

BOLTON COUNCIL

**NOTES FOR GUIDANCE IN RESPECT OF
DEALERS IN SECOND HAND GOODS**

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Licensing Unit
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names and addresses amended 04/09/01**

1. INTRODUCTION

These notes are for guidance only and are not exhaustive; reference should also be made to Section 54 of the Greater Manchester Act 1981.

2. CORRESPONDENCE

All correspondence should be addressed to THE LICENSING TEAM, GROUND FLOOR. BOLTON TOWN HALL, BOLTON, BL1 1RU.

3. TELEPHONE ENQUIRIES

Telephone enquiries should be made by telephoning a direct line to the Licensing Unit - Bolton 336584.

4. PERSONAL VISITS

Office hours are 9.30 a.m. to 4.30 p.m. Monday, Tuesday, Thursday and Friday.

5. REGISTRATION

All persons who deal in second hand goods as a business must register with the Local Authority unless they fall into one of the following categories:-

- (a) Any person engaged in a business carried on by a group, organisation or body registered as a charity under Section 4 of the Charities Act 1960 or excepted from registration by virtue of Sub-section (4) of that Section (please note Section 4 Charities Act 1960 has been replaced by Section 3 Charities Act 1993); or
- (b) a person in respect of whom particulars are registered under the Scrap Metal Dealers Act 1964 in respect of his business as a scrap metal dealer; or
- (c) the holder of a licence issued under Section 22 of the Consumer Credit Act 1974, in respect of activities covered by the licence or a person who does not need such a licence by virtue of Section 21 of that Act; or
- (d) a person engaged in the business either of financing the acquisition of goods by means of hire-purchase agreements, conditional sale agreements or credit-sale agreements (as defined in Section 189(1) of the said Act of 1974) or of financing the use of goods by means of bailment agreements in respect of any such business or any transaction incidental thereto; or
- (e) a person engaged in a business of which the primary purpose is the supply of new unused goods and to which the supply of second-hand or used goods is merely incidental; or
- (f) a person engaged in business as a dealer in waste paper, cardboard, textiles or plastics in bulk in respect of his business as such; or

- (g) a person whose sole or principal business is the sale or purchase of, or dealing in motor vehicles as defined in Section 190(1) of the Road Traffic Act 1972; or
- (h) a person who merely occasionally enters into a dealing in second hand goods.

6. KEEPING OF RECORDS

A book must be kept to record, for every transaction in which articles are acquired:-

- (i) the date of the transaction;
- (ii) the quantity and description of the articles;
- (ii) the names and addresses of the persons from whom the articles were acquired.

The book must be kept for at least a year from the date of the last entry.

The records must be produced for inspection to an authorised officer of the Council or any police constable.

7. DISPLAY OF REGISTRATION CERTIFICATE

A Registration Certificate when issued must be displayed on the premises to which it relates.

8. PURCHASE FROM PERSONS UNDER 16

It is an offence to acquire any second hand goods from a person whom the registered person knows to be under 16 years of age.

9. FALSE NAMES AND ADDRESSES

It is an offence for any person, who sells second hand goods to a registered person, to give a false name and address.

10. APPLYING FOR REGISTRATION

Application for Registration is made on Form LG702 and submitted at The Licensing Team, 1st Floor, Bolton Town Hall, Bolton, BL1 1RU.

If everything is in order, a Registration Certificate will be issued.