

CHAPTER 222

GARAGE LICENSING

GARAGE LICENSING REGULATIONS, 1988

SI 42/1988

(SECTION 11)

[Commencement 2nd November, 1988]

- 1.** These Regulations may be cited as the Garage Licensing Regulations, 1988. Citation.
- 2.** In these Regulations — Interpretation.
- “licensed premises” means the premises specified in the respective licence as being the premises at which the licensee operates his garage;
- “wreckers yard” means premises where old or damaged vehicles or parts thereof are stored.
- 3.** (1) Every application under Section 4 of the Act for the issue, renewal or transfer of a licence shall be made in Form 1 set out in the First Schedule. Application for licence. Form 1. First Schedule.
- (2) The application shall contain all information required to complete the form and shall be signed by the applicant or his agent.
- (3) An application for the issue of a licence in respect of premises to which section 8 of the Town Planning Act applies shall be accompanied by a copy of the sanction in outline issued by the Town Planning Committee under that section. Ch. 255.
- 4.** (1) In considering an application made under Section 4 of the Act the Minister may — Consideration and approval of application.
- (a) request such further information of the applicant as he considers necessary for the purpose of making a determination on the application;
- (b) approve the application and issue a licence;
- (c) refuse the application.

(2) Notice of the approval or refusal of a licence shall be given in writing by the Minister to the applicant.

Issue and form of
licence.
Form 2.
First Schedule.

5. (1) A licence when issued shall be in Form 2 as set out in the First Schedule and shall, subject to Regulation 6, be subject to such conditions as may be endorsed thereon.

(2) The Minister shall retain one copy of every application for a licence and one copy of all accompanying documents.

(3) A copy of a licence may be issued upon payment of the prescribed fee to a licensee who upon his application therefor shows that his original licence has been lost or defaced.

Conditions of
licence.

6. A licence shall be deemed subject to the following conditions —

- (a) that the provisions of the Act, these Regulations and of the basic standards insofar as are applicable shall be complied with by the holder of the licence, his employees and agents;
- (b) that the licensed premises shall be kept at all times in such condition as would not impair the safety and health of employees or visitors, thereat;
- (c) that no vehicle under or awaiting repair shall be parked on any road, pavement or verge adjacent to the licensed premises;
- (d) that, in the case of wreckers yards which are licensed premises, vehicles shall be stacked therein in a manner that would not, or be likely to, constitute a danger to employees of or visitors to the yard;
- (e) that the number of vehicles parked on the licensed premises shall not exceed the number specified in the licence;
- (f) that only the type of operations specified in the licence shall be carried out on the licensed premises;
- (g) that the holder of the licence shall provide on the licensed premises such safety equipment of such standard as the Commissioner of Police considers necessary and satisfactory;

- (h) that the licensee will as soon as possible notify the Minister of any change in the circumstances pertaining to the carrying on of the garage, or the licensed premises, from those specified in the application for the licence;
- (i) such other terms, conditions or restrictions as the Minister may see fit to impose.

7. (1) All areas of the licensed premises that are used to carry out painting processes on vehicles shall comply with the requirements of the basic standards and such areas and process shall be managed accordingly with due regard to the safety of those persons in and about those areas. Paint booths

(2) For the purposes of the Act and of this Regulation the basic standards are such standards as are set out in pamphlets NFPA No. 33, entitled Spray Applications, and NFPA No. 34, entitled Dip Tanks Containing Flammable or Combustible Liquids, published by the National Fire Protection Association of the United States of America and obtainable from the Ministry of Works. Ch 222

8. (1) A garage shall be equipped with fire fighting equipment of the number and type as specified by the Commissioner of Police. Fire precautions

(2) All flammable materials on the licensed premises shall, subject to any directions or Regulations issued under the Fire Services Act 1970, be used and stored in accordance with the manufacturer's recommendations and all such storage areas shall be clearly defined on the premises.

(3) The use of gasoline or other flammable liquids in buckets or other similar open containers for cleaning vehicles, or parts thereof, shall not be permitted in confined areas unless such areas are ventilated in a manner acceptable to the Minister, due regard being had to any directions or Regulations issued under the Fire Services Act 1970.

9. (1) The fees payable upon the issue, renewal, transfer or replacement of a licence shall be those respectively set out in the Second Schedule. Fees
Second Schedule

(2) The fee shall be payable to the Treasurer who shall pay the same into the Consolidated Fund.

Display of
licence

10. The current licence or a certified copy thereof for the licensed premises shall be displayed in a prominent location upon those premises.

Offences

11. A licensee who contravenes any of the conditions set out at paragraph (b), (c), (e), (f) or (g) of Regulation 6 or contravenes Regulation 7 or 8 shall be guilty of an offence and, without prejudice to any other liability imposed upon him therefor, shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

FIRST SCHEDULE

FORM 1 (Regulation 3(1))

APPLICATION FOR A LICENCE TO OPERATE A GARAGE

- (1) Name of applicant
- (2) Address and present occupation of applicant
- (3) State location and description of premises in respect of which application is made and attach two copies of site (lot) plan drawn to a scale of twenty feet (20') to the inch, clearly showing the boundaries, size, type and position of any buildings on the premises and the location and type of any building, or buildings, on the adjacent lots.
- (4) If premises mentioned at (3) are not owned by applicant give name of owner and particulars of any tenancy or other agreement authorising use of premises by applicant.
.....
- (5) Type of operations to be carried on at premises and estimated number of persons engaged in doing so.
.....
- (6) Name of person who will manage operations
- (7) State whether application is for issue, renewal or transfer of a licence.
.....
- (8) Where application is for renewal or transfer of licence, state:
 - (a) Date of issue of existing licence and name of licensee
.....
 - (b) Type of operation authorised by licence
.....

DATE:

.....
..... Signature of Applicant

**FORM 2 (Regulation 5(1))
LICENCE TO OPERATE A GARAGE**

NO.....

This licence issued pursuant to Section 4 of the Garage Licensing Act, 1980 authorisesof
.....to operate a garage at

from.....
to.....

This licence is subject to the following conditions:

- (a) that the Act, the Regulations made thereunder and the basic standards shall be complied with;
- (b) that the licensed premises shall be kept in a safe and orderly manner;
- (c) that no vehicle under or awaiting repair shall be parked on any street or highway adjacent to the licensed premises;
- (d) that the number of vehicles parked on the licensed premises shall not exceed
- (e) that only (insert type of operations) be carried on the licensed premises;
- (f) that safety equipment of a standard satisfactory to the Commissioner of Police shall be provided on the premises.

Signed
MINISTER

DATE:

NOTE: This licence shall not be transferred, nor any changes be made in the operations covered by this licence without the prior written approval of the Minister.

SECOND SCHEDULE (Regulation 9)**FEEES**

Type of operation of garage premises	Fee for issue	Fee for renewal	Fee for transfer	Fee for replacement where licence is lost or mutilated
(a) Major repairs	\$100.00	\$ 50.00	\$ 50.00	\$10.00
(b) Paint and bodywork	\$100.00	\$ 50.00	\$ 50.00	\$10.00
(c) Wrecker's yard	\$200.00	\$100.00	\$100.00	\$10.00

For the purpose of this Schedule “major repairs” means the carrying out of such works on a vehicle as are of the nature mentioned in paragraph (a) of the definition of the expression “garage” in the Act.

GARAGE LICENSING (EXTENSION TO GRAND BAHAMA) ORDER, 1989

SI 26/1989

(SECTION 12)

[Commencement 31st March, 1989]

Citation

1. This Order may be cited as the Garage Licensing (Extension to Grand Bahama) Order, 1989.

Extension of principal Act to Grand Bahama

2. The Garage Licensing Act, 1980 shall extend to all parts of Grand Bahama without any modification.