

Queensland



Second-hand Dealers and Collectors Act 1984

SECOND-HAND DEALERS AND COLLECTORS REGULATION 1994

**Reprinted as in force on 2 August 1995
(includes amendments up to SL No. 160 of 1995)**

Reprint No. 4

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

Information about this reprint

This regulation is reprinted as at 2 August 1995. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

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

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- use expressions consistent with current drafting practice (s 29)
- omit provisions that are no longer required (s 37)
- make all necessary consequential amendments (s 7(1)(k)).

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

Also see endnotes for information about—

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

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SECOND-HAND DEALERS AND COLLECTORS REGULATION 1994

[as amended by all amendments that commenced on or before 2 August 1995]

Short title

1. This regulation may be cited as the *Second-hand Dealers and Collectors Regulation 1994*.

Forms

3.(1) If a provision of the Act requires or permits a prescribed form to be used for a purpose—

- (a) the chief executive is to approve a form for the purpose; and
- (b) the form approved by the chief executive is the prescribed form for the purpose.

(2) A person may ask the chief executive for a document setting out the approved form for a purpose.

(3) The chief executive must promptly comply with the request.

Fees

4. The fees payable under the Act are set out in schedule 1.

Licence must be signed

5. Immediately after a person receives a licence issued to him or her, the

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person must sign the licence, in ink, in the space provided.

Maximum penalty—8 penalty units.

Register of licences

6.(1) The chief executive must keep a register containing the current details of each licence issued.

(2) A person may inspect the register on payment of the relevant fee set out in schedule 1.

Display of licensed collector's name etc. on a vehicle

7. For the purpose of section 31 of the Act, the letters used to display a licensed collector's name, the words 'licensed collector' and the licence number on a vehicle must be at least 50 mm high and written legibly.

Size and style of collector's badge

8. A badge issued under section 32 of the Act must be—

- (a) silver with black writing; and
- (b) circular in shape with a diameter of at least 40 mm.

Register of transactions—collector

9. For the purpose of section 34(2) of the Act, the following particulars are the prescribed particulars, relating to the collection or sale of second-hand goods, to be entered in a register of transactions—

- (a) the time and day of the collection or sale;
- (b) a description of the goods;
- (c) the name and address of the person from whom the goods were collected or to whom the goods were sold.

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Register of transactions—dealer

10. For the purpose of section 44(2) of the Act, the following particulars are the prescribed particulars, relating to the acquisition, sale or disposal of second-hand goods, to be entered in a register of transactions—

- (a) the time and day of the acquisition, sale or disposal;
- (b) a description of the goods;
- (c) the name and address of the person from whom the goods were acquired or to whom the goods were sold or disposed of.

Goods or articles that are not second-hand goods

11. The goods or articles mentioned in schedule 2 are not second-hand goods¹ under the Act.

¹ See section 6(1) of the Act for the definition of “second-hand goods”.

SCHEDULE 1

FEES

sections 4 and 6

	\$
1. Application for—	
(a) a dealer's licence	204.00
(b) a collector's licence	43.00
2. Application for renewal of—	
(a) a dealer's licence	204.00
(b) a collector's licence	43.00
3. Application to—	
(a) replace the premises or location endorsed on a licence; or	
(b) add another location to those endorsed on a licence .	24.00
4. Application for a replacement licence	22.50
5. Application for a replacement collector's badge	3.00
6. Inspection of the register of licences	24.00

SCHEDULE 2

GOODS OR ARTICLES THAT ARE NOT SECOND-HAND GOODS

section 11

1. Collectors cards.

Example—

Baseball and football cards.

2. Used tyres (other than used tyres excluded² by the Act from being second-hand goods).

² See section 6(1) of the Act (paragraph (bc) of the definition of “second-hand goods”).

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 2 August 1995. Future amendments of the Second-hand Dealers and Collectors Regulation 1994 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

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3 Key

Key to abbreviations in list of legislation and annotations

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

4 Table of previous reprints

Reprint No.	Amendments included	Reprint date
1	none	15 February 1994
2	to SL No. 251 of 1994	30 August 1994
3	to SL No. 68 of 1995	12 May 1995

5 List of legislation

Second-hand Dealers and Collectors Regulation 1994 SL No. 35

notfd gaz 11 February 1994 pp 436–9

ss 1–2 commenced on date of notification

remaining provisions commenced 28 February 1994 (see s 2)

as amended by—

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Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1994

SL No. 251 ss 1–3 sch

notfd gaz 1 July 1994 pp 1170–7

commenced 1 July 1994 (see s 2(1))

Second-hand Dealers and Collectors Amendment Regulation (No. 1) 1995 SL No. 68

notfd gaz 31 March 1995 pp 1462–5

commenced on date of notification

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1995

SL No. 160 ss 1–3 sch

notfd gaz 9 June 1995 pp 1165–71

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 1995 (see s 2(1))

6 List of annotations

Commencement

s 2 om R4 (see RA s 37)

Fees

s 4 amd 1995 SL No. 68 s 3

Goods or articles that are not second-hand goods

s 11 prev s 11 om R1 (see RA s 40)

pres s 11 ins 1995 SL No. 68 s 4

SCHEDULE 1—FEES

sch hdg amd 1995 SL No. 68 s 5

sub 1994 SL No. 251 s 3 sch; 1995 SL No. 160 s 3 sch

SCHEDULE 2—GOODS OR ARTICLES THAT ARE NOT SECOND-HAND

GOODS

ins 1995 SL No. 68 s 6