

**THE METAL AND JEWELLERY (CONTROL OF  
SECOND-HAND) ACT**

**ARRANGEMENT OF SECTIONS**

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**SCHEDULE**

THE METAL AND JEWELLERY (CONTROL OF  
SECOND-HAND) ACT Cap. 247.

[30th December, 1946.]

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

2. In this Act "jewellery" includes precious and semi- Interpre-  
tation.  
precious stones and all articles of personal use or adornment  
composed wholly or partly of gold, silver, platinum, or  
gold plate or silver plate.

3. No person shall deal in any second-hand metal or any No person  
to deal in  
second-hand  
metal or  
second-hand  
jewellery  
without  
licence.  
second-hand jewellery except in accordance with a licence  
under this Act.

4.—(1) Every person who desires to be licensed to deal in Mode of  
application  
for licence.  
second-hand metal or in second-hand jewellery shall make  
application in the prescribed form to the Resident Magis-  
trate for the parish in which he desires so to deal.

(2) Every application under subsection (1) shall  
specify the premises upon which the applicant desires to  
deal in second-hand metal or second-hand jewellery 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 seven 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 metal or second-  
hand jewellery.

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How appli-  
cations to be  
dealt with.

5.—(1) The Resident Magistrate shall consider every application made under section 4 and shall, subject to the provisions of section 6, 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 and shall expire on the 31st day of March next after the date upon which it is granted.

When  
licence to  
be refused.

6. 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 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 4.

Transfer  
of licence.

7. The Resident Magistrate for any parish may, on the application of any person licensed under section 5 to deal in second-hand metal or second-hand jewellery 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 4.

Signboard  
to be erected  
by licensee.

8.—(1) Over one of the principal entrances to the premises upon which any licensee under this Act carries on business as a dealer in second-hand metal or second-hand jewellery there shall be placed a board on which shall be

printed, in legible letters at least two inches in length, the name in full of such licensee and the words "Licensed as a dealer in Second-hand Metal and Second-hand Jewellery".

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

9.—(1) Every licensee under this Act shall keep such books and shall enter therein such particulars in relation to any dealings by him in second-hand metal or second-hand jewellery 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 second-hand metal or second-hand jewellery 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 metal or second-hand jewellery.

10.—(1) No licensee shall purchase or exchange any second-hand metal or second-hand jewellery—

Restriction  
of purchase  
or exchange  
of second-  
hand  
metal or  
second-hand  
jewellery  
by licensee.

- (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.

(2) No licensee shall purchase, sell or exchange any second-hand metal or second-hand jewellery elsewhere than upon the premises in respect of which he is licensed under this Act:

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Provided that this subsection shall not apply to the purchase of second-hand metal in quantities in excess of one hundred pounds in weight.

Restriction on changing shape or form of second-hand metal or second-hand jewellery bought.

**11.** No licensee shall dispose of, disfigure or in any way change the form or the shape of any second-hand metal or second-hand jewellery within fifteen days of acquiring such second-hand metal or second-hand jewellery except with the written permission of a Superintendent of Police.

Licensee to notify police of specified articles known to be stolen, etc.

**12.** Every licensee who, after notice has been given to him by any constable or by advertisement in the *Gazette* that any specified articles 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.

Search warrant.

**13.—(1)** Any Justice, upon being satisfied by evidence on oath that there is reasonable cause to believe that any second-hand metal or second-hand jewellery 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 assistance as may be necessary to enter any premises specified in the warrant and to take any second-hand metal or second-hand jewellery found therein before the Clerk of the Courts for the parish.

Schedule.

(2) Where any person who is upon any premises at the time when a warrant under subsection (1) is in the course of being executed is suspected of concealing about his person any second-hand metal or second-hand jewellery, he may be searched and any second-hand metal or second-hand jewellery found upon him shall be taken before the Clerk of the Courts for the parish.

(3) Where pursuant to the provisions of subsection (1) or subsection (2) any second-hand metal or second-hand jewellery is taken before a Clerk of the Courts, he shall issue a summons requiring the licensee of the premises upon which such second-hand metal or second-hand jewellery was found or the person upon whom such second-hand metal or second-hand jewellery 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 second-hand metal or second-hand jewellery.

(4) Every licensee or person upon whom any second-hand metal or second-hand jewellery is found who fails to satisfy any Resident Magistrate that his possession of such second-hand metal or second-hand jewellery was lawfully obtained shall be guilty of an offence against this Act.

14. 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 such imprisonment.

Penalty for offences.

15. When any person licensed under this Act is convicted of an offence against this Act, the Court may, if it sees fit, cancel the licence of such person.

Cancellation of licence.

16. The Minister may make regulations prescribing—

Power to make regulations.

- (a) the form in which application shall be made under section 4;
- (b) the form of licence under section 5; and
- (c) the books to be kept under this Act and the particulars to be entered therein.

*METAL AND JEWELLERY (CONTROL OF  
SECOND-HAND)*

SCHEDULE

(Section 13  
(1))

THE METAL AND JEWELLERY (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 ..... that there is reasonable cause to believe that certain second-hand metal and/or second-hand jewellery, to wit,.....  
.....  
..... which has been stolen or otherwise unlawfully obtained is 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 any person found therein who is suspected of concealing about his person any such second-hand metal or second-hand jewellery and to seize any such second-hand metal or second-hand jewellery and 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.....*