

Queensland



HAWKERS ACT 1984

**Reprinted as in force on 25 August 2000
(includes amendments up to Act No. 5 of 2000)**

Reprint No. 3A

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Information about this reprint

This Act is reprinted as at 25 August 2000. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Queensland



HAWKERS ACT 1984

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HAWKERS ACT 1984

[as amended by all amendments that commenced on or before 25 August 2000]

An Act to regulate the activities of hawkers and for other purposes

PART 1—PRELIMINARY

Short title

1. This Act may be cited as the *Hawkers Act 1984*.

Definitions

6.(1) In this Act—

“**approved form**” see section 48.¹

“**authorised officer**” means an officer or employee of the department who is an authorised officer.

“**commissioner**” means the commissioner of the police service.

“**goods**” does not include—

- (a) newspapers, books, pamphlets, periodicals or other printed publications; or
- (b) fish, flowers, fruit, water, fuel, milk, vegetables or victuals.

“**licence**” means a licence issued or renewed under this Act and in force in all respects at the material time.

“**licensee**” means the person in whose name a licence which is in force at the material time has been issued.

¹ Section 48 (Approval of forms)

“**State**” includes a Territory.

“**vehicle**” means a conveyance of any kind, whether or not at the material time it is capable of being operated or moved in any manner, and includes any caravan or trailer.

(2) For the purpose of this Act, a person carries on business as a hawker if, otherwise than in a market or at a fair or in a house or shop occupied by the person, the person sells or holds himself or herself out as being ready to sell goods carried on his or her person, on an animal, in or on a vehicle.

Application of Act

7. Part 2 does not apply to the sale or offering for sale of goods—

- (a) by or on behalf of a charity registered under the *Collections Act 1966*; or
- (b) by the actual maker of the goods or the maker’s agents, servants or employees.

Authorised officer

8.(1) The chief executive may appoint an officer or employee of the department to be an authorised officer.

(2) An appointment made under subsection (1) must be in, or evidenced by, writing.

Identity cards

8A.(1) The chief executive must issue an identity card to each authorised officer (other than a police officer).

(2) The identity card must—

- (a) contain a recent photograph of the authorised officer; and
- (b) be in a form approved, in writing, by the chief executive.

(3) A person who ceases to be an authorised officer must, as soon as practicable, return his or her card to the chief executive.

Proof of authority

8B. An authorised officer (other than a police officer) must not exercise any power under this Act in relation to a person unless the authorised officer first produces his or her identity card for inspection by the person.

PART 2—LICENCES**Issue of licences**

9. The chief executive may issue and renew licences under this Act.

Limitation on issue of licence

10. A licence shall not be issued to or in the name of a person who—

- (a) is not a natural person; or
- (b) is under the age of 18 years; or
- (c) is for the time being in a state of mental infirmity or mental disease, whether temporary or otherwise; or
- (d) is not a fit and proper person to hold a licence.

Application for licence

11.(1) An application for a licence must be made to the chief executive in the approved form.

(2) The application must be accompanied by the fee (if any) prescribed under a regulation.

Inquiries into application

12.(1) If an application is made for a licence, the chief executive may do 1 or both of the following—

- (a) make or cause to be made any inquiry or investigation in respect of the applicant or the application;

- (b) require, at any time prior to the determination of the application, the furnishing by the applicant of any information, further information, authority, certificate, form, photograph, fingerprint, palm print or footprint.
- (2) For subsection (1), the chief executive may get—
- (a) a report from the commissioner about the applicant; and
 - (b) if the applicant holds, or has held, a licence or certificate of registration (or similar accreditation) for the business of hawker in another State—a report from the appropriate licensing authority of the other State.

Application to be determined by chief executive

13.(1) The chief executive may, after considering any information at the chief executive's disposal—

- (a) approve an application for a licence either unconditionally or subject to conditions; or
- (b) reject the application.

(2) If the application is approved, the chief executive must issue a licence in the approved form.

Renewal of licences

14.(1) An application to renew a licence must—

- (a) be made to the chief executive in the approved form; and
- (b) be accompanied by the prescribed fee;

not more than 60, and not less than 14, days before the expiry of the licence.

(2) The chief executive may—

- (a) approve the application either unconditionally or subject to conditions; or
- (b) reject the application.

(3) If the application is approved, the chief executive must issue a licence in the approved form.

(4) If—

- (a) an application is made under subsection (1); and
- (b) the chief executive does not approve or reject the application before the expiry of the licence;

the licence is taken to continue in force until the day the chief executive approves or rejects the application.

Licensee to comply with local laws

14AA. It is a condition of a licence that the licensee comply with relevant local laws.

Conditions to be endorsed on licence

14A.(1) A licence must be endorsed with the conditions (other than the condition mentioned in section 14AA) to which it is subject.

(2) A condition or other matter may be endorsed on a licence or a renewed licence as a symbol the meaning of which is prescribed by regulation.

Duration of licence

15.(1) Subject to section 21 and this section, a licence shall, unless sooner surrendered, revoked or cancelled, be in force for a period of 12 months from the date of issue or renewal.

(2) Where the chief executive is of the opinion that a licence should be in force for a lesser period than 12 months, the chief executive may issue or renew a licence for such lesser period as the chief executive thinks fit and endorse this period on the licence.

Restoration of licence

15A.(1) If an application to renew a licence is not made within the time provided under section 14(1), the person who held the licence may, within 3 months after the expiry of the licence (the “**previous licence**”), apply for restoration of the licence.

(2) The application must—

- (a) be made to the chief executive in the approved form; and
- (b) be accompanied by the prescribed fees for restoration and renewal.

(3) If—

- (a) an application is made under subsection (1); and
- (b) the chief executive has not approved or rejected the application;

the previous licence is taken to have continued in force.

(4) If the chief executive approves the application, the renewed licence is taken to have been in force from the expiry of the previous licence.

(5) If the chief executive rejects the application, the previous licence is taken to expire on the day the chief executive rejects the application.

Notice of refusal to issue or renew licence

16. Where an application for or for the renewal of a licence is rejected by the chief executive, the chief executive must issue a notice of rejection in the approved form and shall forward the notice to the applicant by certified mail at the applicant's address as shown in the application.

Licence not transferable

17.(1) A licence can not be transferred to another person.

(2) An application by a licensee to carry on business as a hawker in an additional local government area must be made to the chief executive in the approved form.

(3) The application must be accompanied by the fee (if any) prescribed under a regulation.

(5) The chief executive may—

- (a) approve the application either unconditionally or subject to conditions; or
- (b) reject the application.

(6) If the application is approved, details of the approval and any condition imposed must be endorsed on the licence.

Endorsement of licences

18. A person (other than the chief executive) shall not make, alter or erase any endorsement or any part thereof upon or from any licence.

Change of licensee's address

19.(1) If a licensee changes address, the licensee must, not later than 7 days after the change—

- (a) give written notice of the change to the chief executive; and
- (b) produce the licensee's licence to the chief executive for endorsement of the change.

(2) If the chief executive is satisfied of the correctness of the change of address, the chief executive must endorse the licence accordingly.

Reporting loss, destruction or theft of licence

20. Where a licence is lost, destroyed or stolen the licensee shall forthwith on becoming aware of such loss, destruction or theft report the matter to the chief executive.

Replacement licence

21.(1) If, on application made by a licensee and payment of the prescribed fee, the chief executive is satisfied that the licensee's licence—

- (a) has been lost, destroyed or stolen; or
- (b) can not easily be read;

the chief executive may issue a replacement licence.

(2) A replacement licence shall be endorsed with any current endorsement on the licence it is replacing.

(3) Subject to this Act a replacement licence shall, initially, remain in force for the unexpired period of the licence which it replaces.

Revocation of licence

22.(1) The chief executive may revoke any licence by serving upon the licensee a notice of revocation in the approved form.

(2) A licence shall be revoked on and from the date specified in the notice of revocation being a date not prior to the date of service of the notice.

Effect of certain convictions on licences

23.(1) Where a licensee is convicted of any offence against any Act or law which offence involves the licensee dealing in or selling any goods fraudulently or dishonestly procured by the licensee or with the licensee's knowledge fraudulently or dishonestly procured by another person then, in addition to any other penalty imposed under any other Act or law, every licence issued to the licensee shall, by virtue of that conviction, be rendered null and void.

(2) A person who has been convicted of an offence referred to in subsection (1) shall not be entitled to hold a licence for a period of 5 years from the date of that conviction.

(3) Subject to subsections (1) and (2), where a licensee is convicted of an offence against this Act, the licensee's licence and all licences issued or renewed in the licensee's name within a period of 5 years from the date of the licensee's conviction shall be endorsed with the fact of the licensee's conviction.

(4) For the purpose of making the endorsement referred to in subsection (3), the chief executive may by notice in the approved form require a licensee to produce and deliver the licensee's licence and the licensee shall produce that licence at the place therein specified on or before the time and date therein specified.

Surrender notice

24.(1) If, at any time during the currency of a licence it is revoked or deemed by this Act to be void or surrendered, the chief executive shall cause a surrender notice in the approved form to be served on the licensee.

(2) The surrender notice must state the day, time and place at which, and the authorised officer to whom, the licence must be surrendered.

(3) When a surrender notice is to have effect forthwith, service shall be effected personally.

(4) Subject to subsections (5) and (6), a licensee who has been served with a surrender notice must surrender the licensee's licence in accordance with the notice.

(5) If the time in which the surrender notice is to take effect is other than forthwith, the person to whom it is directed may apply to the chief executive for an extension of the time in which the notice is to take effect.

(6) The chief executive may by written notice, extend the date of effect of such notice, in which case the provisions of this section shall apply as if such extended date were the date specified in the notice.

Appeals

25.(1) Subject to this section, any person who feels aggrieved by—

- (a) the refusal of the person's application for a licence or for the renewal of a licence or for the right to carry on business in an additional local government area; or
- (b) the imposition or variation at any time of any terms or conditions imposed upon a licence issued to the person; or
- (c) the revocation of a licence issued to the person;

may, within 28 days after the date of service of the notice of refusal, imposition, variation or revocation, appeal to the Magistrates Court exercising jurisdiction at or nearest the place where the applicant carries or, as the case may be, proposes to carry on business as a hawker.

(2) An appeal shall be instituted by—

- (a) lodging with the clerk of the court having jurisdiction written notice of appeal; and
- (b) serving a copy of that notice on the chief executive.

(3) A notice of appeal must state fully the grounds of appeal and the facts on which the appellant relies.

(4) Before the appeal is determined the appellant is entitled to be informed of the grounds upon which the application has been refused, the appellant's licence has been revoked or conditions imposed or varied in

respect of the appellant's licence.

(5) An appeal shall be by way of rehearing.

(6) Notwithstanding that an appeal has been lodged, any refusal, imposition, variation or revocation under this Act shall be effective as such until the Magistrates Court makes its determination upon the appeal.

(7) A person who has duly appealed against—

- (a) the refusal to renew the person's licence; or
- (b) the revocation of the person's licence;

shall be entitled to carry on business in all respects as if the licence had been renewed or had not been revoked pending the determination of the appeal.

PART 3—CONDUCT OF BUSINESS OF HAWKER

Hawker to be licensed

26. Subject to this Act, a person shall not carry on business as a hawker—

- (a) unless the person holds a licence; and
- (b) otherwise than in accordance with the terms and conditions of a licence granted to the person.

Possession of licence

27. A licensee, whilst actually carrying on business as a hawker, shall carry a licence issued to the licensee.

Hours of business

28. A person shall not carry on business as a hawker between the hours of 6 p.m. on any day and 7 a.m. on the next following day.

Hawker to display name, occupation and licence number

29. A licensee shall not fail to display and keep displayed the licensee's name, the words 'licensed hawker' and the number of the licence issued to the licensee in letters of the prescribed size and style on a conspicuous part of every vehicle whilst it is being used by the licensee in connection with the licensee's business as a hawker.

Hawker to leave premises etc., when directed

30. A person who in the course of carrying on business as a hawker is in or on any premises or property of another shall, at the request or direction of the owner or occupier thereof or agent or servant of the owner or occupier, forthwith leave those premises, or, as the case may be, that property.

Hawker not to use offensive language or behaviour

31. A person in the course of carrying on business as a hawker shall not—

- (a) use language that is insulting or offensive to any person; or
- (b) behave in an insulting or offensive manner.

PART 4—OFFENCES**Offences generally**

32. A person who contravenes or fails to comply with any provision of this Act commits an offence against this Act and if a specific penalty is not otherwise provided is liable—

- (a) for a first offence—to a penalty not exceeding 8 penalty units or to imprisonment for a term not exceeding 2 months; or
- (b) for a second or subsequent offence—to a penalty not exceeding 16 penalty units or to imprisonment for a term not exceeding 6 months.

Fraud and unlawful possession of licence etc.

33.(1) A person shall not—

- (a) in any written application, notice or other document made or given to the chief executive or to an authorised officer make a statement that to the person's knowledge is false; or
- (b) by a false statement or misrepresentation obtain or attempt to obtain a licence; or
- (c) furnish any information that to the person's knowledge is false or misleading with respect to particulars required to be furnished in connection with an application for any licence; or
- (d) forge (within the meaning of the Criminal Code) any licence.

(2) Unless the person has reasonable cause for so doing, a person shall not have in the person's possession—

- (a) any licence; or
- (b) any article resembling a licence and calculated to deceive; or
- (c) any document that was formerly a licence but that is void, cancelled, surrendered or expired.

(3) A person shall not—

- (a) use a licence unless it is a licence duly issued to the person; or
- (b) lend a licence duly issued to the person to another person for use by that other person; or
- (c) permit or suffer to be used by another person a licence duly issued to the person.

(4) Unless authorised by or under this Act, a person shall not make or cause, permit or allow to be made any endorsement (other than the person's signature) or any addition or alteration or erasure whatsoever on or from any licence.

(5) A licence in respect to which any act or attempted act referred to in this section has been done shall be null and void.

Use of vehicle by unlicensed hawker

34. A person who is not the holder of a licence shall not, in connection with the selling or offering for sale by the person of goods, use any vessel or vehicle on which are displayed the words 'licensed hawker' or any similar words.

Attempts to commit offences

35. A person who attempts to contravene this Act commits an offence against this Act.

PART 5—POWERS OF AUTHORISED OFFICERS**Power to demand production of licence**

37.(1) Where, under this Act, a person is required to be the holder of a licence, any authorised officer may at any time require that person to forthwith produce and deliver to that authorised officer the licence for inspection.

(2) A person who, when required under this section fails to produce and deliver a licence commits an offence against this Act.

Authorised officer may prosecute

41. In any proceedings under this Act, an authorised officer (whether or not the complainant) may appear and act in court on behalf of the prosecution.

PART 6—MISCELLANEOUS PROVISIONS

Proceedings for offences

42.(1) An offence against this Act may be prosecuted in a summary way under the *Justices Act 1886*.

(2) A prosecution for any offence against this Act must be commenced within 1 year from the time when the matter of complaint arose.

Fees and penalties

43. All fees paid and all penalties recovered and cost incurred in relation to proceedings under this Act shall be payable to the consolidated fund.

Service of notice, orders etc.

44.(1) Any notice, order or other document issued pursuant to this Act shall be properly served upon the person to whom it is directed if it is served in accordance with this section, that is to say—

- (a) by delivering a copy thereof to the person personally; or
- (b) if the person can not reasonably be found—by leaving a copy thereof with some person for the person at the person's usual place of business or residence or at the place of business or residence last known to the person who serves the order, notice or document; or
- (c) by posting by means of registered post a copy thereof addressed to the person at the person's place of business or residence last known to the person who issued the notice, order or other document at least 14 days before the date on which the order, notice or document is to take effect.

(2) When an order, notice or document is served, the person who serves same may attend before a justice and depose on oath and in writing endorse on a copy of the order, notice or document to the manner of service thereof showing therein the date of personal delivery, leaving or posting as the case may be of such order, notice or document.

(3) Every such deposition shall upon production in any court be evidence

of the matters contained therein and shall be sufficient proof of the service of such order, notice or document on the person to whom it was directed.

Protection

45.(1) The chief executive or an authorised officer incurs no civil liability for an honest act or omission in the performance or purported performance of functions under this Act.

(2) A liability that would, apart from this section, attach to the chief executive or an authorised officer attaches instead to the State.

Evidentiary provisions

46. In a proceeding for the purposes of this Act—

- (a) it shall not be necessary to prove the appointment of the Minister, the chief executive, the commissioner or an authorised officer to do any act or take any proceeding; or
- (b) a signature purporting to be that of the Minister, the chief executive, the commissioner or an authorised officer shall be taken to be the signature it purports to be until the contrary is proved; or
- (c) a document purporting to be certified by an authorised officer and purporting to be a copy of a licence, order or other authority under this Act shall, upon its production in that proceeding, be evidence of that licence, order or other authority and of any terms, conditions or other matters endorsed thereon; or
- (d) a document purporting to be signed by an authorised officer stating that at a specified time or during a specified period there was or was not in force a licence, exemption, order or other authority under this Act as described in the document issued to a specified person and that such licence, exemption, order or other authority was or was not subject to the terms, conditions or restrictions set out in the document shall upon its production in that proceeding be evidence and, in the absence of evidence to the contrary, conclusive evidence of the matters contained in the document; or

- (e) proof of any exemption from any provision of this Act shall be upon the person who relies thereon; or
- (f) where the age of any person is material, the court may decide, upon its own view and judgment, whether any person charged or present before it has or has not attained any prescribed age, but nothing herein shall be construed to prevent the age of that person being proved.

Delegations

47. The chief executive may delegate the chief executive's powers under this Act to—

- (a) an authorised officer; or
- (b) another officer or employee of the department.

Approval of forms

48. The chief executive may approve forms for use under this Act.

Regulation-making power

49.(1) The Governor in Council may make regulations under this Act.

(2) A regulation may be made about the following—

- (a) keeping records;
- (b) additional duties of hawkers;
- (c) conditions of licences;
- (d) fees payable under this Act;
- (e) penalties of not more than 8 penalty units for offences against a regulation.

ENDNOTES**1 Index to endnotes**

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992 section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 25 August 2000. Future amendments of the Hawkets Act 1984 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
amdt	=	amendment	prov	=	provision
ch	=	chapter	pt	=	part
def	=	definition	pubd	=	published
div	=	division	R[X]	=	Reprint No.[X]
exp	=	expires/expired	RA	=	Reprints Act 1992
gaz	=	gazette	reloc	=	relocated
hdg	=	heading	renum	=	renumbered
ins	=	inserted	rep	=	repealed
lap	=	lapsed	s	=	section
notfd	=	notified	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
om	=	omitted	SIA	=	Statutory Instruments Act 1992
orig	=	original	SIR	=	Statutory Instruments Regulation 1992
p	=	page	SL	=	subordinate legislation
para	=	paragraph	sub	=	substituted
prec	=	preceding	unnum	=	unnumbered
pres	=	present			
prev	=	previous			

4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to Act No. 40 of 1992	27 April 1994
2	to Act No. 58 of 1995	7 June 1996
2A	to Act No. 56 of 1996	8 January 1997
3	to Act No. 56 of 1996	11 February 1998

5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Changed names and titles	1
Renumbered provisions	1

6 List of legislation

Hawkers Act 1984 No. 46

date of assent 10 May 1984

ss 1–2 commenced on date of assent

remaining provisions commenced 1 October 1984 (proc pubd gaz 28 July 1984 p 1869)

as amended by—

Hawkers Act Amendment Act 1985 No. 60

date of assent 20 September 1985

ss 1–2 commenced on date of assent

remaining provisions commenced 1 October 1985 (proc pubd gaz 28 September 1985 p 390)

Justice Legislation (Miscellaneous Provisions) Act 1992 No. 40 pt 1, s 163 sch 1

date of assent 14 August 1992

ss 1–2 commenced on date of assent

remaining provisions commenced 28 February 1994 (see s 2(1)(d) and 1994 SL No. 33)

Statute Law (Miscellaneous Provisions) Act (No. 2) 1994 No. 87 ss 1–3 sch 2

date of assent 1 December 1994

commenced on date of assent

Statute Law Revision Act 1995 No. 57 ss 1–2, 4 sch 1 (as amd 1995 No. 58 ss 1–2, 4 sch 1 as from 28 November 1995 (see s 2(1) sch 1))

date of assent 28 November 1995

commenced on date of assent

Statute Law Revision Act (No. 2) 1995 No. 58 ss 1–2, 4 sch 2

date of assent 28 November 1995

commenced on date of assent

Consumer Law and Other Justice Legislation (Miscellaneous Provisions) 1996 No. 56 pts 1, 10

date of assent 20 November 1996

commenced on date of assent

Police Powers and Responsibilities Act 2000 No. 5 ss 1–2, 461 (prev s 373) sch 3

date of assent 23 March 2000

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 2000 (see s 2(1), (3) and 2000 SL No. 174)

7 List of annotations

Commencement

s 2 om R2 (see RA s 37)

Arrangement of Act

s 3 om 1992 No. 40 s 163 sch 1

Acts terminated or repealed

s 4 om 1992 No. 40 s 163 sch 1

Savings and transitional

s 5 om 1992 No. 40 s 163 sch 1

Definitions

prov hdg sub 1995 No. 58 s 4 sch 2

s 6 amd 1995 No. 57 s 4 sch 1

def “**arrest**” om 2000 No. 5 s 461 sch 3

def “**approved form**” ins 1995 No. 57 s 4 sch 1

def “**authorised officer**” ins 1992 No. 40 s 163 sch 1

def “**authorised police officer**” ins 1992 No. 40 s 163 sch 1
om 2000 No. 5 s 461 sch 3

def “**authorized officer**” om 1992 No. 40 s 163 sch 1

def “**chief executive**” ins 1992 No. 40 s 163 sch 1
om 1995 No. 57 s 4 sch 1

def “**commissioner**” sub 1992 No. 40 s 163 sch 1

def “**Local Authority**” sub 1985 No. 60 s 3
om 1992 No. 40 s 163 sch 1

def “**local government area**” om 1995 No. 57 s 4 sch 1

def “**Minister**” om 1992 No. 40 s 163 sch 1

def “**officer in charge of police**” om 2000 No. 5 s 461 sch 3

def “**police establishment**” sub 1994 No. 87 s 3 sch 2
om 2000 No. 5 s 461 sch 3

def “**police officer**” om 1992 No. 40 s 163 sch 1

def “**State**” ins 1995 No. 57 s 4 sch 1

Authorised officer

s 8 sub 1992 No. 40 s 163 sch 1

amd 2000 No. 5 s 461 sch 3

Identity cards

s 8A ins 1992 No. 40 s 163 sch 1

Proof of authority

s 8B ins 1992 No. 40 s 163 sch 1

Issue of licences

s 9 amd 1985 No. 60 s 4

sub 1992 No. 40 s 163 sch 1

Limitation on issue of licence

s 10 amd 1992 No. 40 s 163 sch 1

Application for licence

s 11 amd 1985 No. 60 s 5; 1992 No. 40 s 163 sch 1; 1995 No. 57 s 4 sch 1;
1996 No. 56 s 114

Inquiries into application

s 12 amd 1992 No. 40 s 163 sch 1; 1995 No. 57 s 4 sch 1; 1995 No. 58 s 4 sch 2

Application to be determined by chief executive

- s 13** amd 1985 No. 60 s 6
 sub 1992 No. 40 s 163 sch 1
 amd 1995 No. 57 s 4 sch 1

Renewal of licences

- s 14** sub 1985 No. 60 s 7; 1992 No. 40 s 163 sch 1
 amd 1995 No. 57 s 4 sch 1

Licensee to comply with local laws

- s 14AA** ins 1996 No. 56 s 115

Conditions to be endorsed on licence

- s 14A** ins 1992 No. 40 s 163 sch 1
 amd 1996 No. 56 s 116

Duration of licence

- s 15** sub 1985 No. 60 s 8
 amd 1992 No. 40 s 163 sch 1

Restoration of licence

- s 15A** ins 1992 No. 40 s 163 sch 1
 amd 1995 No. 57 s 4 sch 1

Notice of refusal to issue or renew licence

- s 16** amd 1992 No. 40 s 163 sch 1; 1995 No. 57 s 4 sch 1

Licence not transferable

- s 17** sub 1985 No. 60 s 9
 amd 1992 No. 40 s 163 sch 1; 1995 No. 57 s 4 sch 1; 1996 No. 56 s 117

Endorsement of licences

- s 18** amd 1992 No. 40 s 163 sch 1

Change of licensee's address

- s 19** sub 1992 No. 40 s 163 sch 1

Reporting loss, destruction or theft of licence

- s 20** amd 1992 No. 40 s 163 sch 1

Replacement licence

- s 21** amd 1985 No. 60 s 10; 1992 No. 40 s 163 sch 1

Revocation of licence

- s 22** amd 1992 No. 40 s 163 sch 1; 1995 No. 57 s 4 sch 1

Effect of certain convictions on licences

- s 23** amd 1992 No. 40 s 163 sch 1; 1995 No. 57 s 4 sch 1

Surrender notice

- s 24** amd 1992 No. 40 s 163 sch 1; 1995 No. 57 s 4 sch 1

Appeals

- s 25** amd 1985 No. 60 s 11; 1992 No. 40 s 163 sch 1; 1995 No. 57 s 4 sch 1

Hawker to be licensed

- s 26** amd 1995 No. 58 s 4 sch 2

Hawker not to use offensive language or behaviour

s 31 amd 1995 No. 58 s 4 sch 2

Offences generally

s 32 amd 1992 No. 40 s 163 sch 1

Fraud and unlawful possession of licence etc.

s 33 amd 1992 No. 40 s 163 sch 1

Attempts to commit offences

s 35 amd 1995 No. 58 s 4 sch 2

PART 5—POWERS OF AUTHORISED OFFICERS

pt hdg sub 1992 No. 40 s 163 sch 1

Name and address

s 36 amd 1992 No. 40 s 163 sch 1; 1995 No. 57 s 4 sch 1
om 2000 No. 5 s 461 sch 3

Power to demand production of licence

s 37 amd 1992 No. 40 s 163 sch 1

Seizure and detention of suspected goods

s 38 amd 1992 No. 40 s 163 sch 1; 1995 No. 58 s 4 sch 2
om 2000 No. 5 s 461 sch 3

Power of arrest

s 39 amd 1992 No. 40 s 163 sch 1; 1995 No. 58 s 4 sch 2
om 2000 No. 5 s 461 sch 3

Fingerprints etc.

s 40 amd 1995 No. 57 s 4 sch 1
om 2000 No. 5 s 461 sch 3

Authorised officer may prosecute

s 41 sub 1992 No. 40 s 163 sch 1

Proceedings for offences

s 42 amd 1992 No. 40 s 163 sch 1

Protection

s 45 sub 1992 No. 40 s 163 sch 1

Evidentiary provisions

s 46 amd 1992 No. 40 s 163 sch 1; 1995 No. 58 s 4 sch 2

Delegations

s 47 sub 1992 No. 40 s 163 sch 1

Approval of forms

s 48 ins 1992 No. 40 s 163 sch 1
sub 1995 No. 57 s 4 sch 1

Regulation-making power

s 49 ins 1995 No. 57 s 4 sch 1

Approved forms

s 50 ins 1995 No. 57 s 4 sch 1
 exp 28 February 1996 (see s 50(3))

SCHEDULE

 om R1 (see RA s 40)