b*) section twenty-four (which provides that a pawnbroker may make a special contract in respect of a loan of above forty shillings); and

(*c*) Part I of the Fourth Schedule (which regulates the profit allowed to a pawnbroker, and distinguishes between loans of forty shillings or under and loans of above forty shillings).

Reduction of period for redemption.

2. In section sixteen of the Act of 1872 (which provides that every pledge shall be redeemable within twelve months) for the words "twelve months" there shall be substituted the words "six months", and accordingly in that section and in sections seventeen and eighteen of the Act of 1872 for references to the year of redemption there shall be substituted references to the period of redemption.

Increase in loan for which pledge may be forfeited.

3. In sections seventeen and eighteen of the Act of 1872 (which provide that a pledge for ten shillings or under shall be forfeited if not redeemed in time but that a pledge for above ten shillings shall be redeemable until sale) for the words "ten shillings" there shall be substituted the words "forty shillings", and the like substitution shall be made in sections nineteen, twenty-one, twenty-two and twenty-three of the Act of 1872 (which contain provisions relating to the sale of pledges for above ten shillings).

Increase in permitted charges.

4. The charges allowed to a pawnbroker for the matters referred to in the Schedule to this Act shall be those shown in that Schedule, instead of the smaller amounts allowed by the Act of 1872 or the Act of 1922; and the Act of 1872 shall have effect as if the provisions of that Schedule were substituted for Parts II to IV of the Fourth Schedule to the Act of 1872.

Amendment as to claims by persons not having pawn ticket.

5. A declaration made for the purposes of section twenty-nine of the Act of 1872 (which relates to the rights of a person claiming to be the owner of a pledge or to be entitled to hold a pawn ticket, but not having the pawn ticket) shall not require to include any declaration by another person identifying the claimant.

Consequential amendments of forms, and repeal.

6.—(1) In the Third Schedule to the Act of 1872 the provisions relating to the forms of pawn ticket shall be amended as follows:—

(*a*) for the words "ten shillings" and "forty shillings" there shall be substituted respectively the words "forty shillings" and "five pounds";

(*b*) for the words "twelve calendar months" there shall be substituted the words "six calendar months";

(*c*) in the item specifying the charge for the pawn ticket, for the words "one halfpenny" or "one penny", "twopence" shall be substituted, and after that item in forms A and B there shall be inserted—

"for valuation fee on receipt of the pledge, on each five shillings or part of five shillings lent ... ... twopence";

(*d*) in forms B and C, for any reference to "one penny" as the amount chargeable for the inspection of the entry of a sale in the books of a pawnbroker, "sixpence" shall be substituted.

(2) The form of sale book in the said Third Schedule shall not apply to pledges for loans of forty shillings or under made after the coming into force of this Act.

(3) The following provisions are hereby repealed, that is to say—

(*a*) in the Act of 1872, in paragraph (2) of section twenty-nine the words " and by a person identifying him " and in forms IV and V in the Third Schedule the paragraph beginning " And I, C.D.";

(*b*) the whole of the Act of 1922.

Commencement.

7.—(1) This Act shall come into force at the expiration of the month beginning with the day it is passed.

(2) The provisions of this Act relating to declarations made for the purposes of section twenty-nine of the Act of 1872 (including the form of declaration and the charge for a form) shall apply in all cases, unless the form of declaration has been applied for before this Act comes into force.

(3) Subject to subsection (2) of this section, nothing in this Act shall apply to a loan made before the commencement of this Act, or to the pledge on which the loan is made, or to any person as pawnbroker or pawner in relation to the loan or pledge.

Interpretation, citation and extent. 35 & 36 Vict. c. 93. 12 Geo. 5. c. 5.

8.—(1) In this Act, " Act of 1872 " and " Act of 1922 " mean respectively the Pawnbrokers Act, 1872, and the Pawnbrokers Act, 1922.

(2) This Act may be cited as the Pawnbrokers Act, 1960, and this Act and the Pawnbrokers Act, 1872, may be cited together as the Pawnbrokers Acts, 1872 and 1960.

(3) This Act shall not extend to Northern Ireland.

SCHEDULE

Section 4.

CHARGES ALLOWED TO PAWNBROKER

1. For a pawn ticket	twopence.
2. Where the loan is five pounds or under, for valuation fee on receipt of the pledge, on each five shillings or part of five shillings lent	twopence.
3. For the inspection of the entry of a sale in the sale book	sixpence.
4. For a form of declaration ... ... *Rule*—this sum is to be paid by the applicant at the time of application.	sixpence.