

CHAPTER 125

AUCTIONEERS AND BROKERS

Ordinances AN ORDINANCE TO PROVIDE FOR THE LICENSING OF AUCTIONEERS AND BROKERS.
 Nos. 15 of 1889,
 26 of 1909,
 18 of 1921,
 25 of 1922,
 17 of 1930,
 15 of 1945,

Act
 No. 39 of 1952.

[31st October, 1889.]

Short title. **1.** This Ordinance may be cited as the Auctioneers and Brokers Ordinance.

(b) in the case of any other area—

Auctioneers and brokers to be licensed.

2. (1) No person shall carry on the trade or business of an auctioneer or a broker in any area within the administrative limits of any local authority except under the authority of a licence issued by the Chairman under this Ordinance.

	Rs.	c.
Auctioneer and broker	60	0
Auctioneer	50	0
Broker	50	0

(2) Every licence issued under subsection (1) shall be in the form specified in the Schedule.

(2) Where the holder of a licence to carry on the trade or business of an auctioneer or broker within any area applies for a licence to carry on such trade or business for the same period in any other area, not being a municipality, the fee payable by such applicant for the licence shall be half the amount of the fee prescribed for that licence under subsection (1).

Duration, conditions, and licence.

3. Every such licence shall continue in force from the day on which it is granted till the thirty-first day of December next ensuing, and shall specify the conditions on which it is granted and the limits within which it may be used.

(3) All fees levied by any local authority by the issue of licences under this Ordinance shall be paid into the funds of that authority.

Fees.

4. (1) The Minister with the concurrence of the Minister in charge of the subject of Finance may prescribe for every local authority a scale of fees payable in respect of licences to carry on the trade or business of an auctioneer or of a broker or of auctioneer and broker:

5. (1) The Chairman may, for good reason to be assigned by him in writing, refuse to grant any such licence, and may in his discretion attach such conditions thereto as he may deem expedient, and may cancel such licence in the event of the breach of any such condition being proved to his satisfaction.

Chairman may refuse to issue licence and attach conditions and may cancel licence.

Provided, however, that the fees so prescribed shall not exceed the following limits:—

in the case of any municipality—

	Rs.	c.
Auctioneer and broker	250	0
Auctioneer	200	0
Broker	200	0

(2) Any person aggrieved by an order of the Chairman refusing to grant or cancelling a licence may appeal to the Minister, within seven days from the date of such order, and the decision of the Minister, shall be final and conclusive.

List of licensed auctioneers and brokers to be published.

6. The Chairman shall at the beginning of every month cause to be published in one or more of the local newspapers a list of the persons to whom licences shall have been granted by him during the preceding month; and if at any time he shall cancel any such licence and such cancellation shall not be set aside on appeal to the Minister, he shall publish in like manner as aforesaid the name of the person whose licence shall have been so cancelled.

public auction property, movable or immovable, of the aggregate value of fifty rupees and upwards; or

(b) to carry on trade, or business as a broker who does not at any time buy or sell for another, property, movable or immovable, of the aggregate value of fifty rupees and upwards.

Penalty for practising without licence.

7. Every person who shall carry on, or attempt or profess to carry on, trade or business as an auctioneer or as a broker either without having obtained or after he shall have been deprived of any such licence as aforesaid, shall be guilty of an offence, and shall be liable on a first conviction to a fine not exceeding one hundred rupees, and on every subsequent conviction to a fine not exceeding five hundred rupees.

9. In this Ordinance, unless the context interpretation otherwise requires—

" Chairman "—

(a) in relation to any Municipal Council, means the Mayor of that Council,

(b) in relation to any other local authority, means the Chairman of that local authority;

Scope of the expressions auctioneer, and broker.

8. For the purposes of this Ordinance no person shall be deemed—

(a) to carry on trade or business as an auctioneer who does not sell at any

" local authority " includes any Municipal Council, Urban Council, Town Council or Village Council.

SCHEDULE

[Section 2.]

FORM OF LICENCE TO PRACTISE AS AN AUCTIONEER OR BROKER

I, Mayor/Chairman of the of do hereby authorize of aforesaid, to carry on trade or business as an Auctioneer (or as a Broker) within the limits of the

This licence expires on the 31st day of December, 19..... and is issued subject to the conditions on the back thereof. Any breach of the said conditions involves the cancellation of the licence.

Mayor/Chairman.

The.....day of.....19.....