SECOND-HAND DEALERS AND COLLECTORS (AMENDMENT) BILL.

Schedule of Amendments referred to in Legislative Council's Message of 29 August, 1963.

- No. 1.—Page 7, clause 2, lines 16 to 18 inclusive. *Omit* all words on these lines.

 Insert "officer of the police force above the rank of senior constable" and by inserting in lieu thereof the words "member of the police force of or above the rank of sergeant, or any other member of the police force authorised in writing in that behalf by the Commissioner of Police,";
- No. 2.—Page 7, clause 2. After line 28 insert—
 - (iii) by omitting from the same section the words "such officer" and by inserting in lieu thereof the words "such member";
 - (iv) by inserting at the end of the same section the following paragraph:—

Any member of the police force authorised by the Commissioner of Police pursuant to this section may be so authorised either generally or in specified cases. Any such authority may be revoked at any time by the Commissioner of Police.

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This Public Bill originated in the Legislative Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

ALLAN PICKERING, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 21 August, 1963.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

J. R. STEVENSON, Clerk of the Parliaments.

Legislative Council Chamber, Sydney, 29 August, 1963.

New South Wales



ANNO DUODECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1963.

An Act to extend the purview of the Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts; to increase the license fees payable under the said Act, as so amended; for this and other purposes to amend the said Act, as so amended; and for purposes connected therewith.

B^E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as 5 follows:—

1. (1) This Act may be cited as the "Second-hand Short title, citation Dealers and Collectors (Amendment) Act, 1963".

(2) Mendment Short title, citation and commencement.

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	(2)	The	Second-hand	Dealers	and	Collectors	Act,
1906,	as a	mende	ed by subseque	ent Acts	and l	by this Act,	may
be cite	ed a	s the	Second-hand	Dealers	and	Collectors	Act,
1906-1	963						

- 5 (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.
 - **2.** (1) The Second-hand Dealers and Collectors Act, Amendment 1906, as amended by subsequent Acts, is amended—

 of Act No. 30, 1906.
- 10 (a) (i) by omitting from the long title the words "old Long title. wares" where firstly occurring and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by omitting from the long title the words "articles and old wares" and by inserting in lieu thereof the word "goods";
 - (b) (i) by omitting from the definition of "Collector" Sec. 2.
 in section two the words "old wares of any (Definition.)
 kind" and by inserting in lieu thereof the
 words "second-hand goods";
- 20 (ii) by omitting from the same definition the words "old wares" where secondly occurring and by inserting in lieu thereof the words "second-hand goods":
 - (iii) by omitting from the definition of "Court" in the same section the words "or police";
 - (iv) by omitting from the same section the definitions of "License", "Old wares", "Ship-chandler" and "Second-hand dealer" and by inserting in lieu thereof the following definitions:—

"License" means license under this Act and any renewal thereof.

"Licensed auctioneer" means an auctioneer within the meaning of the Auctioneers, Stock and Station and Real Estate Agents

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Agents Act, 1941, as amended by subsequent Acts, who is licensed unde the said Act, as so amended.	
the said fiet, as so amended.	
"Second-hand dealer" means any person who carries on the business of dealing in or buying or selling second-hand goods, whether such person deals in any other goods or not.	g I
"Second-hand goods" means second-hand goods of every description other than those enumerated in the Seventh Schedule to this Act.	1
(c) by omitting section three and by inserting in lieu thereof the following section:—	Subst. sec. 3.
 3. Any person who— (1) exercises or carries on; (2) advertises, notifies or states that he exercises or carries on or is willing to exercise 	
or carry on; or (3) in any way holds himself out to the public as ready to exercise or carry on,	
the business or any of the functions of a second hand dealer without being the holder of a license as such shall be guilty of an offence against this	2
(d) (i) by inserting in section four after the word "in" where firstly occurring the words "or to the effect of";	(Application for dealer's
(ii) by inserting in the same section after the word "fit" the words "for a period no exceeding one year from the date of expiry of the original license or the previous renewa of such license, as the case may be. Where	t / l
an application has been made for the renewa of such a license before the date upon which such license or previous renewal thereof, at the case may be, expires and such application has	1 8

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5	(iii)	has not been dealt with before the date upon which such license or previous renewal thereof, as the case may be, expires, the applicant for such renewal shall be deemed to continue to be licensed until such time as such application has been granted or refused."; by omitting from the same section the words "one pound" and by inserting in lieu thereof the words "two pounds";
10	(e) (i)	by omitting from paragraph one of section Sec. 8. eight the words "old wares" and by inserting in (Name, &c., lieu thereof the words "second-hand goods"; to be painted on
15	(ii)	by omitting from paragraph three of the same outside of section the words "correctly therein" and by inserting in lieu thereof the words "legibly in ink therein as soon as practicable after the time of purchase or receipt of the goods to which the entry relates";
20	(iii)	by omitting from paragraph four of the same section the words "correctly therein" and by inserting in lieu thereof the words "legibly in ink therein as soon as practicable after the time of sale or disposal of the goods to which the entry relates";
25	(iv)	by omitting from paragraph five of the same section the words "old wares" and by insert- ing in lieu thereof the words "second-hand goods";
30	(v)	by inserting in paragraph seven of the same section after the word "keep" the words "on the premises to which his license applies";
2.5	(vi)	by omitting from the same paragraph the words "old wares" wherever occurring and by inserting in lieu thereof the words "second-hand goods";
35	(vii)	

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(viii) by inserting at the end of the same section the following proviso:—

Provided that the proprietor of a foundry who is a second-hand dealer, is the holder of a license as such and purchases old iron, scrap metal, broken metal or defaced metal goods, such metal being in each such case iron or steel, for use in his foundry in the manufacture for trade or sale of goods of any description, shall not be guilty of an offence against this Act by reason only of failure to comply with the provisions of paragraph seven of this section in respect of such old iron, scrap metal, broken metal or defaced metal goods.

- (f) by inserting next after the same section the following New sec. 8A. new section:—
- 8A. (1) Any licensed second-hand dealer who Offences in neglects or fails to make any entry required by this respect of keeping of Act to be made by him, or who wilfully makes or books.

 causes to be made, any false entry in any book required by this Act to be kept by him, shall be guilty of an offence against this Act.
 - (2) Any licensed second-hand dealer who makes or causes to be made, in any such book, any incomplete, defective or misleading entry, shall be guilty of an offence against this Act.
 - (g) by omitting from paragraph five of section nine Sec. 9.
 the words "old wares" and by inserting in lieu thereof the words "second-hand goods";

 Carry on
 business on
 licensed
 premises
 - (h) (i) by omitting from subsection one of section ten Sec. 10. the words "a court within the police district (Collectors in which he resides an application in" and by to be licensed.)

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- inserting in lieu thereof the words "the court nearest to the place where he resides an application in or to the effect of the":
- (ii) by omitting from the same subsection the words "in the said district" and by inserting in lieu thereof the words "in the police district within which such court is situated";
- (iii) by inserting in subsection two of the same section after the word "hereto" the words "and where there is no objection made by or on behalf of an officer of police a license may be issued by the clerk of the court to which the application is made":
- (iv) by omitting from subsection four of the same section the words "one shilling" and by insert-15 ing in lieu thereof the words "five shillings";
 - (i) (i) by omitting from section eleven the words Sec. 11. "old wares" wherever occurring and by insert- (Collector to ing in lieu thereof the words "second-hand address goods";

with police officer and report himself.)

- (ii) by inserting in paragraph four of the same section immediately before the word "dealer" wherever occurring the word "second-hand";
- (i) by omitting from section twelve the words sec. 12. (i)"old wares" wherever occurring and by (Licenses 25 inserting in lieu thereof the words "second-not to be let out.) hand goods";
 - (ii) by omitting from the same section the word "subsection" and by inserting in lieu thereof the word "paragraph";
 - (iii) by omitting from the same section the word "subsections" and by inserting in lieu thereof the word "paragraphs";

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-	(k)	by omitting from section thirteen the words "old Sec. wares" wherever occurring and by inserting in lieu (Co to b thereof the words "second-hand goods";	llectors
5	(1)	by omitting from section fourteen the word "Every" Sec. and by inserting in lieu thereof the words "Subject (Ce to be section four of this Act, every";	asing
	(m)	the words "Second-hand goods";	e- aption of session
10		(ii) by omitting from the same section the words han "old wares" and by inserting in lieu thereof good the words "second-hand goods";	d
	(n)	may	censes
15	(0)	"above the rank of senior constable" and (Ins. by inserting in lieu thereof the words "of deal	spectors,
		"officer of the police force above the rank of	
20		senior constable" and by inserting in lieu thereof the words "member of the police force	
		of or above the rank of sergeant, or any other	
		member of the police force authorised in writing in that behalf by the Commissioner of	
25		Police,";	
		(ii) by omitting from the same section the words "old wares" and by inserting in lieu thereof the words "second-hand goods";	
30		(iii) by omitting from the same section the words "such officer" and by inserting in lieu thereof the words "such member";	
		(iv) by inserting at the end of the same section the following new paragraph:—	
35		Any member of the police force authorised by the Commissioner of Police pursuant to this section may be so authorised either generally or in specified cases. Any such authority may be revoked at any time by the Commissioner of Police.	
40	(p)	"old wares" wherever occurring and by insert- (Coing in lieu thereof the words "second-hand may auth goods";	nstable be horised earch
45		(ii) by omitting from the same section the word prer "second-dealer" and by inserting in lieu thereof the words "second-hand dealer"; (iii)	nises.)

	5000	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	The Dealer's and Contents (Internation).	
		(iii)	by omitting from the same section the words "such wares" wherever occurring and by inserting in lieu thereof the words "such goods";	
5		(iv)	by omitting from the same section the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds";	
10	(q)	(i)	by omitting from section twenty-two the words "old wares" and by inserting in lieu thereof the words "second-hand goods";	
		(ii)	by omitting from the same section the words "such wares" wherever occurring and by inserting in lieu thereof the words "such goods";	
15		(iii)	by omitting from the same section the words "said wares" wherever occurring and by inserting in lieu thereof the words "said goods";	
20	(r)	"ten	omitting from section twenty-three the words pounds" and by inserting in lieu thereof the ds "fifty pounds";	
	(s)		by omitting from paragraph (1) of section twenty-four the word "renewals,";	(Regula-
25		(ii)	by inserting in the same section immediately before the words "And may in such regulations" the following new paragraph: —	
30			The Governor may also make regulations amending the Seventh Schedule to this Act by inserting therein the description of any second-hand goods or class of second-hand	
30			goods or by omitting therefrom the description of any second-hand goods or class of second-hand goods. The Seventh Schedule as so amended shall be the Seventh Schedule to	
35			this Act.	
		(iii)	by omitting from the same section the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds"; (t)	

(t) by omitting the First Schedule and by inserting in First lieu thereof the following Schedule:—

FIRST SCHEDULE.

SECOND-HAND DEALERS AND COLLECTORS ACT, 1906, AS AMENDED.

Second-hand dealer's license.

A.B., of [address and description], is authorised and empowered to act as a second-hand dealer and to carry on the business of dealing in, and buying and selling second-hand goods at the premises occupied by him in [name of street and name of place]; and this license shall (unless the same be sooner cancelled or forfeited) be and continue in force for one year from the day of . 19

15 Granted at , this day of , 19 .

Registered No.

(Signed) Clerk of the Court at

- (u) by inserting in the Second Schedule after the Second figures "1906" the words ", AS AMENDED";
 - (v) (i) by inserting in the Third Schedule after the Third figures "1906" the words ", AS AMENDED"; Schedule.
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (w) (i) by inserting in the Fourth Schedule after the Fourth figures "1906" the words ", AS AMENDED"; Schedule
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (x) by inserting in the Fifth Schedule after the figures Fifth "1906" the words ", AS AMENDED"; Schedule.

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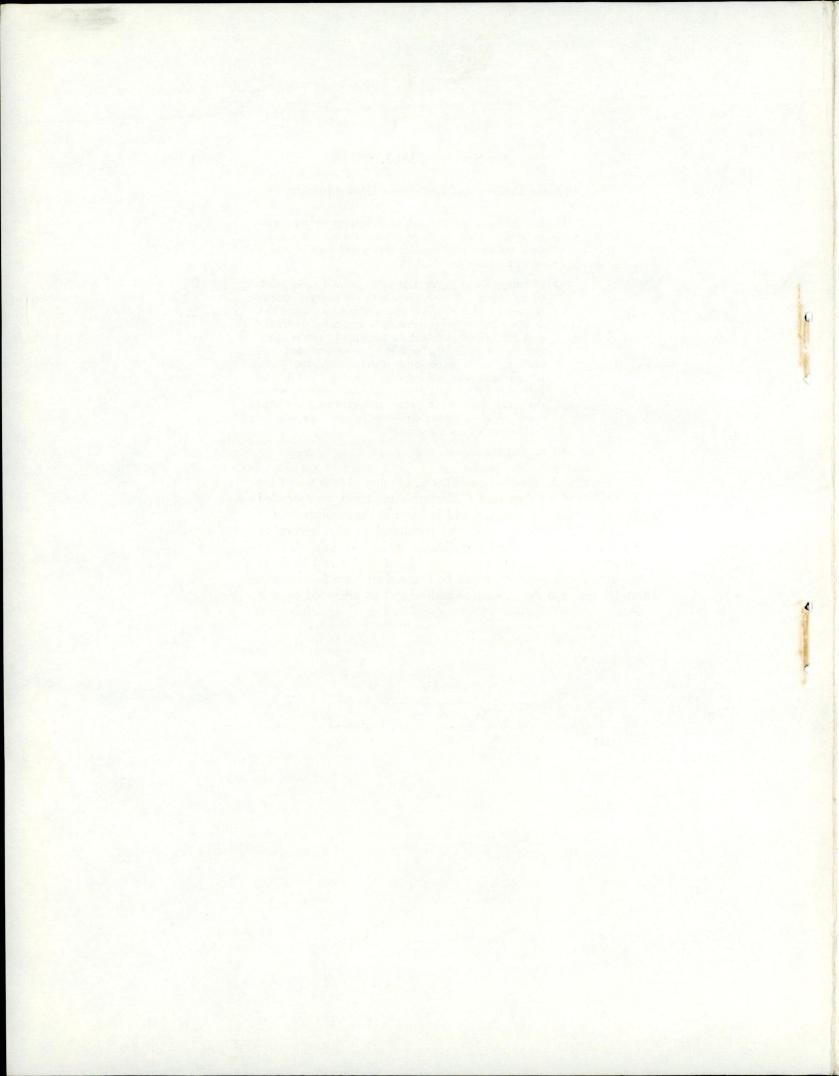
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	(y) (i) by inserting in the Sixth Schedule after the figures "1906" the words ", AS AMENDED";	Sixth Schedule.
_	(ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof	
5	the words "second-hand goods"; (iii) by omitting from the same Schedule the symbols and letters "(L.S.)";	
	(z) by inserting next after the Sixth Schedule the following new Schedule:—	New Seventh Schedule.
10	SEVENTH SCHEDULE.	
	Second-hand goods excluded from definition of "Second-hand goods" contained in section two of this Act:—	
15	(a) Used or reconstructed motor vehicles as defined in the Second-hand Motor Dealers Act, 1956, and such used or reconstructed parts or accessories of motor vehicles as so defined as may be prescribed by regulations made under that Act for the purposes of the definition of "Dealer" contained in subsection one of	
20	section three of that Act. (b) Wool, hides and skins, the subject of trade in accordance with the provisions of the Wool, Hide and Skin Dealers Act, 1935.	
25	(c) Pistols as defined in the Pistol License Act, 1927, as amended by subsequent Acts, and military rifles and military ammunition as defined in the Police Offences Act, 1901, as amended by subsequent Acts.	
30	(d) Second-hand goods acquired by a licensed auctioneer to be sold on commission in accordance with the provisions of the Auctioneers, Stock and Station and Real Estate Agents Act, 1941, as amended by subsequent Acts, until the time such auctioneer ceases to be the possessor of such goods.	
	(e) Second-hand goods repossessed—	
35	(i) by a vendor in accordance with the provisions of the Hire-purchase Agreements Act, 1941-1959; or	
	(ii) by an owner in accordance with the Hire- Purchase Act, 1960,	
40	until the time such vendor or owner, as the case may be, ceases to be the possessor of such goods. (f)	

- (f) Second-hand goods sold to a retailer in part payment for other goods purchased from such retailer, until the time such retailer ceases to be the possessor of such second-hand goods.
- (g) Clothing, waste paper and other second-hand goods of any kind collected, acquired or sold by a charity as defined in the Charitable Collections Act, 1934, as amended by subsequent Acts, registered under the said Act, as so amended, or exempted from registration by or under the said Act, as so amended, and clothing, waste paper and other second-hand goods of any kind collected by persons acting bona fide on behalf and with the authority of such a charity where such clothing, waste paper and other second-hand goods of any kind are collected, acquired or sold for the benefit of such a charity.
 - (h) Second-hand goods the subject of a bailment.
- (2) A reference to old wares in any license under the Second-hand Dealers and Collectors Act, 1906, as amended 20 by subsequent Acts, issued and in force at the commencement of this Act shall be read and construed as a reference to second-hand goods and any license under the said Act, as so amended, so issued to a second-hand dealer and in force at such commencement shall be deemed to have been issued 25 under the said Act, as so amended, and as amended by this Act.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963
[1s.]



This Public Bill originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

ALLAN PICKERING. Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 21 August, 1963.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Clerk of the Parliaments.

Legislative Council Chamber, August, 1963. Sydney.

New South Wales



ANNO DUODECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1963.

An Act to extend the purview of the Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts: to increase the license fees payable under the said Act, as so amended; for this and other purposes to amend the said Act, as so amended; and for purposes connected therewith.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as 5 follows: -

1. (1) This Act may be cited as the "Second-hand Short title, Dealers and Collectors (Amendment) Act, 1963".

citation and commencement.

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- (2) The Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts and by this Act, may be cited as the Second-hand Dealers and Collectors Act, 1906-1963.
- 5 (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.
 - 2. (1) The Second-hand Dealers and Collectors Act, Amendment 1906, as amended by subsequent Acts, is amended—

 of Act No. 30, 1906.
- 10 (a) (i) by omitting from the long title the words "old Long title. wares" where firstly occurring and by inserting in lieu thereof the words "second-hand goods":
 - (ii) by omitting from the long title the words "articles and old wares" and by inserting in lieu thereof the word "goods";
 - (b) (i) by omitting from the definition of "Collector" Sec. 2.
 in section two the words "old wares of any (Definition.)
 kind" and by inserting in lieu thereof the
 words "second-hand goods";
- 20 (ii) by omitting from the same definition the words "old wares" where secondly occurring and by inserting in lieu thereof the words "second-hand goods";
 - (iii) by omitting from the definition of "Court" in the same section the words "or police";
 - (iv) by omitting from the same section the definitions of "License", "Old wares", "Ship-chandler" and "Second-hand dealer" and by inserting in lieu thereof the following definitions:—

"License" means license under this Act and any renewal thereof.

"Licensed auctioneer" means an auctioneer within the meaning of the Auctioneers, Stock and Station and Real Estate Agents

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	Second-hand Dealers and Collectors (Amendment).	
	Agents Act, 1941, as amended by subsequent Acts, who is licensed under the said Act, as so amended.	
5	"Second-hand dealer" means any person who carries on the business of dealing in or buying or selling second-hand goods, whether such person deals in any other goods or not.	
10	"Second-hand goods" means second-hand goods of every description other than those enumerated in the Seventh Schedule to this Act.	
	(c) by omitting section three and by inserting in lieu thereof the following section:—	Subst. sec. 3.
15	3. Any person who—(1) exercises or carries on;(2) advertises, notifies or states that he exer-	Unlicensed persons prohibited from acting as
20	cises or carries on or is willing to exercise or carry on; or (3) in any way holds himself out to the public	dealers.
	as ready to exercise or carry on, the business or any of the functions of a second- hand dealer without being the holder of a license as such shall be guilty of an offence against this	
25	Act.	
	(d) (i) by inserting in section four after the word "in" where firstly occurring the words "or to the effect of";	Sec. 4. (Application for dealer's license or
30	(ii) by inserting in the same section after the word "fit" the words "for a period not exceeding one year from the date of expiry of the original license or the previous renewal	
35	of such license, as the case may be. Where an application has been made for the renewal of such a license before the date upon which such license or previous renewal thereof, as the case may be, expires and such application	
	has	

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(iii)

has not been dealt with before the date upon
which such license or previous renewal thereof,
as the case may be, expires, the applicant
for such renewal shall be deemed to continue
to be licensed until such time as such
application has been granted or refused.";
by omitting from the same section the words
"one pound" and by inserting in lieu thereof
the words "two pounds":

- 10 (e) (i) by omitting from paragraph one of section Sec. 8.
 eight the words "old wares" and by inserting in (Name, &c.,
 lieu thereof the words "second-hand goods"; to be
 painted on
 - (ii) by omitting from paragraph three of the same outside of section the words "correctly therein" and by inserting in lieu thereof the words "legibly in ink therein as soon as practicable after the time of purchase or receipt of the goods to which the entry relates";
 - (iii) by omitting from paragraph four of the same section the words "correctly therein" and by inserting in lieu thereof the words "legibly in ink therein as soon as practicable after the time of sale or disposal of the goods to which the entry relates";
 - (iv) by omitting from paragraph five of the same section the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (v) by inserting in paragraph seven of the same section after the word "keep" the words "on the premises to which his license applies";
 - (vi) by omitting from the same paragraph the words "old wares" wherever occurring and by inserting in lieu thereof the words "secondhand goods";
 - (vii) by omitting from the same paragraph the word "wares" where thirdly occurring and by inserting in lieu thereof the word "goods";

(viii)

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(viii) by inserting at the end of the same section the following proviso: -

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Provided that the proprietor of a foundry who is a second-hand dealer, is the holder of a license as such and purchases old iron, scrap metal, broken metal or defaced metal goods. such metal being in each such case iron or steel, for use in his foundry in the manufacture for trade or sale of goods of any description, shall not be guilty of an offence against this Act by reason only of failure to comply with the provisions of paragraph seven of this section in respect of such old iron, scrap metal, broken metal or defaced metal goods.

- (f) by inserting next after the same section the following New sec. 8A. new section: -
- 8A. (1) Any licensed second-hand dealer who Offences in neglects or fails to make any entry required by this respect of keeping of Act to be made by him, or who wilfully makes or books. causes to be made, any false entry in any book required by this Act to be kept by him, shall be guilty of an offence against this Act.
- (2) Any licensed second-hand dealer who makes or causes to be made, in any such book, any 25 incomplete, defective or misleading entry, shall be guilty of an offence against this Act.
 - (g) by omitting from paragraph five of section nine Sec. 9. the words "old wares" and by inserting in lieu there- (Dealer to carry on of the words "second-hand goods": business on licensed premises
 - (h) (i) by omitting from subsection one of section ten Sec. 10. the words "a court within the police district (Collectors in which he resides an application in" and by to be licensed.) inserting

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- inserting in lieu thereof the words "the court nearest to the place where he resides an application in or to the effect of the";
- (ii) by omitting from the same subsection the words "in the said district" and by inserting in lieu thereof the words "in the police district within which such court is situated";
- (iii) by inserting in subsection two of the same section after the word "hereto" the words "and where there is no objection made by or on behalf of an officer of police a license may be issued by the clerk of the court to which the application is made";
- (iv) by omitting from subsection four of the same section the words "one shilling" and by inserting in lieu thereof the words "five shillings";
- (i) (i) by omitting from section eleven the words Sec. 11.

 "old wares" wherever occurring and by inserting in lieu thereof the words "second-hand leave address
 goods";

 with police officer and report himself.)
 - (ii) by inserting in paragraph four of the same section immediately before the word "dealer" wherever occurring the word "second-hand";
- (j) (i) by omitting from section twelve the words Sec. 12.

 "old wares" wherever occurring and by (Licenses inserting in lieu thereof the words "second-not to be let out.) hand goods";
 - (ii) by omitting from the same section the word "subsection" and by inserting in lieu thereof the word "paragraph";
 - (iii) by omitting from the same section the word "subsections" and by inserting in lieu thereof the word "paragraphs";

(k)

	Second-nana Dealers and Collectors (Amenament).			
	(k)	by omitting from section thirteen the words "old Sec. 1 wares" wherever occurring and by inserting in lieu (Colle to be license	ectors	
5	(1)	by omitting from section fourteen the word "Every" Sec. 1 and by inserting in lieu thereof the words "Subject (Ceas to be to section four of this Act, every";	ing	
	(m)	the words "Second-hand goods"; posses	ion of	
10		(ii) by omitting from the same section the words hand "old wares" and by inserting in lieu thereof goods the words "second-hand goods";		
	(n)	by omitting from section eighteen the words "or Sec. 1 police"; (Licer may be revok	nses	
15	(o)	(i) by omitting from section twenty the words Sec. 2 "above the rank of senior constable" and (Insp. by inserting in lieu thereof the words "of dealer	ectore	
		or above the rank of sergeant'; premi	ses.)	
20		"officer of the police force above the rank of senior constable" and by inserting in lieu thereof the words "member of the police force of or above the rank of sergeant, or any other		
		member of the police force authorised in		
25		writing in that behalf by the Commissioner of Police,";		
23		(ii) by omitting from the same section the words "old wares" and by inserting in lieu thereof the words "second-hand goods";		
30		(iii) by omitting from the same section the words "such officer" and by inserting in lieu thereof the words "such member";		
		(iv) by inserting at the end of the same section the the following new paragraph:—		
		Any member of the police force authorised		
35		by the Commissioner of Police pursuant to		
		this section may be so authorised either generally or in specified cases. Any such		
		authority may be revoked at any time by the Commissioner of Police.		
40	(p)			
		"old wares" wherever occurring and by insert- (Consing in lieu thereof the words "second-hand may be goods"; to sea	e rised rch	
45		(ii) by omitting from the same section the word premi "second-dealer" and by inserting in lieu thereof the words "second-hand dealer"; (iii)	ses.)	

	Second-nana Beaters and Confectors (Amenament).	
	(iii) by omitting from the same section the words "such wares" wherever occurring and by inserting in lieu thereof the words "such goods";	
5	(iv) by omitting from the same section the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds";	61
10	the words second-hand goods;	
	(ii) by omitting from the same section the words "such wares" wherever occurring and by inserting in lieu thereof the words "such goods";	soous.)
15	(iii) by omitting from the same section the words "said wares" wherever occurring and by inserting in lieu thereof the words "said goods";	
20	(r) by omitting from section twenty-three the words s "ten pounds" and by inserting in lieu thereof the words "fifty pounds";	
	가 보다 있는데 보다 보다 보다 가장 전에 되었다. 이번에 가장 사람들은 사람들은 사람들은 사람들은 사람들은 사람들은 사람들은 사람들은	(Regula-
25	before the words "And may in such regulations" the following new paragraph:—	ions.)
30	The Governor may also make regulations amending the Seventh Schedule to this Act by inserting therein the description of any second-hand goods or class of second-hand	
	goods or by omitting therefrom the descrip- tion of any second-hand goods or class of second-hand goods. The Seventh Schedule as so amended shall be the Seventh Schedule to	
35	this Act. (iii) by omitting from the same section the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds"; (t)	

(t) by omitting the First Schedule and by inserting in First lieu thereof the following Schedule:—

FIRST SCHEDULE.

SECOND-HAND DEALERS AND COLLECTORS ACT, 1906, AS AMENDED.

Second-hand dealer's license.

A.B., of [address and description], is authorised and empowered to act as a second-hand dealer and to carry on the business of dealing in, and buying and selling second-hand goods at the premises occupied by him in [name of street and name of place]; and this license shall (unless the same be sooner cancelled or forfeited) be and continue in force for one year from the day of

15 Granted at , this day of , 19 .
Registered No.

(Signed) Clerk of the Court at

- (u) by inserting in the Second Schedule after the Second figures "1906" the words ", AS AMENDED"; Schedule.
 - (v) (i) by inserting in the Third Schedule after the Third figures "1906" the words ", AS AMENDED"; Schedule.
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (w) (i) by inserting in the Fourth Schedule after the Fourth figures "1906" the words ", AS AMENDED"; Schedule.
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (x) by inserting in the Fifth Schedule after the figures Fifth "1906" the words ", AS AMENDED"; Schedule.

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	Decoma	nana Beaters and Concerers (Internament).
		i) by inserting in the Sixth Schedule after the Sixth figures "1906" the words ", AS AMENDED";
5	(i	 i) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
	(ii	i) by omitting from the same Schedule the symbols and letters "(L.S.)";
	(z) by	inserting next after the Sixth Schedule the New Seventh Schedule:—
10		SEVENTH SCHEDULE.
		Second-hand goods excluded from definition of Second-hand goods" contained in section two of this act:—
15	(;	a) Used or reconstructed motor vehicles as defined in the Second-hand Motor Dealers Act, 1956, and such used or reconstructed parts or accessories of motor vehicles as so defined as may be prescribed by regu- lations made under that Act for the purposes of the definition of "Dealer" contained in subsection one of
20		section three of that Act.
	(b) Wool, hides and skins, the subject of trade in accordance with the provisions of the Wool, Hide and Skin Dealers Act, 1935.
25	(c) Pistols as defined in the Pistol License Act, 1927, as amended by subsequent Acts, and military rifles and military ammunition as defined in the Police Offences Act, 1901, as amended by subsequent Acts.
30		d) Second-hand goods acquired by a licensed auctioneer to be sold on commission in accordance with the provisions of the Auctioneers, Stock and Station and Real Estate Agents Act, 1941, as amended by subsequent Acts, until the time such auctioneer ceases to be the possessor of such goods.
	(e) Second-hand goods repossessed—
35	***	(i) by a vendor in accordance with the provisions of the Hire-purchase Agreements Act, 1941-1959; or
		(ii) by an owner in accordance with the Hire- Purchase Act, 1960,
40	Edu	until the time such vendor or owner, as the case may be, ceases to be the possessor of such goods.

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- (f) Second-hand goods sold to a retailer in part payment for other goods purchased from such retailer, until the time such retailer ceases to be the possessor of such second-hand goods.
- (g) Clothing, waste paper and other second-hand goods of any kind collected, acquired or sold by a charity as defined in the Charitable Collections Act, 1934, as amended by subsequent Acts, registered under the said Act, as so amended, or exempted from registration by or under the said Act, as so amended, and clothing, waste paper and other second-hand goods of any kind collected by persons acting bona fide on behalf and with the authority of such a charity where such clothing, waste paper and other second-hand goods of any kind are collected, acquired or sold for the benefit of such a charity.
 - (h) Second-hand goods the subject of a bailment.
- (2) A reference to old wares in any license under the Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts, issued and in force at the commencement of this Act shall be read and construed as a reference to second-hand goods and any license under the said Act, as so amended, so issued to a second-hand dealer and in force at such commencement shall be deemed to have been issued under the said Act, as so amended, and as amended by this Act

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963

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This Public Bill originated in the Legislative Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

ALLAN PICKERING, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 21 August, 1963.

New South Wales



ANNO DUODECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1963.

An Act to extend the purview of the Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts; to increase the license fees payable under the said Act, as so amended; for this and other purposes to amend the said Act, as so amended; and for purposes connected therewith.

B^E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as 5 follows:—

1. (1) This Act may be cited as the "Second-hand Short title, citation and commencement.

(2) This Act may be cited as the "Second-hand Short title, citation and commencement.

98073 135—A

- (2) The Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts and by this Act, may be cited as the Second-hand Dealers and Collectors Act, 1906-1963.
- 5 (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.
- 2. (1) The Second-hand Dealers and Collectors Act, Amendment of Act No. 30, 1906.
- 10 (a) (i) by omitting from the long title the words "old Long title. wares" where firstly occurring and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by omitting from the long title the words "articles and old wares" and by inserting in lieu thereof the word "goods";
 - (b) (i) by omitting from the definition of "Collector" Sec. 2.
 in section two the words "old wares of any (Definition.)
 kind" and by inserting in lieu thereof the
 words "second-hand goods";
- 20 (ii) by omitting from the same definition the words "old wares" where secondly occurring and by inserting in lieu thereof the words "second-hand goods";
 - (iii) by omitting from the definition of "Court" in the same section the words "or police";
 - (iv) by omitting from the same section the definitions of "License", "Old wares", "Ship-chandler" and "Second-hand dealer" and by inserting in lieu thereof the following definitions:—

"License" means license under this Act and any renewal thereof.

"Licensed auctioneer" means an auctioneer within the meaning of the Auctioneers, Stock and Station and Real Estate Agents

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Agents Act, 1941, as amended by subsequent Acts, who is licensed under the said Act, as so amended.

"Second-hand dealer" means any person who carries on the business of dealing in or buying or selling second-hand goods, whether such person deals in any other goods or not.

"Second-hand goods" means second-hand goods of every description other than those enumerated in the Seventh Schedule to this Act.

- (c) by omitting section three and by inserting in lieu Subst. thereof the following section: -
- 3. Any person who—

(1) exercises or carries on:

Unlicensed persons prohibited

- (2) advertises, notifies or states that he exer-acting as cises or carries on or is willing to exercise dealers. or carry on; or
- (3) in any way holds himself out to the public as ready to exercise or carry on,

the business or any of the functions of a secondhand dealer without being the holder of a license as such shall be guilty of an offence against this Act.

(d) (i) by inserting in section four after the word "in" Sec. 4. where firstly occurring the words "or to the (Application effect of":

for dealer's license or

(ii) by inserting in the same section after the transfer.) word "fit" the words "for a period not exceeding one year from the date of expiry of the original license or the previous renewal of such license, as the case may be. Where an application has been made for the renewal of such a license before the date upon which such license or previous renewal thereof, as the case may be, expires and such application

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has not been dealt with before the date upon which such license or previous renewal thereof, as the case may be, expires, the applicant for such renewal shall be deemed to continue to be licensed until such time as such application has been granted or refused."; (iii) by omitting from the same section the words "one pound" and by inserting in lieu thereof the words "two pounds"; (i) by omitting from paragraph one of section Sec. 8. eight the words "old wares" and by inserting in (Name, &c., lieu thereof the words "second-hand goods"; to be painted on (ii) by omitting from paragraph three of the same outside of section the words "correctly therein" and by inserting in lieu thereof the words "legibly in ink therein as soon as practicable after the time of purchase or receipt of the goods to which the entry relates"; (iii) by omitting from paragraph four of the same section the words "correctly therein" and by inserting in lieu thereof the words "legibly in ink therein as soon as practicable after the time of sale or disposal of the goods to which the entry relates"; (iv) by omitting from paragraph five of the same section the words "old wares" and by inserting in lieu thereof the words "second-hand goods"; (v) by inserting in paragraph seven of the same

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section after the word "keep" the words "on the premises to which his license applies";

(vi) by omitting from the same paragraph the words "old wares" wherever occurring and by inserting in lieu thereof the words "secondhand goods";

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(vii) by omitting from the same paragraph the word "wares" where thirdly occurring and by inserting in lieu thereof the word "goods";

(viii)

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(viii) by inserting at the end of the same section the following proviso:—

Provided that the proprietor of a foundry who is a second-hand dealer, is the holder of a license as such and purchases old iron, scrap metal, broken metal or defaced metal goods, such metal being in each such case iron or steel, for use in his foundry in the manufacture for trade or sale of goods of any description, shall not be guilty of an offence against this Act by reason only of failure to comply with the provisions of paragraph seven of this section in respect of such old iron, scrap metal, broken metal or defaced metal goods.

- (f) by inserting next after the same section the following New sec. 8A. new section:—
- 8A. (1) Any licensed second-hand dealer who Offences in neglects or fails to make any entry required by this respect of keeping of Act to be made by him, or who wilfully makes or books.

 causes to be made, any false entry in any book required by this Act to be kept by him, shall be guilty of an offence against this Act.
- (2) Any licensed second-hand dealer who makes or causes to be made, in any such book, any incomplete, defective or misleading entry, shall be guilty of an offence against this Act.
- (g) by omitting from paragraph five of section nine Sec. 9.
 the words "old wares" and by inserting in lieu therecarry on
 business on
 licensed
 premises
 - (h) (i) by omitting from subsection one of section ten Sec. 10.

 the words "a court within the police district (Collectors in which he resides an application in" and by to be licensed.)

 inserting

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- inserting in lieu thereof the words "the court nearest to the place where he resides an application in or to the effect of the";
- (ii) by omitting from the same subsection the words "in the said district" and by inserting in lieu thereof the words "in the police district within which such court is situated";
- (iii) by inserting in subsection two of the same section after the word "hereto" the words "and where there is no objection made by or on behalf of an officer of police a license may be issued by the clerk of the court to which the application is made";
- (iv) by omitting from subsection four of the same section the words "one shilling" and by inserting in lieu thereof the words "five shillings":
 - (i) by omitting from section eleven the words Sec. 11.

 "old wares" wherever occurring and by insert- (Collector to ing in lieu thereof the words "second-hand goods";

 goods";

 "old wares" wherever occurring and by insert- (Collector to leave address with police officer
 - (ii) by inserting in paragraph four of the same section immediately before the word "dealer" wherever occurring the word "second-hand";
- (j) (i) by omitting from section twelve the words Sec. 12.

 "old wares" wherever occurring and by (Licenses inserting in lieu thereof the words "second-not to hand goods";
 - (ii) by omitting from the same section the word "subsection" and by inserting in lieu thereof the word "paragraph";
 - (iii) by omitting from the same section the word "subsections" and by inserting in lieu thereof the word "paragraphs";

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and report himself.)

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- (k) by omitting from section thirteen the words "old Sec. 13.

 wares" wherever occurring and by inserting in lieu (Collectors to be licensed.)
- (1) by omitting from section fourteen the word "Every" Sec. 14.

 and by inserting in lieu thereof the words "Subject (Ceasing to be licensed.)
 - (m) (i) by omitting from section sixteen the words Sec. 16.

 "Old wares" and by inserting in lieu thereof (Presumption of possession of second-
- 10 (ii) by omitting from the same section the words hand "old wares" and by inserting in lieu thereof goods.) the words "second-hand goods";
 - (n) by omitting from section eighteen the words "or Sec. 18.

 (Licenses may be revoked.)
- (o) (i) by omitting from section twenty the words Sec. 20. "above the rank of senior constable" and by (Inspectors, inserting in lieu thereof the words "of or above dealers' the rank of sergeant": premises.)
- (ii) by omitting from the same section the words "old wares" and by inserting in lieu thereof the words "second-hand goods":
 - (p) (i) by omitting from section twenty-one the words Sec. 21.

 "old wares" wherever occurring and by inserting in lieu thereof the words "second-hand authorised to search goods";

 (Constable may be authorised to search dealer's

(ii) by omitting from the same section the word "second-dealer" and by inserting in lieu thereof the words "second-hand dealer":

(iii) by omitting from the same section the words "such wares" wherever occurring and by inserting in lieu thereof the words "such goods";

(iv)

premises.)

- (iv) by omitting from the same section the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds";
- (q) (i) by omitting from section twenty-two the words Sec. 22.

 "old wares" and by inserting in lieu thereof (Suspicious offering of second-hand goods";

 the words "second-hand goods";
 - (ii) by omitting from the same section the words "such wares" wherever occurring and by inserting in lieu thereof the words "such goods";
 - (iii) by omitting from the same section the words "said wares" wherever occurring and by inserting in lieu thereof the words "said goods";
- (r) by omitting from section twenty-three the words Sec. 23. "ten pounds" and by inserting in lieu thereof the (Proceedwords "fifty pounds";
 - (s) (i) by omitting from paragraph (1) of section Sec. 24. twenty-four the word "renewals,"; (Regulations.)
- 20 (ii) by inserting in the same section immediately before the words "And may in such regulations" the following new paragraph: —

The Governor may also make regulations amending the Seventh Schedule to this Act by inserting therein the description of any second-hand goods or class of second-hand goods or by omitting therefrom the description of any second-hand goods or class of second-hand goods. The Seventh Schedule as so amended shall be the Seventh Schedule to this Act.

(iii) by omitting from the same section the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds";

(t)

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(t) by omitting the First Schedule and by inserting in First lieu thereof the following Schedule:—

FIRST SCHEDULE.

SECOND-HAND DEALERS AND COLLECTORS ACT, 1906, AS AMENDED.

Second-hand dealer's license.

A.B., of [address and description], is authorised and empowered to act as a second-hand dealer and to carry on the business of dealing in, and buying and selling second-hand goods at the premises occupied by him in [name of street and name of place]; and this license shall (unless the same be sooner cancelled or forfeited) be and continue in force for one year from the day of

15 Granted at , this day of , 19 .
Registered No.

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(Signed) Clerk of the Court at

- (u) by inserting in the Second Schedule after the Second figures "1906" the words ", AS AMENDED";
 - (v) (i) by inserting in the Third Schedule after the Third figures "1906" the words ", AS AMENDED"; Schedule.
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (w) (i) by inserting in the Fourth Schedule after the Fourth figures "1906" the words ", AS AMENDED"; Schedule
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (x) by inserting in the Fifth Schedule after the figures Fifth "1906" the words ", AS AMENDED"; Schedule

(y)

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	Seco	ond-hand Dealers and Collectors (Amendment).
	(y)	(i) by inserting in the Sixth Schedule after the Sixth Schedule. figures "1906" the words ", AS AMENDED";
5		(ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
		(iii) by omitting from the same Schedule the symbols and letters "(L.S.)";
	(z)	by inserting next after the Sixth Schedule the New Seventh Schedule:—
10		SEVENTH SCHEDULE.
		Second-hand goods excluded from definition of "Second-hand goods" contained in section two of this Act:—
15 20		(a) Used or reconstructed motor vehicles as defined in the Second-hand Motor Dealers Act, 1956, and such used or reconstructed parts or accessories of motor vehicles as so defined as may be prescribed by regu- lations made under that Act for the purposes of the definition of "Dealer" contained in subsection one of section three of that Act.
		(b) Wool, hides and skins, the subject of trade in accordance with the provisions of the Wool, Hide and Skin Dealers Act, 1935.
25		(c) Pistols as defined in the Pistol License Act, 1927, as amended by subsequent Acts, and military rifles and military ammunition as defined in the Police Offences Act, 1901, as amended by subsequent Acts.
30		(d) Second-hand goods acquired by a licensed auctioneer to be sold on commission in accordance with the provisions of the Auctioneers, Stock and Station and Real Estate Agents Act, 1941, as amended by subsequent Acts, until the time such auctioneer ceases to be the possessor of such goods.
		(e) Second-hand goods repossessed—
35		(i) by a vendor in accordance with the provisions of the Hire-purchase Agreements Act, 1941- 1959; or
		(ii) by an owner in accordance with the Hire- Purchase Act, 1960,

until the time such vendor or owner, as the case may be, ceases to be the possessor of such goods.

- (f) Second-hand goods sold to a retailer in part payment for other goods purchased from such retailer, until the time such retailer ceases to be the possessor of such second-hand goods.
- (g) Clothing, waste paper and other second-hand goods of any kind collected, acquired or sold by a charity as defined in the Charitable Collections Act, 1934, as amended by subsequent Acts, registered under the said Act, as so amended, or exempted from registration by or under the said Act, as so amended, and clothing, waste paper and other second-hand goods of any kind collected by persons acting bona fide on behalf and with the authority of such a charity where such clothing, waste paper and other second-hand goods of any kind are collected, acquired or sold for the benefit of such a charity.
 - (h) Second-hand goods the subject of a bailment.
- (2) A reference to old wares in any license under the Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts, issued and in force at the commencement of this Act shall be read and construed as a reference to second-hand goods and any license under the said Act, as so amended, so issued to a second-hand dealer and in force at such commencement shall be deemed to have been issued under the said Act, as so amended, and as amended by this Act

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963
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A BILL

To extend the purview of the Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts; to increase the license fees payable under the said Act, as so amended; for this and other purposes to amend the said Act, as so amended; and for purposes connected therewith.

[MR. KELLY; -21 February, 1963.]

B^E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as 5 follows:—

1. (1) This Act may be cited as the "Second-hand Short title, citation and Collectors (Amendment) Act, 1963".

(2) mencement.

98073 135—A

- (2) The Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts and by this Act, may be cited as the Second-hand Dealers and Collectors Act, 1906-1963.
- 5 (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.
 - 2. (1) The Second-hand Dealers and Collectors Act, Amendment 1906, as amended by subsequent Acts, is amended—

 of Act No. 30, 1906.
- (a) (i) by omitting from the long title the words "old Long title. wares" where firstly occurring and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by omitting from the long title the words "articles and old wares" and by inserting in lieu thereof the word "goods";
 - (b) (i) by omitting from the definition of "Collector" Sec. 2.
 in section two the words "old wares of any (Definition.)
 kind" and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by omitting from the same definition the words "old wares" where secondly occurring and by inserting in lieu thereof the words "secondhand goods";
 - (iii) by omitting from the definition of "Court" in the same section the words "or police";
 - (iv) by omitting from the same section the definitions of "License", "Old wares", "Shipchandler" and "Second-hand dealer" and by inserting in lieu thereof the following definitions:—

"License" means license under this Act and any renewal thereof.

"Licensed auctioneer" means an auctioneer within the meaning of the Auctioneers, Stock and Station and Real Estate Agents

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	Second-hand Deal	ers and Collectors (Amendment).	
		Agents Act, 1941, as amended by subsequent Acts, who is licensed under the said Act, as so amended.	
5		ond-hand dealer" means any person who carries on the business of dealing in or buying or selling second-hand goods, whether such person deals in any other goods or not.	
10		ond-hand goods" means second-hand goods of every description other than those enumerated in the Seventh Schedule to this Act.	
	(c) by omitting thereof the f	section three and by inserting in lieu following section:—	Subst. sec. 3.
15	(1) exerc (2) adver cises	erson who— cises or carries on; rtises, notifies or states that he exer- or carries on or is willing to exercise arry on; or	
20	(3) in an	y way holds himself out to the public ady to exercise or carry on,	
25	hand dealer	or any of the functions of a second- without being the holder of a license Il be guilty of an offence against this	
	(d) (i) by insert where for effect o	ting in section four after the word "in" firstly occurring the words "or to the f";	Sec. 4. (Application for dealer's license or
30	word 'exceeding	erting in the same section after the "fit" the words "for a period not ng one year from the date of expiry original license or the previous renewal	transfer.)
35	of such an appl of such such lice	a license, as the case may be. Where lication has been made for the renewal a license before the date upon which cense or previous renewal thereof, as a may be, expires and such application	

has

5 (iii)	has not been dealt with before the date upon which such license or previous renewal thereof, as the case may be, expires, the applicant for such renewal shall be deemed to continue to be licensed until such time as such application has been granted or refused."; by omitting from the same section the words
(111)	"one pound" and by inserting in lieu thereof the words "two pounds";
	by omitting from paragraph one of section Sec. 8. eight the words "old wares" and by inserting in (Name, &c lieu thereof the words "second-hand goods"; to be painted on
(ii) 15	by omitting from paragraph three of the same outside of section the words "correctly therein" and by inserting in lieu thereof the words "legibly in ink therein as soon as practicable after the time of purchase or receipt of the goods to which the entry relates";
(iii) 20	by omitting from paragraph four of the same section the words "correctly therein" and by inserting in lieu thereof the words "legibly in ink therein as soon as practicable after the time of sale or disposal of the goods to which the entry relates";
25 (iv)	by omitting from paragraph five of the same section the words "old wares" and by insert- ing in lieu thereof the words "second-hand goods";
(v)	by inserting in paragraph seven of the same section after the word "keep" the words "on the premises to which his license applies";
(vi)	by omitting from the same paragraph the words "old wares" wherever occurring and by inserting in lieu thereof the words "second-hand goods";
	by omitting from the same paragraph the word "wares" where thirdly occurring and by inserting in lieu thereof the word "goods"; (viii)

(viii) by inserting at the end of the same section the following proviso:—

Provided that the proprietor of a foundry who is a second-hand dealer, is the holder of a license as such and purchases old iron, scrap metal, broken metal or defaced metal goods, such metal being in each such case iron or steel, for use in his foundry in the manufacture for trade or sale of goods of any description, shall not be guilty of an offence against this Act by reason only of failure to comply with the provisions of paragraph seven of this section in respect of such old iron, scrap metal, broken metal or defaced metal goods.

- (f) by inserting next after the same section the following New sec. 8A. new section:—
- 8A. (1) Any licensed second-hand dealer who Offences in neglects or fails to make any entry required by this respect of Act to be made by him, or who wilfully makes or books. causes to be made, any false entry in any book required by this Act to be kept by him, shall be guilty of an offence against this Act.

(2) Any licensed second-hand dealer who makes or causes to be made, in any such book, any incomplete, defective or misleading entry, shall be guilty of an offence against this Act.

(g) by omitting from paragraph five of section nine Sec. 9.
the words "old wares" and by inserting in lieu thereof the words "second-hand goods";

(Dealer to carry on business on licensed premises

(h) (i) by omitting from subsection one of section ten Sec. 10. the words "a court within the police district (Collectors in which he resides an application in" and by to be licensed.)

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- inserting in lieu thereof the words "the court nearest to the place where he resides an application in or to the effect of the";
- (ii) by omitting from the same subsection the words "in the said district" and by inserting in lieu thereof the words "in the police district within which such court is situated":
- (iii) by inserting in subsection two of the same section after the word "hereto" the words "and where there is no objection made by or on behalf of an officer of police a license may be issued by the clerk of the court to which the application is made";
- (iv) by omitting from subsection four of the same section the words "one shilling" and by inserting in lieu thereof the words "five shillings";
 - (i) (i) by omitting from section eleven the words Sec. 11.

 "old wares" wherever occurring and by insert- (Collector to ing in lieu thereof the words "second-hand address with police officer
 - (ii) by inserting in paragraph four of the same section immediately before the word "dealer" wherever occurring the word "second-hand";
- (j) (i) by omitting from section twelve the words Sec. 12.

 "old wares" wherever occurring and by (Licenses inserting in lieu thereof the words "second-not to be let out.) hand goods";
 - (ii) by omitting from the same section the word "subsection" and by inserting in lieu thereof the word "paragraph";
 - (iii) by omitting from the same section the word "subsections" and by inserting in lieu thereof the word "paragraphs";

(k)

and report himself.)

- (k) by omitting from section thirteen the words "old Sec. 13.

 wares" wherever occurring and by inserting in lieu (Collectors to be licensed.)
- (1) by omitting from section fourteen the word "Every" Sec. 14.

 and by inserting in lieu thereof the words "Subject (Ceasing to be licensed.)
 - (m) (i) by omitting from section sixteen the words Sec. 16.

 "Old wares" and by inserting in lieu thereof (Presumption of possession of second-
- 10 (ii) by omitting from the same section the words hand "old wares" and by inserting in lieu thereof goods.) the words "second-hand goods";
 - (n) by omitting from section eighteen the words "or Sec. 18.

 (Licenses may be revoked.)
- (o) (i) by omitting from section twenty the words Sec. 20.

 "above the rank of senior constable" and by (Inspectors, &c., to visit inserting in lieu thereof the words "of or above dealers' the rank of sergeant";

 premises.)
- (ii) by omitting from the same section the words "old wares" and by inserting in lieu thereof the words "second-hand goods";

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- (p) (i) by omitting from section twenty-one the words Sec. 21.

 "old wares" wherever occurring and by inserting being in lieu thereof the words "second-hand authorised goods";

 (ii) by omitting from the same section the words premises.)
 - (ii) by omitting from the same section the word "second-dealer" and by inserting in lieu thereof the words "second-hand dealer";
- (iii) by omitting from the same section the words "such wares" wherever occurring and by inserting in lieu thereof the words "such goods";

(iv)

- (iv) by omitting from the same section the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds";
- (q) (i) by omitting from section twenty-two the words Sec. 22.

 "old wares" and by inserting in lieu thereof (Suspicious offering of second-hand goods";

 the words "second-hand goods";
 - (ii) by omitting from the same section the words "such wares" wherever occurring and by inserting in lieu thereof the words "such goods";

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- (iii) by omitting from the same section the words "said wares" wherever occurring and by inserting in lieu thereof the words "said goods";
- 15 (r) by omitting from section twenty-three the words Sec. 23. "ten pounds" and by inserting in lieu thereof the (Proceedwords "fifty pounds";
 - (s) (i) by omitting from paragraph (1) of section Sec. 24. twenty-four the word "renewals,"; (Regulations.)
- 20 (ii) by inserting in the same section immediately before the words "And may in such regulations" the following new paragraph:—

The Governor may also make regulations amending the Seventh Schedule to this Act by inserting therein the description of any second-hand goods or class of second-hand goods or by omitting therefrom the description of any second-hand goods or class of second-hand goods. The Seventh Schedule as so amended shall be the Seventh Schedule to this Act.

(iii) by omitting from the same section the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds";

(t)

(t) by omitting the First Schedule and by inserting in First lieu thereof the following Schedule:—

FIRST SCHEDULE.

SECOND-HAND DEALERS AND COLLECTORS ACT, 1906, AS AMENDED.

Second-hand dealer's license.

A.B., of [address and description], is authorised and empowered to act as a second-hand dealer and to carry on the business of dealing in, and buying and selling second-hand goods at the premises occupied by him in [name of street and name of place]; and this license shall (unless the same be sooner cancelled or forfeited) be and continue in force for one year from the day of

15 Granted at , this day of , 19 .

Registered No.

(Signed)

Clerk of the Court at

- (u) by inserting in the Second Schedule after the Second figures "1906" the words ", AS AMENDED";
 - (v) (i) by inserting in the Third Schedule after the Third figures "1906" the words ", AS AMENDED"; Schedule.
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (w) (i) by inserting in the Fourth Schedule after the Fourth figures "1906" the words ", AS AMENDED"; Schedule
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (x) by inserting in the Fifth Schedule after the figures Fifth "1906" the words ", AS AMENDED"; Schedule.

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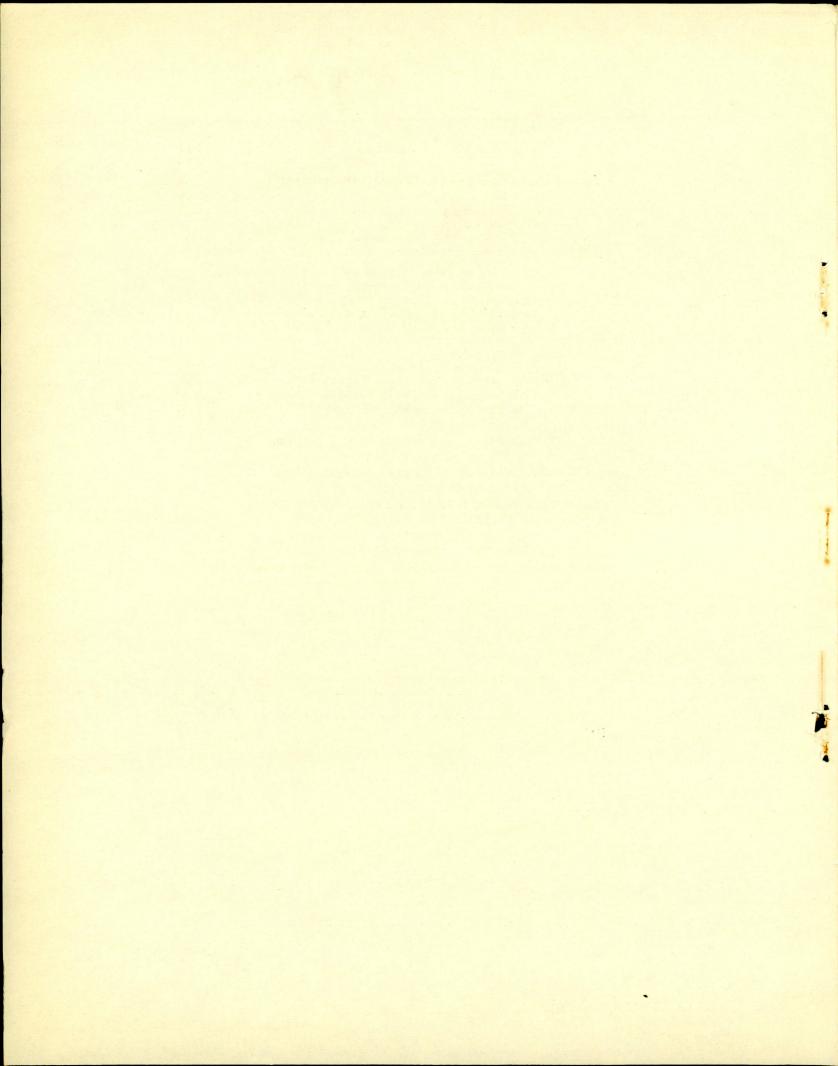
(y)

	(y) (i) by inserting in the Sixth Schedule after the Sixth Schedule figures "1906" the words ", AS AMENDED";
5	(ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
	(iii) by omitting from the same Schedule the symbols and letters "(L.S.)";
	(z) by inserting next after the Sixth Schedule the New Seventh Schedule:—
10	SEVENTH SCHEDULE.
	Second-hand goods excluded from definition of "Second-hand goods" contained in section two of this Act:—
15 20	(a) Used or reconstructed motor vehicles as defined in the Second-hand Motor Dealers Act, 1956, and such used or reconstructed parts or accessories of motor vehicles as so defined as may be prescribed by regu- lations made under that Act for the purposes of the definition of "Dealer" contained in subsection one of section three of that Act.
20	(b) Wool, hides and skins, the subject of trade in accordance with the provisions of the Wool, Hide and Skin Dealers Act, 1935.
25	(c) Pistols as defined in the Pistol License Act, 1927, as amended by subsequent Acts, and military rifles and military ammunition as defined in the Police Offences Act, 1901, as amended by subsequent Acts.
30	(d) Second-hand goods acquired by a licensed auctioneer to be sold on commission in accordance with the provisions of the Auctioneers, Stock and Station and Real Estate Agents Act, 1941, as amended by sub- sequent Acts, until the time such auctioneer ceases to be the possessor of such goods.
	(e) Second-hand goods repossessed—
35	(i) by a vendor in accordance with the provisions of the Hire-purchase Agreements Act, 1941-1959; or
	(ii) by an owner in accordance with the Hire- Purchase Act, 1960,
40	until the time such vendor or owner, as the case may be, ceases to be the possessor of such goods.
	(f)

- (f) Second-hand goods sold to a retailer in part payment for other goods purchased from such retailer, until the time such retailer ceases to be the possessor of such second-hand goods.
- (g) Clothing, waste paper and other second-hand goods of any kind collected, acquired or sold by a charity as defined in the Charitable Collections Act, 1934, as amended by subsequent Acts, registered under the said Act, as so amended, or exempted from registration by or under the said Act, as so amended, and clothing, waste paper and other second-hand goods of any kind collected by persons acting bona fide on behalf and with the authority of such a charity where such clothing, waste paper and other second-hand goods of any kind are collected, acquired or sold for the benefit of such a charity.
 - (h) Second-hand goods the subject of a bailment.
- (2) A reference to old wares in any license under the Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts, issued and in force at the commencement of this Act shall be read and construed as a reference to second-hand goods and any license under the said Act, as so amended, so issued to a second-hand dealer and in force at such commencement shall be deemed to have been issued under the said Act, as so amended, and as amended by this Act

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963
[1s.]



SECOND-HAND DEALERS AND COLLECTORS (AMENDMENT) BILL, 1963.

EXPLANATORY NOTE.

THE objects of this Bill are-

- (a) generally to revise and bring up to date the Second-hand Dealers and Collectors Act, 1906, as amended;
- (b) to extend the ambit of the said Act to include all second-hand goods apart from those referred to in the new Schedule set out in the Bill;
- (c) to provide for amendment of the said Schedule by the Regulations;
- (d) to increase the license fee for dealers from one pound to two pounds and for collectors from one shilling to five shillings;
- (e) to revise the machinery provisions relating to the issue of licenses;
- (f) to create offences in respect of the failure of licensed dealers to keep accurate records of transactions in second-hand goods;
- (g) to increase the general penalty for offences against the said Act from £10 to £50;
- (h) to make provisions incidental and ancillary to the foregoing.

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CAMENDARM SILL, 1963.

A BILL

To extend the purview of the Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts; to increase the license fees payable under the said Act, as so amended; for this and other purposes to amend the said Act, as so amended; and for purposes connected therewith.

[MR. KELLY;—21 February, 1963.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as 5 follows:—

1. (1) This Act may be cited as the "Second-hand Short title, citation and comment and Collectors (Amendment) Act, 1963".

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- (2) The Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts and by this Act, may be cited as the Second-hand Dealers and Collectors Act, 1906-1963.
- 5 (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.
- 2. (1) The Second-hand Dealers and Collectors Act, Amendment of Act No. 30, 1906.
- 10 (a) (i) by omitting from the long title the words "old Long title. wares" where firstly occurring and by inserting in lieu thereof the words "second-hand goods":
 - (ii) by omitting from the long title the words "articles and old wares" and by inserting in lieu thereof the word "goods";
 - (b) (i) by omitting from the definition of "Collector" Sec. 2. in section two the words "old wares of any (Definition.) kind" and by inserting in lieu thereof the words "second-hand goods";
- (ii) by omitting from the same definition the words "old wares" where secondly occurring and by inserting in lieu thereof the words "secondhand goods";

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- (iii) by omitting from the definition of "Court" in the same section the words "or police";
 - (iv) by omitting from the same section the definitions of "License", "Old wares", "Shipchandler" and "Second-hand dealer" and by inserting in lieu thereof the following definitions:—
 - "License" means license under this Act and any renewal thereof.
 - "Licensed auctioneer" means an auctioneer within the meaning of the Auctioneers, Stock and Station and Real Estate Agents

Agents Act, 1941, as amended by subsequent Acts, who is licensed under the said Act, as so amended.

"Second-hand dealer" means any person who carries on the business of dealing in or buying or selling second-hand goods, whether such person deals in any other goods or not.

"Second-hand goods" means second-hand goods of every description other than those enumerated in the Seventh Schedule to this Act.

- (c) by omitting section three and by inserting in lieu Subst. thereof the following section: -
- 3. Any person who—

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Unlicensed persons

- (2) advertises, notifies or states that he exer- acting as cises or carries on or is willing to exercise as or carry on; or
- (3) in any way holds himself out to the public as ready to exercise or carry on,

the business or any of the functions of a secondhand dealer without being the holder of a license as such shall be guilty of an offence against this Act.

(i) by inserting in section four after the word "in" Sec. 4. where firstly occurring the words "or to the (Application effect of":

for dealer's license or

(ii) by inserting in the same section after the transfer.) 30 word "fit" the words "for a period not exceeding one year from the date of expiry of the original license or the previous renewal of such license, as the case may be. Where an application has been made for the renewal of such a license before the date upon which 35 such license or previous renewal thereof, as the case may be, expires and such application

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5	(iii)	has not been dealt with before the date upon which such license or previous renewal thereof, as the case may be, expires, the applicant for such renewal shall be deemed to continue to be licensed until such time as such application has been granted or refused."; by omitting from the same section the words "one pound" and by inserting in lieu thereof the words "two pounds";	8
10		by omitting from paragraph one of section eight the words "old wares" and by inserting in lieu thereof the words "second-hand goods";	(Name, &c., to be painted on
15	(ii)	by omitting from paragraph three of the same section the words "correctly therein" and by inserting in lieu thereof the words "legibly in ink therein as soon as practicable after the time of purchase or receipt of the goods to which the entry relates";	outside of premises.)
20	(iii)	by omitting from paragraph four of the same section the words "correctly therein" and by inserting in lieu thereof the words "legibly in ink therein as soon as practicable after the time of sale or disposal of the goods to which the entry relates";	
25	(iv)	by omitting from paragraph five of the same section the words "old wares" and by insert- ing in lieu thereof the words "second-hand goods";	25
30	(v)	by inserting in paragraph seven of the same section after the word "keep" the words "on the premises to which his license applies";	
3.5	(vi)	by omitting from the same paragraph the words "old wares" wherever occurring and by inserting in lieu thereof the words "second-hand goods";	
	(vii)	by omitting from the same paragraph the word "wares" where thirdly occurring and by inserting in lieu thereof the word "goods"; (viii)	

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(viii) by inserting at the end of the same section the following proviso:—

Provided that the proprietor of a foundry who is a second-hand dealer, is the holder of a license as such and purchases old iron, scrap metal, broken metal or defaced metal goods, such metal being in each such case iron or steel, for use in his foundry in the manufacture for trade or sale of goods of any description, shall not be guilty of an offence against this Act by reason only of failure to comply with the provisions of paragraph seven of this section in respect of such old iron, scrap metal, broken metal or defaced metal goods.

- (f) by inserting next after the same section the following New sec. 8A. new section:—
- 8A. (1) Any licensed second-hand dealer who Offences in neglects or fails to make any entry required by this respect of keeping of Act to be made by him, or who wilfully makes or books.

 causes to be made, any false entry in any book required by this Act to be kept by him, shall be guilty of an offence against this Act.
- (2) Any licensed second-hand dealer who makes or causes to be made, in any such book, any incomplete, defective or misleading entry, shall be guilty of an offence against this Act.
- (g) by omitting from paragraph five of section nine Sec. 9.
 the words "old wares" and by inserting in lieu therethe words "second-hand goods";

 Obealer to carry on business on licensed premises
 - (h) (i) by omitting from subsection one of section ten Sec. 10.

 the words "a court within the police district (Collectors in which he resides an application in" and by to be licensed.) inserting

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inserting in lieu thereof the words "the court nearest to the place where he resides an application in or to the effect of the";

- (ii) by omitting from the same subsection the words "in the said district" and by inserting in lieu thereof the words "in the police district within which such court is situated";
- (iii) by inserting in subsection two of the same section after the word "hereto" the words "and where there is no objection made by or on behalf of an officer of police a license may be issued by the clerk of the court to which the application is made";
- (iv) by omitting from subsection four of the same section the words "one shilling" and by inserting in lieu thereof the words "five shillings";
 - (i) (i) by omitting from section eleven the words Sec. 11.

 "old wares" wherever occurring and by insert- (Collector to ing in lieu thereof the words "second-hand leave address goods";

 goods";

 with police officer and report
 - (ii) by inserting in paragraph four of the same section immediately before the word "dealer" wherever occurring the word "second-hand";
- (j) (i) by omitting from section twelve the words Sec. 12.

 "old wares" wherever occurring and by (Licenses inserting in lieu thereof the words "second-not to be let out.) hand goods";
 - (ii) by omitting from the same section the word "subsection" and by inserting in lieu thereof the word "paragraph";
 - (iii) by omitting from the same section the word "subsections" and by inserting in lieu thereof the word "paragraphs";

(k)

- (k) by omitting from section thirteen the words "old Sec. 13.

 wares" wherever occurring and by inserting in lieu (Collectors to be licensed.)
- (1) by omitting from section fourteen the word "Every" Sec. 14.

 and by inserting in lieu thereof the words "Subject (Ceasing to be licensed.)
 - (m) (i) by omitting from section sixteen the words Sec. 16.

 "Old wares" and by inserting in lieu thereof (Presumption of possession of second-
- 10 (ii) by omitting from the same section the words hand "old wares" and by inserting in lieu thereof goods.) the words "second-hand goods";
 - (n) by omitting from section eighteen the words "or Sec. 18.

 (Licenses may be revoked.)
- (o) (i) by omitting from section twenty the words Sec. 20.

 "above the rank of senior constable" and by (Inspectors, &c., to visit dealers' the rank of sergeant"; premises.)
- (ii) by omitting from the same section the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (p) (i) by omitting from section twenty-one the words Sec. 21.

 "old wares" wherever occurring and by inserting in lieu thereof the words "second-hand authorised to search
 goods";

 "" by omitting from section twenty-one the words Sec. 21.

 "One section twenty-one the words words of the section of the se
 - (ii) by omitting from the same section the word "second-dealer" and by inserting in lieu thereof the words "second-hand dealer";
- (iii) by omitting from the same section the words "such wares" wherever occurring and by inserting in lieu thereof the words "such goods";

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(iv)

- (iv) by omitting from the same section the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds";
- (q) (i) by omitting from section twenty-two the words Sec. 22.

 "old wares" and by inserting in lieu thereof (Suspicious offering of second-hand goods";

 second-hand goods.)
 - (ii) by omitting from the same section the words "such wares" wherever occurring and by inserting in lieu thereof the words "such goods":
 - (iii) by omitting from the same section the words "said wares" wherever occurring and by inserting in lieu thereof the words "said goods";
- (r) by omitting from section twenty-three the words Sec. 23. "ten pounds" and by inserting in lieu thereof the (Proceedwords "fifty pounds";
 - (s) (i) by omitting from paragraph (1) of section Sec. 24. twenty-four the word "renewals,"; (Regulations.)
- 20 (ii) by inserting in the same section immediately before the words "And may in such regulations" the following new paragraph:—

The Governor may also make regulations amending the Seventh Schedule to this Act by inserting therein the description of any second-hand goods or class of second-hand goods or by omitting therefrom the description of any second-hand goods or class of second-hand goods. The Seventh Schedule as so amended shall be the Seventh Schedule to this Act.

(iii) by omitting from the same section the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds";

(t)

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(t) by omitting the First Schedule and by inserting in First lieu thereof the following Schedule:—

FIRST SCHEDULE.

SECOND-HAND DEALERS AND COLLECTORS ACT, 1906,
AS AMENDED.

Second-hand dealer's license.

A.B., of [address and description], is authorised and empowered to act as a second-hand dealer and to carry on the business of dealing in, and buying and selling second-hand goods at the premises occupied by him in [name of street and name of place]; and this license shall (unless the same be sooner cancelled or forfeited) be and continue in force for one year from the day of

15 Granted at , this day of , 19 .

Registered No.

(Signed) Clerk of the Court at

- (u) by inserting in the Second Schedule after the Second Schedule.
 - (v) (i) by inserting in the Third Schedule after the Third figures "1906" the words ", AS AMENDED"; Schedule
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (w) (i) by inserting in the Fourth Schedule after the Fourth figures "1906" the words ", AS AMENDED"; Schedule
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (x) by inserting in the Fifth Schedule after the figures Fifth "1906" the words ", AS AMENDED"; Schedule.

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	(y) (i) by inserting in the Sixth Schedule after the Six figures "1906" the words ", AS AMENDED";	th hedule
5	(ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";	
	(iii) by omitting from the same Schedule the symbols and letters "(L.S.)";	
		wenth nedule.
10	SEVENTH SCHEDULE. Second-hand goods excluded from definition of "Second-hand goods" contained in section two of this Act:—	
15	used or reconstructed parts or accessories of motor vehicles as so defined as may be prescribed by regu- lations made under that Act for the purposes of the definition of "Dealer" contained in subsection one of	
	(b) Wool, hides and skins, the subject of trade in accordance with the provisions of the Wool, Hide and Skin Dealers Act, 1935.	
25	(c) Pistols as defined in the Pistol License Act, 1927, as amended by subsequent Acts, and military rifles and military ammunition as defined in the Police Offences Act, 1901, as amended by subsequent Acts.	
30	(d) Second-hand goods acquired by a licensed auctioneer to be sold on commission in accordance with the provisions of the Auctioneers, Stock and Station and Real Estate Agents Act, 1941, as amended by subsequent Acts, until the time such auctioneer ceases to be the possessor of such goods.	
	(e) Second-hand goods repossessed—	
35	(i) by a vendor in accordance with the provisions of the Hire-purchase Agreements Act, 1941-1959; or	
	(ii) by an owner in accordance with the Hire- Purchase Act, 1960,	
40	until the time such vendor or owner, as the case may be, ceases to be the possessor of such goods.	
	(f)	

- (f) Second-hand goods sold to a retailer in part payment for other goods purchased from such retailer, until the time such retailer ceases to be the possessor of such second-hand goods.
- (g) Clothing, waste paper and other second-hand goods of any kind collected, acquired or sold by a charity as defined in the Charitable Collections Act, 1934, as amended by subsequent Acts, registered under the said Act, as so amended, or exempted from registration by or under the said Act, as so amended, and clothing, waste paper and other second-hand goods of any kind collected by persons acting bona fide on behalf and with the authority of such a charity where such clothing, waste paper and other second-hand goods of any kind are collected, acquired or sold for the benefit of such a charity.
 - (h) Second-hand goods the subject of a bailment.
- (2) A reference to old wares in any license under the Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts, issued and in force at the commencement of this Act shall be read and construed as a reference to second-hand goods and any license under the said Act, as so amended, so issued to a second-hand dealer and in force at such commencement shall be deemed to have been issued under the said Act, as so amended, and as amended by this Act.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES-1963

New South Wales



ANNO DUODECIMO

ELIZABETHÆ II REGINÆ

Act No. 29, 1963.

An Act to extend the purview of the Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts; to increase the license fees payable under the said Act, as so amended; for this and other purposes to amend the said Act, as so amended; and for purposes connected therewith. [Assented to, 13th September, 1963.]

B^E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Second-hand Short title, Dealers and Collectors (Amendment) Act, 1963".

(2) mencement.

- (2) The Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts and by this Act, may be cited as the Second-hand Dealers and Collectors Act, 1906-1963.
- (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 30, 1906.

2. (1) The Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts, is amended—

Long title.

- (a) (i) by omitting from the long title the words "old wares" where firstly occurring and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by omitting from the long title the words "articles and old wares" and by inserting in lieu thereof the word "goods";

Sec. 2. (Definition.)

- (b) (i) by omitting from the definition of "Collector" in section two the words "old wares of any kind" and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by omitting from the same definition the words "old wares" where secondly occurring and by inserting in lieu thereof the words "secondhand goods";
 - (iii) by omitting from the definition of "Court" in the same section the words "or police";
 - (iv) by omitting from the same section the definitions of "License", "Old wares", "Ship-chandler" and "Second-hand dealer" and by inserting in lieu thereof the following definitions:—

"License" means license under this Act and any renewal thereof.

"Licensed auctioneer" means an auctioneer within the meaning of the Auctioneers, Stock and Station and Real Estate Agents

Agents Act, 1941, as amended by subsequent Acts, who is licensed under the said Act, as so amended.

"Second-hand dealer" means any person who carries on the business of dealing in or buying or selling second-hand goods, whether such person deals in any other goods or not.

"Second-hand goods" means second-hand goods of every description other than those enumerated in the Seventh Schedule to this Act.

- (c) by omitting section three and by inserting in lieu subst. sec. 3. thereof the following section: —
 - 3. Any person who—
 - (1) exercises or carries on;

Unlicensed persons prohibited

- (2) advertises, notifies or states that he exer-acting as cises or carries on or is willing to exercise dealers. or carry on; or
- (3) in any way holds himself out to the public as ready to exercise or carry on,

the business or any of the functions of a secondhand dealer without being the holder of a license as such shall be guilty of an offence against this Act.

(i) by inserting in section four after the word "in" Sec. 4. (d) where firstly occurring the words "or to the (Application effect of":

for dealer's license or

(ii) by inserting in the same section after the transfer.) word "fit" the words "for a period not exceeding one year from the date of expiry of the original license or the previous renewal of such license, as the case may be. Where an application has been made for the renewal of such a license before the date upon which such license or previous renewal thereof, as the case may be, expires and such application

has not been dealt with before the date upon which such license or previous renewal thereof, as the case may be, expires, the applicant for such renewal shall be deemed to continue to be licensed until such time as such application has been granted or refused.";

- (iii) by omitting from the same section the words "one pound" and by inserting in lieu thereof the words "two pounds";
- (e) (i) by omitting from paragraph one of section eight the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by omitting from paragraph three of the same section the words "correctly therein" and by inserting in lieu thereof the words "legibly in ink therein as soon as practicable after the time of purchase or receipt of the goods to which the entry relates";
 - (iii) by omitting from paragraph four of the same section the words "correctly therein" and by inserting in lieu thereof the words "legibly in ink therein as soon as practicable after the time of sale or disposal of the goods to which the entry relates";
 - (iv) by omitting from paragraph five of the same section the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (v) by inserting in paragraph seven of the same section after the word "keep" the words "on the premises to which his license applies";
 - (vi) by omitting from the same paragraph the words "old wares" wherever occurring and by inserting in lieu thereof the words "secondhand goods";
 - (vii) by omitting from the same paragraph the word "wares" where thirdly occurring and by inserting in lieu thereof the word "goods";

 (viii)

Sec. 8.
(Name, &c., to be painted on outside of premises.)

(viii) by inserting at the end of the same section the following proviso:—

Provided that the proprietor of a foundry who is a second-hand dealer, is the holder of a license as such and purchases old iron, scrap metal, broken metal or defaced metal goods, such metal being in each such case iron or steel, for use in his foundry in the manufacture for trade or sale of goods of any description, shall not be guilty of an offence against this Act by reason only of failure to comply with the provisions of paragraph seven of this section in respect of such old iron, scrap metal, broken metal or defaced metal goods.

- (f) by inserting next after the same section the following New sec. 8A. new section:—
 - 8A. (1) Any licensed second-hand dealer who Offences in neglects or fails to make any entry required by this respect of Act to be made by him, or who wilfully makes or books. causes to be made, any false entry in any book required by this Act to be kept by him, shall be guilty of an offence against this Act.
 - (2) Any licensed second-hand dealer who makes or causes to be made, in any such book, any incomplete, defective or misleading entry, shall be guilty of an offence against this Act.
- (g) by omitting from paragraph five of section nine Sec. 9.

 the words "old wares" and by inserting in lieu thereof the words "second-hand goods";

 (Dealer to carry on business on licensed premises only.)
- (h) (i) by omitting from subsection one of section ten Sec. 10.

 the words "a court within the police district (Collectors in which he resides an application in" and by to be licensed.)

 inserting

inserting in lieu thereof the words "the court nearest to the place where he resides an application in or to the effect of the";

- (ii) by omitting from the same subsection the words "in the said district" and by inserting in lieu thereof the words "in the police district within which such court is situated";
- (iii) by inserting in subsection two of the same section after the word "hereto" the words "and where there is no objection made by or on behalf of an officer of police a license may be issued by the clerk of the court to which the application is made";
- (iv) by omitting from subsection four of the same section the words "one shilling" and by inserting in lieu thereof the words "five shillings";

Sec. 11.
(Collector to leave address with police officer and report himself.)

- (i) (i) by omitting from section eleven the words "old wares" wherever occurring and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by inserting in paragraph four of the same section immediately before the word "dealer" wherever occurring the word "second-hand";

Sec. 12. (Licenses not to be let out.)

- (j) (i) by omitting from section twelve the words "old wares" wherever occurring and by inserting in lieu thereof the words "secondhand goods";
 - (ii) by omitting from the same section the word "subsection" and by inserting in lieu thereof the word "paragraph";
 - (iii) by omitting from the same section the word "subsections" and by inserting in lieu thereof the word "paragraphs";

(k)

- (k) by omitting from section thirteen the words "old Sec. 13.
 wares" wherever occurring and by inserting in lieu (Collectors to be licensed.)
- (1) by omitting from section fourteen the word "Every" Sec. 14. and by inserting in lieu thereof the words "Subject (Ceasing to be to section four of this Act, every";
- (m) (i) by omitting from section sixteen the words Sec. 16.

 "Old wares" and by inserting in lieu thereof (Presumption of possession possession of second-
 - (ii) by omitting from the same section the words of second-"old wares" and by inserting in lieu thereof goods.) the words "second-hand goods";
- (n) by omitting from section eighteen the words "or Sec. 18.

 police";

 (Licenses may be revoked.)
- (o) (i) by omitting from section twenty the words Sec. 20.

 "officer of the police force above the rank of (Inspectors, senior constable" and by inserting in lieu &c., to visit dealers' thereof the words "member of the police force premises.)

 of or above the rank of sergeant, or any other member of the police force authorised in writing in that behalf by the Commissioner of Police,";
 - (ii) by omitting from the same section the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (iii) by omitting from the same section the words "such officer" and by inserting in lieu thereof the words "such member";
 - (iv) by inserting at the end of the same section the following new paragraph:—

Any member of the police force authorised by the Commissioner of Police pursuant to this section may be so authorised either generally or in specified cases. Any such authority may be revoked at any time by the Commissioner of Police.

Sec. 21. (Constable may be authorised to search dealer's premises.)

- (p) (i) by omitting from section twenty-one the words "old wares" wherever occurring and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by omitting from the same section the word "second-dealer" and by inserting in lieu thereof the words "second-hand dealer";
 - (iii) by omitting from the same section the words "such wares" wherever occurring and by inserting in lieu thereof the words "such goods";
 - (iv) by omitting from the same section the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds";

Sec. 22. (Suspicious offering of second-hand goods.)

- (q) (i) by omitting from section twenty-two the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by omitting from the same section the words "such wares" wherever occurring and by inserting in lieu thereof the words "such goods";
 - (iii) by omitting from the same section the words "said wares" wherever occurring and by inserting in lieu thereof the words "said goods";

Sec. 23. (Proceedings.) (r) by omitting from section twenty-three the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds";

Sec. 24. (Regulations.)

- (s) (i) by omitting from paragraph (1) of section twenty-four the word "renewals,";
 - (ii) by inserting in the same section immediately before the words "And may in such regulations" the following new paragraph:—

The Governor may also make regulations amending the Seventh Schedule to this Act by inserting therein the description of any second-hand goods or class of second-hand goods

goods or by omitting therefrom the description of any second-hand goods or class of second-hand goods. The Seventh Schedule as so amended shall be the Seventh Schedule to this Act.

- (iii) by omitting from the same section the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds";
- (t) by omitting the First Schedule and by inserting in First lieu thereof the following Schedule:—

FIRST SCHEDULE.

SECOND-HAND DEALERS AND COLLECTORS ACT, 1906, AS AMENDED.

Second-hand dealer's license.

A.B., of [address and description], is authorised and empowered to act as a second-hand dealer and to carry on the business of dealing in, and buying and selling second-hand goods at the premises occupied by him in [name of street and name of place]; and this license shall (unless the same be sooner cancelled or forfeited) be and continue in force for one year from the day of 19.

Granted at , this day of , 19 . Registered No.

(Signed) Clerk of the Court at

- (u) by inserting in the Second Schedule after the Second figures "1906" the words ", AS AMENDED";
- (v) (i) by inserting in the Third Schedule after the Third figures "1906" the words ", AS AMENDED";
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
- (w) (i) by inserting in the Fourth Schedule after the Fourth figures "1906" the words ", AS AMENDED";
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";

Fifth Schedule.

(x) by inserting in the Fifth Schedule after the figures "1906" the words ", AS AMENDED";

Sixth Schedule.

- (y) (i) by inserting in the Sixth Schedule after the figures "1906" the words ", AS AMENDED";
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (iii) by omitting from the same Schedule the symbols and letters "(L.s.)";

New Seventh Schedule. (z) by inserting next after the Sixth Schedule the following new Schedule:—

SEVENTH SCHEDULE.

Second-hand goods excluded from definition of "Second-hand goods" contained in section two of this Act:—

- (a) Used or reconstructed motor vehicles as defined in the Second-hand Motor Dealers Act, 1956, and such used or reconstructed parts or accessories of motor vehicles as so defined as may be prescribed by regulations made under that Act for the purposes of the definition of "Dealer" contained in subsection one of section three of that Act.
- (b) Wool, hides and skins, the subject of trade in accordance with the provisions of the Wool, Hide and Skin Dealers Act, 1935.
- (c) Pistols as defined in the Pistol License Act, 1927, as amended by subsequent Acts, and military rifles and military ammunition as defined in the Police Offences Act, 1901, as amended by subsequent Acts.
- (d) Second-hand goods acquired by a licensed auctioneer to be sold on commission in accordance with the provisions of the Auctioneers, Stock and Station and Real Estate Agents Act, 1941, as amended by subsequent Acts, until the time such auctioneer ceases to be the possessor of such goods.
- (e) Second-hand goods repossessed-
 - (i) by a vendor in accordance with the provisions of the Hire-purchase Agreements Act, 1941-1959; or
 - (ii) by an owner in accordance with the Hire-Purchase Act, 1960,

until the time such vendor or owner, as the case may be, ceases to be the possessor of such goods.

(f)

- (f) Second-hand goods sold to a retailer in part payment for other goods purchased from such retailer, until the time such retailer ceases to be the possessor of such second-hand goods.
- (g) Clothing, waste paper and other second-hand goods of any kind collected, acquired or sold by a charity as defined in the Charitable Collections Act, 1934, as amended by subsequent Acts, registered under the said Act, as so amended, or exempted from registration by or under the said Act, as so amended, and clothing, waste paper and other second-hand goods of any kind collected by persons acting bona fide on behalf and with the authority of such a charity where such clothing, waste paper and other second-hand goods of any kind are collected, acquired or sold for the benefit of such a charity.
- (h) Second-hand goods the subject of a bailment.
- (2) A reference to old wares in any license under the Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts, issued and in force at the commencement of this Act shall be read and construed as a reference to second-hand goods and any license under the said Act, as so amended, so issued to a second-hand dealer and in force at such commencement shall be deemed to have been issued under the said Act, as so amended, and as amended by this Act.

BY AUTHORITY:

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(g) Config. Reads puper and other record-hand goods of day and order from acquired or sold by a charing a decision to the Configuration Acts regarded and other seal Act, 1974, and Act, 27 as an acquired from registration by or masse the said Act, 25 so an ended and sold with the or masse they and and seal act, 25 so an ended and sold with the said acts and sold seal action bond field on the high said and acquired and sold and sold acts and acts action bond field on the said acts of said acts of said and acts of said act

(f) Second training goods the authorized and a ballyacti

(2) A refer needs oid to as in any bonder the Second-hand Dealers and Collectors Act, 1906; as amended by subsequent Acts is such and in force at the communication of this Act shall be read and consumed as a reference to second-hand good, and any license under the said Act, as an amended, so issued to a second-hand dealer and in force at such communications with by dealers to have been issued under the said Act, as so amended and as strended, by this

I certify that this Public Bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

ALLAN PICKERING, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 4 September, 1963.

New South Wales



ANNO DUODECIMO

ELIZABETHÆ II REGINÆ

Act No. 29, 1963.

An Act to extend the purview of the Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts; to increase the license fees payable under the said Act, as so amended; for this and other purposes to amend the said Act, as so amended; and for purposes connected therewith. [Assented to, 13th September, 1963.]

B^E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Second-hand Short title, citation and commencement.

(2) This Act may be cited as the "Second-hand Short title, citation and commencement.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

HOWARD T. FOWLES,

Chairman of Committees of the Legislative Assembly.

- (2) The Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts and by this Act, may be cited as the Second-hand Dealers and Collectors Act, 1906-1963.
- (3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 30, 1906. (1) The Second-hand Dealers and Collectors Act, as amended by subsequent Acts, is amended—

Long title.

- (a) (i) by omitting from the long title the words "old wares" where firstly occurring and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by omitting from the long title the words "articles and old wares" and by inserting in lieu thereof the word "goods";

Sec. 2. (Definition.)

- (b) (i) by omitting from the definition of "Collector" in section two the words "old wares of any kind" and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by omitting from the same definition the words "old wares" where secondly occurring and by inserting in lieu thereof the words "secondhand goods";
 - (iii) by omitting from the definition of "Court" in the same section the words "or police":
 - (iv) by omitting from the same section the definitions of "License", "Old wares", "Ship-chandler" and "Second-hand dealer" and by inserting in lieu thereof the following definitions:—

"License" means license under this Act and any renewal thereof.

"Licensed auctioneer" means an auctioneer within the meaning of the Auctioneers, Stock and Station and Real Estate Agents

Agents Act, 1941, as amended by subsequent Acts, who is licensed under the said Act, as so amended.

- "Second-hand dealer" means any person who carries on the business of dealing in or buying or selling second-hand goods, whether such person deals in any other goods or not.
- "Second-hand goods" means second-hand goods of every description other than those enumerated in the Seventh Schedule to this Act.
- (c) by omitting section three and by inserting in lieu Subst. thereof the following section: -
 - 3. Any person who-
 - (1) exercises or carries on;

Unlicensed persons prohibited from

- (2) advertises, notifies or states that he exer-acting as cises or carries on or is willing to exercise dealers. or carry on; or
- (3) in any way holds himself out to the public as ready to exercise or carry on,

the business or any of the functions of a secondhand dealer without being the holder of a license as such shall be guilty of an offence against this Act.

(d) (i) by inserting in section four after the word "in" Sec. 4. where firstly occurring the words "or to the (Application effect of";

for dealer's license or

(ii) by inserting in the same section after the transfer.) word "fit" the words "for a period not exceeding one year from the date of expiry of the original license or the previous renewal of such license, as the case may be. Where an application has been made for the renewal of such a license before the date upon which such license or previous renewal thereof, as the case may be, expires and such application

has not been dealt with before the date upon which such license or previous renewal thereof, as the case may be, expires, the applicant for such renewal shall be deemed to continue to be licensed until such time as such application has been granted or refused.";

- (iii) by omitting from the same section the words "one pound" and by inserting in lieu thereof the words "two pounds";
- Sec. 8.
 (Name, &c., to be painted on outside of premises.)
- (e) (i) by omitting from paragraph one of section eight the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by omitting from paragraph three of the same section the words "correctly therein" and by inserting in lieu thereof the words "legibly in ink therein as soon as practicable after the time of purchase or receipt of the goods to which the entry relates";
 - (iii) by omitting from paragraph four of the same section the words "correctly therein" and by inserting in lieu thereof the words "legibly in ink therein as soon as practicable after the time of sale or disposal of the goods to which the entry relates";
 - (iv) by omitting from paragraph five of the same section the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (v) by inserting in paragraph seven of the same section after the word "keep" the words "on the premises to which his license applies";
 - (vi) by omitting from the same paragraph the words "old wares" wherever occurring and by inserting in lieu thereof the words "secondhand goods";
 - (vii) by omitting from the same paragraph the word "wares" where thirdly occurring and by inserting in lieu thereof the word "goods";

(viii)

(viii) by inserting at the end of the same section the following proviso: -

> Provided that the proprietor of a foundry who is a second-hand dealer, is the holder of a license as such and purchases old iron, scrap metal, broken metal or defaced metal goods, such metal being in each such case iron or steel, for use in his foundry in the manufacture for trade or sale of goods of any description, shall not be guilty of an offence against this Act by reason only of failure to comply with the provisions of paragraph seven of this section in respect of such old iron, scrap metal, broken metal or defaced metal goods.

- (f) by inserting next after the same section the following New sec. 8A. new section: -
 - 8A. (1) Any licensed second-hand dealer who Offences in neglects or fails to make any entry required by this respect of keeping of Act to be made by him, or who wilfully makes or books. causes to be made, any false entry in any book required by this Act to be kept by him, shall be guilty of an offence against this Act.

- (2) Any licensed second-hand dealer who makes or causes to be made, in any such book, any incomplete, defective or misleading entry, shall be guilty of an offence against this Act.
- (g) by omitting from paragraph five of section nine Sec. 9. the words "old wares" and by inserting in lieu there- (Dealer to of the words "second-hand goods"; business on licensed
- (h) (i) by omitting from subsection one of section ten Sec. 10. the words "a court within the police district (Collectors in which he resides an application in" and by to be licensed.)

inserting in lieu thereof the words "the court nearest to the place where he resides an application in or to the effect of the";

- (ii) by omitting from the same subsection the words "in the said district" and by inserting in lieu thereof the words "in the police district within which such court is situated";
- (iii) by inserting in subsection two of the same section after the word "hereto" the words "and where there is no objection made by or on behalf of an officer of police a license may be issued by the clerk of the court to which the application is made";
- (iv) by omitting from subsection four of the same section the words "one shilling" and by inserting in lieu thereof the words "five shillings";

Sec. 11.
(Collector to leave address with police officer and report himself.)

- (i) by omitting from section eleven the words "old wares" wherever occurring and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by inserting in paragraph four of the same section immediately before the word "dealer" wherever occurring the word "second-hand";

Sec. 12. (Licenses not to be let out.)

- (j) (i) by omitting from section twelve the words "old wares" wherever occurring and by inserting in lieu thereof the words "secondhand goods";
 - (ii) by omitting from the same section the word "subsection" and by inserting in lieu thereof the word "paragraph";
 - (iii) by omitting from the same section the word "subsections" and by inserting in lieu thereof the word "paragraphs";

(k)

- (k) by omitting from section thirteen the words "old sec. 13.

 wares" wherever occurring and by inserting in lieu (Collectors to be licensed.)
- (1) by omitting from section fourteen the word "Every" Sec. 14. and by inserting in lieu thereof the words "Subject (Ceasing to be licensed.)
- (m) (i) by omitting from section sixteen the words Sec. 16.

 "Old wares" and by inserting in lieu thereof (Prethe words "Second-hand goods";

 sumption of possession possession the words of second-
 - (ii) by omitting from the same section the words of second-"old wares" and by inserting in lieu thereof goods.) the words "second-hand goods";
- (n) by omitting from section eighteen the words "or Sec. 18.
 police";
 (Licenses may be revoked.)
- (o) (i) by omitting from section twenty the words Sec. 20.

 "officer of the police force above the rank of (Inspectors, senior constable" and by inserting in lieu &c., to visit dealers' thereof the words "member of the police force premises.)

 of or above the rank of sergeant, or any other member of the police force authorised in writing in that behalf by the Commissioner of Police,";
 - (ii) by omitting from the same section the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (iii) by omitting from the same section the words "such officer" and by inserting in lieu thereof the words "such member";
 - (iv) by inserting at the end of the same section the following new paragraph:—

Any member of the police force authorised by the Commissioner of Police pursuant to this section may be so authorised either generally or in specified cases. Any such authority may be revoked at any time by the Commissioner of Police.

Sec. 21.	
(Constable	,
authorised to search	
dealer's	
premises.)	

- (p) (i) by omitting from section twenty-one the words "old wares" wherever occurring and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by omitting from the same section the word "second-dealer" and by inserting in lieu thereof the words "second-hand dealer";
 - (iii) by omitting from the same section the words "such wares" wherever occurring and by inserting in lieu thereof the words "such goods";
 - (iv) by omitting from the same section the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds";

Sec. 22. (Suspicious offering of second-hand goods.)

- (q) (i) by omitting from section twenty-two the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (ii) by omitting from the same section the words "such wares" wherever occurring and by inserting in lieu thereof the words "such goods";
 - (iii) by omitting from the same section the words "said wares" wherever occurring and by inserting in lieu thereof the words "said goods";

Sec. 23. (Proceedings.)

(r) by omitting from section twenty-three the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds";

Sec. 24. (Regulations.)

- s) (i) by omitting from paragraph (1) of section twenty-four the word "renewals,";
 - (ii) by inserting in the same section immediately before the words "And may in such regulations" the following new paragraph:—

The Governor may also make regulations amending the Seventh Schedule to this Act by inserting therein the description of any second-hand goods or class of second-hand goods

goods or by omitting therefrom the description of any second-hand goods or class of second-hand goods. The Seventh Schedule as so amended shall be the Seventh Schedule to this Act.

- (iii) by omitting from the same section the words "ten pounds" and by inserting in lieu thereof the words "fifty pounds";
- (t) by omitting the First Schedule and by inserting in First lieu thereof the following Schedule:—

FIRST SCHEDULE.

SECOND-HAND DEALERS AND COLLECTORS ACT, 1906, AS AMENDED.

Second-hand dealer's license.

A.B., of [address and description], is authorised and empowered to act as a second-hand dealer and to carry on the business of dealing in, and buying and selling second-hand goods at the premises occupied by him in [name of street and name of place]; and this license shall (unless the same be sooner cancelled or forfeited) be and continue in force for one year from the day of

Granted at , this day of , 19 . Registered No.

(Signed) Clerk of the Court at

- (u) by inserting in the Second Schedule after the Second figures "1906" the words ", AS AMENDED";
- (v) (i) by inserting in the Third Schedule after the Third figures "1906" the words ", AS AMENDED"; Schedule.
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
- (w) (i) by inserting in the Fourth Schedule after the Fourth figures "1906" the words ", AS AMENDED"; Schedule.
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";

(x)

Fifth Schedule. (x) by inserting in the Fifth Schedule after the figures "1906" the words ", AS AMENDED";

Sixth Schedule.

- (y) (i) by inserting in the Sixth Schedule after the figures "1906" the words ", AS AMENDED";
 - (ii) by omitting from the same Schedule the words "old wares" and by inserting in lieu thereof the words "second-hand goods";
 - (iii) by omitting from the same Schedule the symbols and letters "(L.S.)";

New Seventh Schedule. (z) by inserting next after the Sixth Schedule the following new Schedule:—

SEVENTH SCHEDULE.

Second-hand goods excluded from definition of "Second-hand goods" contained in section two of this Act:—

- (a) Used or reconstructed motor vehicles as defined in the Second-hand Motor Dealers Act, 1956, and such used or reconstructed parts or accessories of motor vehicles as so defined as may be prescribed by regulations made under that Act for the purposes of the definition of "Dealer" contained in subsection one of section three of that Act.
- (b) Wool, hides and skins, the subject of trade in accordance with the provisions of the Wool, Hide and Skin Dealers Act, 1935.
- (c) Pistols as defined in the Pistol License Act, 1927, as amended by subsequent Acts, and military rifles and military ammunition as defined in the Police Offences Act, 1901, as amended by subsequent Acts.
- (d) Second-hand goods acquired by a licensed auctioneer to be sold on commission in accordance with the provisions of the Auctioneers, Stock and Station and Real Estate Agents Act, 1941, as amended by subsequent Acts, until the time such auctioneer ceases to be the possessor of such goods.
- (e) Second-hand goods repossessed-
 - (i) by a vendor in accordance with the provisions of the Hire-purchase Agreements Act, 1941-1959; or
 - (ii) by an owner in accordance with the Hire-Purchase Act, 1960,

until the time such vendor or owner, as the case may be, ceases to be the possessor of such goods.

(f)

- (f) Second-hand goods sold to a retailer in part payment for other goods purchased from such retailer, until the time such retailer ceases to be the possessor of such second-hand goods.
- (g) Clothing, waste paper and other second-hand goods of any kind collected, acquired or sold by a charity as defined in the Charitable Collections Act, 1934, as amended by subsequent Acts, registered under the said Act, as so amended, or exempted from registration by or under the said Act, as so amended, and clothing, waste paper and other second-hand goods of any kind collected by persons acting bona fide on behalf and with the authority of such a charity where such clothing, waste paper and other second-hand goods of any kind are collected, acquired or sold for the benefit of such a charity.
- (h) Second-hand goods the subject of a bailment.
- (2) A reference to old wares in any license under the Second-hand Dealers and Collectors Act, 1906, as amended by subsequent Acts, issued and in force at the commencement of this Act shall be read and construed as a reference to second-hand goods and any license under the said Act, as so amended, so issued to a second-hand dealer and in force at such commencement shall be deemed to have been issued under the said Act, as so amended, and as amended by this Act.

In the name and on behalf of Her Majesty I assent to this Act.

E. W. WOODWARD,

Governor.

Government House, Sydney, 13th September, 1963.