

Queensland



Second-hand Dealers and Collectors Act 1984

SECOND-HAND DEALERS AND COLLECTORS REGULATION 1994

**Reprinted as in force on 1 January 2003
(includes amendments up to SL No. 311 of 2002)**

Reprint No. 5E

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Information about this reprint

This regulation is reprinted as at 1 January 2003. 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 reprints is included in the endnotes.

Also see endnotes for information about—

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

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

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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 1 January 2003]

1 Short title

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

4 Fees

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

5 Licence must be signed

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.

6 Register of licences

(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.

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

For the purpose of section 31 of the Act,¹ 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.

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

8 Size and style of collector's badge

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.

9 Register of transactions—collector

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.

10 Register of transactions—dealer

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.

11 Goods or articles that are not second-hand goods

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

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

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 472.00
 - (b) a collector's licence 49.60
- 2.** Application for renewal of—
 - (a) a dealer's licence 236.00
 - (b) a collector's licence 49.60
- 3.** Application to—
 - (a) replace the premises or location endorsed on a licence; or
 - (b) add another location to the location or locations endorsed on a licence. 28.30
- 4.** Application for a replacement licence 26.20
- 5.** Application for a replacement collector's badge 3.30
- 6.** Inspection of the register of licences 28.30

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 1 January 2003. 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.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
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	(retro)	= retrospectively
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the latest reprint.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

TABLE OF REPRINTS

Reprint No.	Amendments included	Effective	Reprint date
1	none	28 February 1994	15 February 1994
2	to SL No. 251 of 1994	1 July 1994	30 August 1994
3	to SL No. 68 of 1995	31 March 1995	12 May 1995
4	to SL No. 160 of 1995	1 July 1995	2 August 1995
4A	to SL No. 153 of 1996	1 July 1996	9 August 1996
4B	to SL No. 399 of 1996	20 December 1996	22 January 1997
4C	to SL No. 173 of 1997	1 July 1997	11 July 1997
4D	to SL No. 41 of 1998	20 March 1998	23 March 1998
5	to SL No. 41 of 1998	20 March 1998	23 June 1998
5A	to SL No. 253 of 1998	5 October 1998	16 October 1998
5B	to SL No. 161 of 2000	1 July 2000	21 July 2000
5C	to SL No. 293 of 2001	7 January 2002	18 January 2002
			(Column discontinued)
			Notes
5D	to SL No. 167 of 2002	1 July 2002	
5E	to SL No. 311 of 2002	1 January 2003	

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 1 September 2004 (see SIA s 54)

amending legislation—

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

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))

Tourism, Racing and Fair Trading (Fees) Amendment Regulation (No. 1) 2001
SL No. 210 ss 1–3 sch

notfd gaz 16 November 2001 pp 982–5
ss 1–2 commenced on date of notification
remaining provisions commenced 3 December 2001 (see s 2) (amdt could not be given effect)

Tourism, Racing and Fair Trading (Fees) Amendment Regulation (No. 3) 2001
SL No. 293 ss 1–2, pt 2

notfd gaz 21 December 2001 pp 1482–8
ss 1–2 commenced on date of notification
remaining provisions commenced 7 January 2002 (see s 2)

Tourism, Racing and Fair Trading (Fees) Amendment Regulation (No. 1) 2002 SL No. 167 ss 1, 2(1), 3 sch 1

notfd gaz 28 June 2002 pp 876–83

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2002 (see s 2(1))

Fair Trading (Fees) Amendment Regulation (No. 1) 2002 SL No. 311 pts 1, 6

notfd gaz 22 November 2002 pp 1018–21

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2003 (see s 2)

Note— A regulatory impact statement and explanatory note were prepared

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**sch 1** 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; 2001 SL No. 210 s 3 sch (amdt could not be given effect); 2001 SL No. 293 s 4; 2002 SL No. 167 s 3 sch 1
amd 2002 SL No. 311 s 15**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