

CHAPTER 31. No. 13.

RURAL PEDLARS.

Ordinance
Ch.31. No.13
-1940.

AN ORDINANCE RELATING TO RURAL PEDLARS.

Commence-
ment.

[1st January, 1934.]

Short title.

1. This Ordinance may be cited as the Rural Pedlars Ordinance.

Interpre-
tation. *

2. In this Ordinance—

“pedlar” means any person who travels from place to place or from house to house selling or offering or exposing for sale any goods, wares or merchandise other than those specified in section 4;

“sell” or “buy” includes barter or exchange and offering or exposing for sale.

Pedlars to
be licensed.

3. No person shall after the commencement of this Ordinance carry on the business of a pedlar unless he holds a licence (in this Ordinance referred to as a pedlar's licence) for the time being in force authorising him so to do, and no holder of such licence shall use a pack animal or any vehicle for the transport of goods unless he shall have first paid the appropriate fee as set forth in the 2nd Part of the Schedule to the regulations made under the provisions of this Ordinance.

Articles
which may
be sold
without
licence(a).

4. Nothing in this Ordinance contained shall extend to prohibit any person from selling, any fresh fish, milk, fruit, vegetables, ground provisions, meat, game, poultry, eggs,

(a) Also tobacco and cigarettes manufactured in the Colony—see *Royal Gazette*, 1934, p. 169.

bread, confectionery, ice cream, mineral waters or any goods, wares or merchandise the growth or produce of or manufactured from the produce of the Colony, or any books, pamphlets or other literature issued or published by any religious or educational organisation approved by the Governor.

5. The Governor may, by notice in the *Royal Gazette*, appoint one or more Licensing Authorities for any area specified in such notice, for the purpose of issuing pedlars' licences.

Appointment of Licensing Authorities (a).

6. A Licensing Authority shall, upon the application of any person, accompanied by a certificate under the hand of a Superintendent or Assistant Superintendent of Police in charge of a division that the applicant is a fit and proper person to be so licensed and upon payment of the prescribed fee, issue a pedlar's licence in the prescribed form.

Application for and issue of licence.

7. A Superintendent or Assistant Superintendent of Police in charge of a division shall have power to refuse the granting of a certificate on any of the following grounds:—

Powers of Superintendent or Assistant Superintendent of Police to refuse certificate.

(a) that the applicant has been convicted three times within the three years preceding his application of contravening any provision of this Ordinance or of any regulation thereunder;

(b) that the applicant has been convicted within the five years preceding his application, of any form of larceny or the receiving of stolen goods or any other offence involving dishonesty;

(c) that the applicant is known to be an associate of thieves and receivers of stolen goods;

(d) that satisfactory evidence has not been produced of the good character of the applicant.

8. A person to whom a pedlar's licence has been issued shall not lend, transfer or assign the same to any other person and no person shall borrow or make use of a pedlar's licence issued to any other person.

Pedlar's licence not transferable or assignable.

(a) See R. G. 4.1.1934: The several Magistrates appointed Licensing Authority for their respective districts.

Power to
take un-
licensed
pedlar and
his goods
before
Magistrate,
etc.

9. It shall be lawful for any member of the Police Force to demand from any person travelling as or carrying on the trade of a pedlar the production of his licence, and unless such person shall on such demand produce a licence still in force, it shall be lawful for the person demanding the same to take the pedlar with his goods to the nearest Magistrate who shall have jurisdiction to try the offender for carrying on the trade of a pedlar without the licence required by law, although no act of trading may prove to have been done within the district of such Magistrate.

Regulations.

10. (1) The Governor in Council may make regulations—

(a) prohibiting the carrying on of the trade of a pedlar within any specified area or place;

(b) specifying the hours during which or the days on which the carrying on of the trade of a pedlar shall be prohibited;

(c) adding to or varying the list of articles specified in section 4;

(d) prescribing the form of pedlar's licence, the duration thereof and the fees to be paid therefor;

(e) prescribing means whether by the recording of finger impressions or otherwise for the identification of licence holders; and

generally imposing any other conditions to be observed by a pedlar in carrying on his business which in the interests or protection of trade generally should be so imposed.

(2) Regulations made under this section shall have no force or effect until they have been approved by the Legislative Council. The regulations contained in the Schedule to this Ordinance shall be in force until varied or revoked.

Penalties.

11. Any person who contravenes any provision of this Ordinance or any condition of any licence shall be liable, on summary conviction, to a fine of forty-eight dollars.

Application.

12. This Ordinance shall not apply to the City of Port-of-Spain or the Boroughs of San Fernando and Arima.

