

SHETLAND ISLANDS COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

LICENCE TO ACT AS A SECOND-HAND DEALER

GENERAL CONDITIONS

A LICENCE

- 1 The Dealer shall be permitted to deal in or from the specified business premises and no other premises.
- 2 The Dealer shall be permitted to deal only on the specified days and at the specified times.
- 3 The Dealer shall display his licence at all times at the specified business premises in such a position that it can be clearly seen by members of the public.
- 4 The Dealer shall keep his licence at all times clean and legible and shall exhibit it on demand to any authorised officer of the Council or Police Officer.
- 5 The Dealer shall not in any way alter, erase or deface his licence, and shall when reasonably required produce it for examination by any authorised officer of the Council or Police Officer.
- 6 The Dealer shall not lend or allow any other person to use his licence.
- 7 If the Dealer changes his address he shall, within fourteen days thereafter, give notice thereof to the Council and produce his licence to the Environmental Health Department who shall endorse thereon the particulars of such change of address.
- 8 If the Dealer ceases to act as a second-hand dealer or if this licence has expired, the Dealer shall, within 7 days thereafter, give notice thereof to the Council and deliver his licence to the Environmental Health Department at which time his licence shall be deemed to have been surrendered in terms of Paragraph 13(1) of the Schedule 1 to the Civic Government (Scotland) Act 1982.

B REGISTER

- 9 The Dealer shall keep or cause to be kept a Register of all items bought and sold by him which exceed the specified value: see Endorsements
- 10 The Register must be in the form of a properly bound book with consecutively numbered pages or in another form approved by the Council and each items purchased by the Dealer must be numbered. The Register must be kept at the above business premises at all times.

- 11 The Register must include the following details in a style approved by the Council:
- Date and time of purchase by the Dealer
 - Purchase price
 - Description of items, including make, model and serial number
 - Name and address of seller to the Dealer
 - Name and address of purchaser from the Dealer
 - Date and time of sale by the Dealer
 - Sale price
- 12 Entries in the Register must be preserved for a period of not less than three years.
- 13 The Dealer shall keep the Register referred to in Conditions 9 to 12 above, available at all times while the above business premises are open for business for inspection by any authorised officer of the Council or Police Officer.
- 14 The Dealer shall not dispose of any items comprising part of his stock-in-trade until the expiry of 48 hours (excluding any time on Saturdays and Sundays) after he acquires it. The Council may order that this provision, as set out in Section 25 of the Civic Government (Scotland) Act 1982, shall not apply to the disposal by the Dealer of any items comprising part of his stock-in-trade or any specified part of it.

C GENERAL

- 15 The Dealer shall store or keep all items purchased in the course of his dealing only in the premises approved by the Council for that purpose.
- 16 The Dealer shall at all times keep his premises in a clean and proper condition to the satisfaction of any authorised officer of the Council.
- 17 Any requirements of Fire Scotland shall be complied with and adhered to during the currency of this licence.
- 18 The Dealer shall ensure that at his premises all means of escape remain clear and free from obstruction at all times. This includes fire exit doors inside and outside buildings and thoroughfares. Firefighting equipment in the premises should not be obstructed or covered over.
- 19 The Dealer, shall comply with any reasonable order or instruction given by a Police Officer or authorised officer of the Council:
- (a) for the prevention of obstruction or annoyance to the public or to the occupiers of any premises;
 - (b) in connection with any emergency or disturbance; or
 - (c) on any occasion when such officer in his discretion may consider it necessary in the public interest to give such order or instruction.