



**BERMUDA
1964 : 226**

PUBLIC VENDING MACHINES (CONTROL) ACT 1964

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[21 December 1964]

[preamble and words of enactment omitted]

Interpretation

- 1 In this Act, unless the context otherwise requires—

"the appropriate Authority" means, in relation to a municipal area, the Corporation of the City of Hamilton or the Corporation of the Town of St. George, as the case may be; and, in relation to any area outside a municipal area, the Building Authority;

"permit" means a permit issued under section 3;

"public place" means any place, outside a building, to which the public have access;

"vending machine" means any automatic sales machine excluding a pay telephone operated by the insertion of a coin

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or token, whether with or without the operation of any mechanical contrivance affixed to the machine.

Permit required to instal vending machine in public place

2 (1) No person shall instal or maintain a vending machine in a public place except under the authority of a permit issued by the appropriate Authority,

(2) Any person who instals or maintains a vending machine in contravention of this section commits an offence against this Act:

Punishment on summary conviction: imprisonment for 6 months or a fine of \$720.

(3) Without prejudice to any other penalty which may be imposed, the court by whom a person is convicted of an offence against this Act may order that the vending machine concerned in the offence shall be forfeit, and upon such order being made such vending machine shall be disposed of in accordance with any directions given in that behalf by the court.

Permits

3 (1) Any person engaged in a trade or business involving the sale of goods, services or amusements may apply to the appropriate Authority for a permit to instal or maintain a vending machine in a public place.

(2) The appropriate Authority shall consider every such application, and if they are satisfied that the installation of the vending machine would provide a desirable service to the public, they may issue a permit subject to such conditions as they may think fit to impose.

(3) In determining any application for a permit under this section, the appropriate Authority shall have regard to the needs of the public, the amenities of the neighbourhood and the design of the vending machine, and the number of vending machines in the vicinity.

(4) Where the appropriate Authority are of opinion—

- (i) that the vending machine, by its design, appearance or otherwise, would be a detriment to the amenities of the neighbourhood; or
- (ii) that there is in the vicinity a sufficient number of vending machines,

they shall refuse to grant a permit under this section.

(5) The decision of the appropriate Authority to grant or refuse a permit or to grant a permit subject to conditions shall be final.

Notice requiring renovation of vending machine

4 Where the appropriate Authority are satisfied that a vending machine has deteriorated in its appearance or mechanical efficiency, they may serve notice on the holder of the permit issued in respect of that machine to take the necessary action to renovate the machine to the satisfaction of the appropriate Authority or, as the case may be, to correct any mechanical defects.

Revocation of permit

5 Where it is shown to the satisfaction of the appropriate Authority that the holder of a permit has failed to comply with any conditions contained in such permit or has failed within a reasonable time to take the necessary action in accordance with the notice served upon him under section 4, then the appropriate Authority may revoke the permit and the holder of the permit shall, within seven days of the notification to him of the revocation, remove the vending machine in respect of which the permit was issued.

Permits not to relieve from liability

6 A person who installs or maintains a vending machine shall not be relieved of any liability towards any other person by reason only of the fact that such machine was installed or maintained in accordance with the terms of a permit issued to him under this Act.

Commencement

7 [omitted]

[this Act was brought into operation on 1 May 1966]