



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART II

LICENSING AND REGULATION—PARTICULAR ACTIVITIES

Licensing and regulation of second-hand dealers

25 Disposal of stock-in-trade

- (1) Subject to subsections (2) and (3) below and section 27 of this Act, a second-hand dealer shall not dispose of any item of his stock-in-trade until the expiry of 48 hours (excluding any time on Saturdays or Sundays) after he acquired it.
- (2) Subsection (1) above shall not apply to any article acquired by the dealer in a public roup and disposed of by him without being brought to his place of business.
- (3) A licensing authority may, on granting a second-hand dealer's licence or at any time thereafter, on application by the dealer and after consultation with the chief constable, order that subsection (1) above shall not apply to the disposal by the dealer of any item, or any specified item or class of items, of his stock-in-trade or any specified part of it.
- (4) An order under subsection (3) above may—
 - (a) be made subject to such conditions as the authority think fit;
 - (b) relate to stock-in-trade or items thereof still to be acquired by the dealer to whom the order relates ; or
 - (c) be varied or revoked at any time by the licensing authority.
- (5) In subsection (3) above, "specified " means specified in an order under that subsection.
- (6) A holder of a second-hand dealer's licence may appeal to the sheriff against a decision of the licensing authority under this section and paragraph 24(3) to (9) and (11) and (12) of Schedule 1 to this Act shall, with any necessary modifications, apply to an appeal under this subsection.

Status: This is the original version (as it was originally enacted).

- (7) Any person who contravenes subsection (1) above shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £200.