

THE BICYCLES (CONTROL OF SECOND-HAND)
ACT

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SCHEDULE

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THE BICYCLES (CONTROL OF SECOND-HAND) Cap. 39.
ACT

[31st December, 1947.]

1. This Act may be cited as the Bicycles (Control of Short title.
Second-hand) Act.

2. No person shall deal in (whether by way of purchase, No person
to deal in
second-
hand
bicycles or
repair
bicycles
without
licence.
sale or exchange) second-hand bicycles and second-hand
bicycle parts nor shall any person carry on the business of
repairing bicycles except in accordance with a licence under
this Act.

3.—(1) Every person who desires to be licensed to deal Mode of
application.
for licence.
in second-hand bicycles or to repair bicycles shall make
application in the prescribed form to the Resident
Magistrate for the parish in which he desires so to deal or
to effect repairs.

(2) Every application under subsection (1) shall
specify the premises upon which the applicant desires to
deal in second-hand bicycles or to repair bicycles and shall
be accompanied by a fee of one dollar.

(3) Every person who intends to apply for a licence
under this Act shall give not less than fourteen days' notice
of his intention so to do to the Superintendent of Police in
charge of the parish in which are situated the premises upon
which he desires to deal in second-hand bicycles or to repair
bicycles.

4.—(1) The Resident Magistrate shall consider every How appli-
cation to be
dealt with.
application made under section 3 and shall, subject to the

provisions of section 5, either grant or refuse such licence as he may in his absolute discretion think fit.

(2) Every licence granted under subsection (1) shall be in such form as may be prescribed, shall come into force on the date specified therein and shall expire on the 31st day of March next after the date upon which it comes into force.

When
licence to
be refused.

5. The Resident Magistrate shall refuse any application for a licence under this Act—

- (a) if the applicant has been convicted of any breach of the provisions of this Act during the three years next preceding the date of such application; or
- (b) if the applicant has been convicted of any offence involving fraud or dishonesty during the five years next preceding the date of such application; or
- (c) unless he is satisfied that the applicant has complied with the requirements of subsection (3) of section 3.

Transfer of
licence.

6. The Resident Magistrate for any parish may, on the application of any person licensed under section 4 to deal in second-hand bicycles or to repair bicycles upon any premises situated in that parish, order that such licence be transferred to any other premises situated in that parish, and thereupon all the provisions of this Act shall apply to the premises specified in such order as if those premises had been the premises specified in an application under section 3.

Signboard
to be
erected by
licensee.

7.—(1) Over one of the principal entrances to any premises in respect of which a licence under this Act has been granted there shall be placed a board on which shall be printed, in legible letters at least two inches in height, the name in full of such licensee and the words "Licensed

to Deal in Second-hand Bicycles” or “Licensed to Repair Bicycles”, as the case may be:

Provided that where any person shall be licensed both as a dealer in second-hand bicycles and as a repairer of bicycles then the following words shall be printed on such board “Licensed to Deal in Second-hand Bicycles and to Repair Bicycles”.

(2) Every licensee who contravenes or fails to comply with the provisions of subsection (1) shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty dollars or to imprisonment with hard labour for any term not exceeding three months.

8.—(1) Every licensee shall keep such books and shall enter therein such particulars in relation to any dealings by him in second-hand bicycles and in relation to any repairs effected by him as may be prescribed.

Books to be kept by licensee.

(2) Every licensee shall permit any constable at all reasonable times to inspect any book required to be kept under subsection (1) and any bicycle or part of a bicycle upon the premises in respect of which he is licensed and shall afford to any constable all such information as may be required in relation to such book or to any dealings by him in second-hand bicycles or parts thereof or to any repairs to bicycles effected or to be effected by him.

9.—(1) No licensee shall purchase or exchange any second-hand bicycle—

- (a) except between the hours of nine o'clock in the morning and six o'clock in the evening;
- (b) from or with any person apparently under the age of sixteen years;
- (c) from or with any person as to whose identity he is not satisfied.

Restriction on purchase or exchange of second-hand bicycle or repair of bicycle.

(2) No licensee shall receive for repair any bicycle—

- (a) except between the hours of six o'clock in the morning and nine o'clock in the evening;
- (b) from any person apparently under the age of sixteen years;
- (c) from any person as to whose identity he is not satisfied.

(3) No licensee shall purchase, sell or exchange any second-hand bicycle or any part thereof nor shall he receive for repair any bicycle elsewhere than upon the premises in respect of which he is licensed under this Act.

Restriction on disposing of, disfiguring or dismantling second-hand bicycles bought.

10. No licensee shall within fifteen days of the acquisition of any second-hand bicycle or any part thereof dispose of, disfigure, dismantle, or in any way change the shape, colour or form thereof except with the written permission of a Superintendent of Police:

Provided that this section shall not apply to any bicycle or any part thereof received by a licensee for the purpose only of effecting repairs thereto.

Licensee to notify police of specified bicycles or parts thereof known to be stolen.

11. Every licensee who, after notice has been given to him by any constable or by notice in the *Gazette* that any specified bicycle or any specified part of any bicycle has been stolen or fraudulently obtained, fails to give information to the police that a bicycle or a part of a bicycle of the like description was offered to him or was or is in his possession shall be guilty of an offence against this Act.

Search Warrant.

12.—(1) Any Justice upon being satisfied by evidence upon oath that there is reasonable cause to believe that any bicycle or part of a bicycle which has been stolen or otherwise unlawfully obtained is upon any premises belonging to or occupied by any licensee, may grant a warrant in the form in the Schedule authorizing any constable with such

Schedule.

assistance as may be necessary to enter (with force if necessary) any premises specified in the warrant and to take any such bicycle or part of a bicycle found therein before the Clerk of the Courts for the parish in which such premises are situated.

(2) Where, pursuant to the provisions of subsection (1), any bicycle or any part of a bicycle is taken before the Clerk of the Courts, he shall issue his warrant or summons requiring the licensee of the premises upon which such bicycle or part of a bicycle was found (as the case may be) to appear before the Resident Magistrate at a time and place specified in the summons to account for his possession of such things.

(3) Every licensee who fails to satisfy any Resident Magistrate that his possession of any such bicycle or part of a bicycle was lawfully obtained shall be guilty of an offence against this Act.

13. Every person who acts in contravention of any of the provisions of this Act for which no special punishment is provided by this Act, shall be guilty of an offence against this Act and shall, upon summary conviction before a Resident Magistrate, be liable to a fine not exceeding two hundred dollars or to imprisonment for any term not exceeding twelve months, or to both such fine and imprisonment. General penalty.

14. When any person licensed under this Act is convicted of an offence against this Act, the court may, if it thinks fit, cancel or suspend the licence of such person. Cancellation or suspension of licence.

15. The Minister may make regulations generally for the better carrying out of the provisions of this Act, and, without prejudice to the generality of the foregoing power, may make regulations for prescribing anything which by this Act is required to be prescribed. Regulations.

BICYCLES (CONTROL OF SECOND-HAND)

SCHEDULE

(Section 12)

THE BICYCLES (CONTROL OF SECOND-HAND) ACT

Search Warrant

Whereas it appears to me one of Her Majesty's Justices of the Peace for the parish of _____ by the evidence upon oath of _____ of _____ in the parish of _____ that there is reasonable ground to believe that certain bicycles and/or parts of a bicycle, to wit, _____ which have been stolen or otherwise unlawfully obtained are upon certain premises at _____ belonging to or occupied by _____ a person licensed under this Act:

These are therefore in Her Majesty's name to authorize and command you _____ together with _____ to enter (by force if necessary) and to search the said premises and to seize any such bicycles or parts of a bicycle, as are specified in this Warrant and to take the same before the Clerk of the Courts for the parish of _____

Given under my hand at _____ in the parish
of _____ this _____ day
of _____ 19 .

Justice of the Peace for the
parish of _____