

Rules made under s.15.

STREET TRADERS AND PEDLARDS RULES

(1962.12.20)

1.3.1963

| Amending enactments | Relevant current provisions | Commencement date |
|---------------------|-----------------------------|-------------------|
| Regs. of 28.5.1970 | rr.6, 8, 17, 18 and 22 | |
| LN. 1974/045 | rr.6(3) and 11 and Sch.1 | |
| 1980/085 | Sch.1 | |
| 1981/064 | r.7 | |
| 1985/064 | Sch. 1 | 1.7.1985 |
| 2005/057 | Sch. 1 | 1.4.2005 |

ARRANGEMENT OF RULES.

Rule

1. Title.
2. Interpretation.
3. Classification of street traders and pedlars.
4. Assistants.
5. Application for licences.
6. Issue of and fees for licences.
7. Duplicate licences.
8. Badges for street traders and pedlars.
9. Young persons.
10. Name of employer (if any) to appear on licence.
11. *Revoked.*
12. Duration of licences.
13. Only goods specified to be sold.
14. Vendors of market produce.
15. Sale of meat.
16. Restriction on peddling and street trading.
17. Requirements as to receptacles.
18. Removal of receptacles.
19. Disposal of refuse and litter.
20. Sale by instalments, etc.
21. No undue importuning.
22. Suspension, etc., of licences.
23. *Revoked.*
24. Provisions to be cumulative.
25. Penalties.

SCHEDULE 1.

Categories of street traders.

SCHEDULE 2.

Application for a licence under the Street Traders and Pedlars Rules.

Title.

1. These Rules may be cited as the Street Traders and Pedlars Rules.

Interpretation.

2. In these Rules, unless the context otherwise requires –

“market produce” means –

- (a) vegetables and fruit;
- (b) fish including uncooked shell fish;
- (c) eggs, poultry and game;

“meat” means the flesh (including edible offal and fat) of animals and birds and includes bacon and ham;

“Superintendent” means the Superintendent of Markets and includes any person authorized by him to act on his behalf;

“vendor” means a street trader or pedlar but excludes a handicraftsman.

Classification of street-traders and pedlars.

3. For the purposes of these Rules street traders, pedlars and licences shall be divided into the categories or classes set out in Schedule 1.

Assistants.

4. Every person acting as an assistant to a street trader or pedlar shall be licensed and shall pay for his licence the same fee as paid by his employer or principal except that a street trader may have one assistant who need not be the holder of a licence.

Application for licences.

5. Application shall be made to the Superintendent in the form set out in Schedule 2 –

- (a) for an initial licence; and
- (b) where a licensee requires a licence to sell any class of goods or exercise any trade not specified in the initial licence.

Issue of and fees for licences.

6. (1) Licences shall be issued by the Superintendent in accordance with these Rules and with any instructions which may from time to time be issued by the Government.

(2) Licences shall be obtainable at the Public Markets on payment of the appropriate fees set out in Schedule I to such persons as may be authorized by the Superintendent to collect such fees.

(3) Subject to the provisions of these Rules where the holder of a licence applies to sell goods not included in his licence (other than goods for which a separate licence is required under these Rules) he may apply to have his licence amended to enable him to sell such goods.

Duplicate licences.

7. If a valid licence is lost or damaged the licensee shall apply in writing for a duplicate thereof and the Superintendent shall on payment to him by the licensee of 20 pence issue to the licensee a duplicate of such licence.

Badges for street traders and pedlars.

8. The Government may require any category of street trade or pedlar while exercising their trade, occupation or calling, to wear on the left upper arm in such position as to be entirely visible a badge issued to them by Government upon payment of a deposit not exceeding 20 pence per badge which badge shall remain the property of the Government and shall be returnable to them upon demand.

Young persons.

9. No licence shall be granted to any person under the age of eighteen years.

Name of employer (if any) to appear on licence.

10. Where a street trader or a pedlar is exercising his trade as the employee of any other person the name of that other person shall be inserted in the licence.

11. *Revoked.*

Duration of licences.

12.(1) Every licence shall be issued for and in respect of the period ending on the last day of the month in which the licence is issued.

STREET TRADERS AND PEDLARDS RULES

(2) No fee or part thereof shall be refunded in respect of any licence issued whether or not the licence is surrendered, revoked or suspended.

Subsidiary
1960.12.20

Only goods specified to be sold.

13. No street trader or pedlar shall sell any class of goods or exercise any trade other than those which are specified in his licence.

Vendors of market produce.

14.(1) No vendor of market produce shall sell or offer for sale any such produce within the limits of Landport Ditch; West Place of Arms and the road leading thence to the Markets; Waterport and Waterport Wharf; Fish Market Road; Chatham Counter Guard; Parliament Lane; that part of Irish Town from Parliament Lane to Cooperage Lane ; Cooperage Lane; that part of Main Street from Parliament Lane to Casemates Square; Casemates Square and the road leading from Casemates Square to Line Wall Road.

(2) Except by agreement with the purchaser all market produce shall be sold by weight.

(3) Every vendor of market produce shall provide himself with and constantly carry a beam and scales with proper weights or other sufficient weighing instrument in order that goods sold may at the time of sale be weighed in the presence of the purchaser.

Sale of meat.

15. No street trader or pedlar shall sell any meat.

Restriction on peddling and street trading.

16. (1) A pedlar shall not sell any goods in or from a stationery position in any street except when stopped by a prospective purchaser and then only for such time as may be reasonably necessary to complete a transaction, if any.

(2) A street trader shall not exercise his trade in or from a stationery position in a street other than in or from such stationary position and during such times, if any, as may be specified in his licence.

Requirements as to receptacles.

17. Where the Government in any particular licence impose any requirements as to the receptacles to be used by any street trader or pedlar the holder of such licence shall comply with such requirements.

Removal of receptacles.

STREET TRADERS AND PEDLARDS RULES

**Subsidiary
1960.12.20**

18. A street trader shall immediately remove his receptacles and goods for so long as may be necessary if required to do so by a police officer or a duly authorized officer of the Government, in the event of an emergency, or in the exercise by the Government of any of their powers and duties.

Disposal of refuse and litter.

19. Every street trader and pedlar shall dispose of any refuse or litter arising out of the exercise of his trade.

Sale by instalments, etc.

20. No street trader or pedlar shall sell goods by instalment or on any hire-purchase system.

No undue importuning.

21. A pedlar shall not unduly importune any other person to purchase his goods or to employ him.

Suspension, etc., of licences.

22. The holder of any licence which may be revoked or suspended by the Government shall forthwith deliver the said licence to the Superintendent.

23. *Revoked.*

Provisions to be cumulative.

24. The provisions of these Rules shall be additional to, and not in derogation of, the provisions of the Food and Drugs Act and of any subsidiary legislation made thereunder or of the provisions of any other enactment.

Penalties.

25. A person who offends against any of the provisions of these Rules is liable on summary conviction –

- (a) for a first offence to a fine of £10 ; and
- (b) for a second or subsequent offence to a fine of £25.

SCHEDULE 1

Rule 3

CATEGORIES OF STREET TRADERS

| Category | General description | Fees payable in respect of each month or part of a month of validity of licence |
|-----------------|---|--|
| A. | Street traders of any goods excluding flowers and greenery | 20.00 |
| B. | Street traders of flowers and greenery | 20.00 |
| C. | Pedlars of market produce | 20.00 |
| D. | Pedlars of articles of food or drink not being market produce | 20.00 |
| E. | Pedlars other than those licenced under Category C or D | 20.00 |

SCHEDULE 2.

Rule 5.

APPLICATION FOR A LICENCE UNDER THE STREET TRADERS
AND PEDLARS RULES.

Name of applicant.
(block letters)

Identity carnet number

Address

Place and date of birth.

Category of licence required.

If category required is A or B
state stationary positions
where it is desired to trade.

State the kind and dimensions
of the receptacle (if any) which
it is intended to use

Name and address of employer
if licensee is required to work as
an employee to any other person
Signature of employer.
(if any)

I am not suffering from any disease and, as far as I am aware, I am not the
carrier of any infectious disease.

I hereby declare that the above particulars are true and accurate in every
respect.

Dated this., day of 20. . .

Signature of Applicant.

To

The Superintendent of Markets,
Gibraltar.