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## CHAPTER 301

### THE OLD METAL AND MARINE STORES ACT

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### OLD METAL AND MARINE STORES

(11th February, 1956.)

1911955.

**1.** This Act may be cited as the Old Metal and Marine Stores Act. **Short title.**

**2.** In this Act—

**Interpretation.**

"licensed dealer" means any person licensed under section 3 to deal in old metal or marine stores;

“marine stores” includes second-hand anchors, wire cables or chains, slings, sails, and other second-hand marine stores of any kind;

“old metal” includes old metal, used or second-hand metal fittings, scrap metal, broken metal, partly manufactured metal goods, and defaced or old metal goods.

**Dealers in old metal and marine stores to be licensed.**

**3.** (1) It shall not be lawful for any person to carry on the business of a dealer in old metal or marine stores unless he has previously taken out a licence under this Act.

(2) Licences under this Act shall be granted by and at the discretion of the Magistrate of the District in which the premises to be licensed are situate.

(3) No such licence shall be granted without the previous report of the police officer in charge of the area in which the premises to be licensed are situate, and before the expiration of twenty-one days at least after application in writing has been made therefor to the Magistrate.

**First Schedule.**

(4) Such licences shall be in the form in the First Schedule and shall be annual licences terminating on the 31st day of December of the year for which they are granted. A fee of two dollars and forty cents shall be paid to the Magistrate for each such licence.

**Signboard to be displayed.**

**4.** Over one of the principal entrances of the place of business of every licensed dealer there shall be placed a board on which shall be printed, in legible letters of at least two inches in length, the name in full of the licensed dealer and the words “Licensed Dealer in Old Metal and Marine Stores”.

**Licensed Dealer to keep book.**

**Second Schedule.**

**5.** (1) Every licensed dealer shall keep a book (hereinafter called “Licensed Dealer’s Book”) in the form in the Second Schedule, in which shall be legibly written in ink the date and time of the day when any old metal or marine stores are purchased or received by him or on his behalf, the name in full, and the residence and occupation of the person from whom any such old metal or stores are

purchased or received, and, in a case where the seller is the agent of another person, the name and address of the principal, the quantity purchased or received, and the price paid for each purchase.

(2) Every such entry in a Licensed Dealer's Book shall be made at the time of the transaction, and shall be signed by the licensed dealer or his agent and by the seller or his agent:

Provided that where a licensed dealer is unable by reason of illiteracy or any physical cause to sign the entry in the Licensed Dealer's Book the licensed dealer shall complete the entry by making his mark thereto in the presence of a police officer.

**6.** (1) No person shall purchase or receive any old metal or marine stores except between the hours of seven o'clock in the morning and six o'clock in the evening. **Restrictions on purchases and dealings.**

(2) No person shall purchase or receive any old metal or marine stores from any person under the age of sixteen years.

(3) No person shall employ any servant or apprentice or other person under the age of sixteen years to purchase or receive any old metal or marine stores.

(4) No old metal or marine stores shall be purchased or received at any one time in any quantity less than twenty-five pounds.

(5) Any person contravening any of the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months.

**7.** (1) It shall be lawful for any police officer at any time when a licensed dealer's premises are open for business, to inspect the Licensed Dealer's Book and all old metal and marine stores in the premises. **Power of entry and inspection.**

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(2) The licensed dealer or his representative, or the person in charge of a licensed dealer's premises, or the person in whose custody or charge the Licensed Dealer's Book, any old metal, or marine stores may be, or any person who has made an entry in the Licensed Dealer's Book with respect to which a police officer may desire to ask any questions, shall permit such police officer to inspect the Licensed Dealer's Book and all old metal and marine stores, and shall answer all such questions as may be asked by the police officer with reference to the Licensed Dealer's Book, any old metal or marine stores in the premises or any of the entries or contents of the Licensed Dealer's Book.

Goods purchased to be kept for 15 days.

**8.** (1) All old metal and marine stores purchased or received by or on behalf of a licensed dealer shall be kept in the licensed dealer's premises and shall not in any way be changed in form or shape or disfigured for a period of at least fifteen days after their purchase or receipt:

Provided that the police officer in charge of the area in which a licensed dealer carries on his business may, in his discretion, on the application of the licensed dealer grant a permit—

(a) for the shipment or alteration in form or shape of any old metal or marine stores without the same having been kept for a period of fifteen days;

(b) for the shipment of broken machinery direct from the place where the same is purchased, notwithstanding the provisions of this section to the contrary.

(2) Every person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding three months.

Obligation to give information to police.

**9.** (1) Every person licensed under this Act who, after notice has been given to him by any police officer or by advertisement in the *Gazette* or a local newspaper that any old metal or marine stores have been stolen or fraudulently obtained, fails to give information to the police that articles of the like description were offered to him or were or are in his possession, shall be guilty of an offence against this Act.

(2) Every licensed dealer who offends against the provisions of subsection (1) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months.

**10.** Every person who— **Offences.**

(a) assaults, resists or obstructs any police officer in the execution of any duty under this Act;

(b) aids or abets any other person in assaulting, resisting or obstructing any police officer while acting in the execution of his duty under this Act;

(c) aids or abets any other person in a contravention of any of the provisions of this Act;

(d) deals in old metal or marine stores without a licence as required by section 3;

(e) fails to keep a signboard as required by section 4;

(f) fails to keep a Licensed Dealer's Book as required by section 5,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding three months.

**11.** If any licensed dealer is convicted of an offence under this Act, the court may, in its discretion, cancel the licence of that licensed dealer. **Licence may be cancelled on conviction.**

**12.** All moneys received for licences, and all penalties recovered under this Act, shall be paid into the Treasury for the use of Antigua and Barbuda. **Appropriation of moneys.**

