

Businesses Trades and Professions (Registration) Act

Principal Act

Act. No. 1989-05	<i>Commencement (LN.1991/161)</i>	8.8.1991
	<i>Assent</i>	2.3.1989

Amending enactments	Relevant current provisions	Commencement date
Act. 1990-03	ss. 3(1), (3), 4(1), 7	1.3.1990
1992-05	s. 6	9.7.1992
1999-13	s. 6	12.8.1999
2007-17	s. 3(1)	14.6.2007
2014-04	s. 7	27.2.2014

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ARRANGEMENT OF SECTIONS

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Businesses Trades and Professions (Registration) 1989-05

AN ACT TO PROVIDE FOR THE REGISTRATION OF BUSINESSES, TRADES AND PROFESSIONS BY PERSONS HAVING PLACE OF BUSINESS OR CARRYING ON BUSINESS IN GIBRALTAR, FOR THE ESTABLISHMENT OF A REGISTER OF PARTICULARS SO REGISTERED AND FOR MATTERS INCIDENTAL THERETO.

Title and commencement.

1.(1) This Act may be cited as the Businesses Trades and Professions (Registration) Act.

(2) This Act shall come into operation on such date as the Governor may by notice in the Gazette appoint and different dates may be so appointed for different purposes.

Interpretation.

2. In this Act “business” includes trade, profession and any gainful activity other than employment under a contract of service.

Registration.

3.(1) Subject to this Act, every person who has a place of business in Gibraltar or who carries on business in Gibraltar shall submit to such person as the Government by notice in the Gazette may appoint (hereinafter called “the Registrar”) for registration a statement of –

- (a) his name or corporate name, as the case may be, or, in the case of a partnership, the names of all partners;
- (b) the business name, as defined in the Business Names Registration Act, under which the business is carried on;
- (c) the address of the place of business;
- (d) the nature of the business; and
- (e) such other particulars as may be prescribed.

(2) A statement referred to in subsection (1) must be submitted within three months of the date of commencement of this Act or of the date on which the carrying on of business has commenced, whichever shall be the later date.

(3) If a change occurs in any of the particulars mentioned in subsection (1) or if the business ceases to operate the person who carries or had carried on, as the case may be, the business in question shall submit to the Registrar within three months of the date of any such occurrence a statement of any such change.

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Register of businesses.

4.(1) The Registrar shall keep an up-to-date register of the particulars submitted for registration under this Act.

(2) The register shall be open to members of the public during normal office hours on payment of such fee as may be prescribed.

Saving.

5. Nothing in this Act shall be taken to exempt any person from the requirement of any law other than this Act to have his business registered or licensed, or in any manner affect any such requirement.

Offences.

6.(1) Subject to subsection (2), any person who contravenes or fails to comply with any provisions of this Act or any regulation made thereunder shall be guilty of an offence and liable on summary conviction to a fine at level 4 on the standard scale.

(2) Any person who contravenes or fails to comply with any provision of section 3 shall be guilty of an offence and shall be sentenced on summary conviction to a fine at level 4 on the standard scale.

Regulations.

7. The Minister with responsibility for employment may by regulation make provision generally for carrying into effect the purposes of this Act, and in particular provision –

- (a) for prescribing anything which under this Act is to be prescribed;
- (b) for prescribing the manner in which, and the persons by whom, statements for registration may or must be made;
- (c) for exempting any class of business from the provisions of this Act;
- (d) for the cancellation of registration in such circumstances as may be prescribed;
- (e) for any forms to be used for the purposes of this Act; and
- (f) for any fees to be payable in respect of anything done under this Act.