

Queensland



Second-hand Dealers and Collectors Act 1984

SECOND-HAND DEALERS AND COLLECTORS REGULATION 1994

**Reprinted as in force on 21 July 2000
(includes amendments up to SL No. 161 of 2000)**

Reprint No. 5B

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Information about this reprint

This regulation is reprinted as at 21 July 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.**

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SECOND-HAND DEALERS AND COLLECTORS REGULATION 1994

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SECOND-HAND DEALERS AND COLLECTORS REGULATION 1994

[as amended by all amendments that commenced on or before 21 July 2000]

Short title

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

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 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,¹ the letters used to display a

¹ Section 31 (Collector to display name, occupation and licence number) of the Act

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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 Act² 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,³ 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.

Register of transactions—dealer

10. For the purpose of section 44(2) of the Act,⁴ 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.

² Section 32 (Collector's badge) of the Act

³ Section 34 (Collector to keep register) of the Act

⁴ Section 44 (Dealer to keep register) of the Act

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Goods or articles that are not second-hand goods

11. The goods or articles mentioned in schedule 2 are not second-hand goods⁵ under the Act.

⁵ See section 6 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	222.00
(b) a collector's licence	46.60
2. Application for renewal of—	
(a) a dealer's licence	222.00
(b) a collector's licence	46.60
3. Application to—	
(a) replace the premises or location endorsed on a licence; or	
(b) add another location to those endorsed on a licence .	26.60
4. Application for a replacement licence	24.60
5. Application for a replacement collector's badge	3.10
6. Inspection of the register of licences	26.60

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 excluded⁶ by the Act from being second-hand goods).

3. Used video cassettes.

⁶ See section 6 of the Act (paragraph (e) 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 21 July 2000. 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 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	none	15 February 1994
2	to SL No. 251 of 1994	30 August 1994
3	to SL No. 68 of 1995	12 May 1995
4	to SL No. 160 of 1995	2 August 1995
4A	to SL No. 153 of 1996	9 August 1996
4B	to SL No. 399 of 1996	22 January 1997
4C	to SL No. 173 of 1997	11 July 1997
4D	to SL No. 41 of 1998	23 March 1998
5	to SL No. 41 of 1998	23 June 1998
5A	to SL No. 253 of 1998	16 October 1998

5 List of legislation

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

made by the Governor in Council on 10 February 1994
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)
exp 10 February 2004 (see SIA s 54)

as amended by—

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 on date of notification (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))

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1996 SL No. 153 ss 1, 2(1), 3 sch

notfd gaz 28 June 1996 pp 1164–70
ss 1–2(1) commenced on date of notification
remaining provisions commenced 1 July 1996 (see s 2(1))

Consumer Law and Other Justice Legislation Amendment Regulation (No. 1) 1996 SL No. 399 pts 1, 10

notfd gaz 20 December 1996 pp 1588–98
commenced on date of notification

Consumer Affairs (Fees and Charges) Amendment Regulation (No. 1) 1997 SL No. 173 ss 1–2(1), 3 sch

notfd gaz 27 June 1997 pp 1004–1010
ss 1–2(1) commenced on date of notification
remaining provisions commenced 1 July 1997 (see s 2(1))

Second-hand Dealers and Collectors Amendment Regulation (No. 1) 1998 SL No. 41

notfd gaz 20 March 1998 pp 1219–20
commenced on date of notification

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**Equity and Fair Trading (Fees and Charges) Amendment Regulation (No. 1)
1998 SL No. 253 s 3 sch**

notfd gaz 11 September 1998 pp 145–7
ss 1–2 commenced on date of assent
remaining provisions commenced 5 October 1998 (see s 2)

**Equity and Fair Trading Legislation Amendment Regulation (No. 1) 2000
SL No. 161 ss 1–2(1), 3 sch**

notfd gaz 30 June 2000 pp 736–48
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2000 (see s 2(1))

6 List of annotations

Commencement

s 2 om R4 (see RA s 37)

Forms

s 3 om 1996 SL No. 399 s 42

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; 1996 SL No. 153
s 3 sch; 1997 SL No. 173 s 3 sch; 1998 SL No. 253 s 3 sch; 2000
SL No. 161 s 3 sch

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

ins 1995 SL No. 68 s 6
amd 1998 SL No. 41 s 3