ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER T45

TRAVELLING AGENTS AND PEDLARS LICENCES ACT

Showing the Law as at 15 December 2010

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

This Edition consolidates Act 6/2010, in force 1 November 2010

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TRAVELLING AGENTS AND PEDLARS LICENCES ACT

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TRAVELLING AGENTS AND PEDLARS LICENCES ACT

Interpretation

1. In this Act—

"Comptroller" means the Comptroller of Customs;

(Act 6/2010, s. 41)

"non-resident" means a person other than—

(a) a person born in Anguilla; or

(b) a person born outside Anguilla but who has resided in Anguilla for the space of 5 consecutive years immediately preceding the application for a licence under this Act;

"pedlar" means a person who carries or exposes for sale any goods, not being the growth, produce or manufacture of Anguilla, otherwise than in a building;

"travelling agent" means a non-resident individual who takes, solicits or receives orders for anything capable of being sold, bartered, traded in or exchanged for and on his own behalf or on behalf of any individual, firm or company, and includes a non-resident individual employee or a canvasser of an insurance company or a person carrying on insurance business, canvassing for or soliciting insurance business.

Application for licence

2. An application for a licence under this Act shall be in writing in the form set out in Schedule 1, and an applicant for a pedlar's licence shall at the time of his application make the declaration set out in that Schedule, and it shall be lawful for the Comptroller at the time of such application to question any applicant in regard to any particulars in respect of which such declaration is required to be made.

(Act 6/2010, s. 41)

Travelling agents' and pedlars' licences

3. (1) No person shall carry on the trade or business of a travelling agent or a pedlar without having first obtained from the Comptroller a licence for that purpose in the form set out in Schedule 2.

(2) A travelling agent's licence may be taken out in the name of either the travelling agent or the individual, firm, or company for and on behalf of whom the travelling agent is acting.

(3) Any person who acts in contravention of the provisions of subsection (1) is guilty of an offence against this Act.

(Act 6/2010, s. 41)

Production of travelling agents' and pedlars' licences

4. The Comptroller or any police officer may demand the production of a travelling agent's or pedlar's licence for inspection and any person carrying on the business of a travelling agent or pedlar who shall without lawful excuse fail, neglect or refuse to produce such licence for inspection when called upon so to do is guilty of an offence against this Act.

(Act 6/2010, s. 41)

Fees for licences

5. (1) On the issue of a licence under this Act the applicant shall pay to the Comptroller the appropriate fee prescribed in Schedule 3.

(Act 6/2010, s. 41)

(2) In respect of a licence issued after the 31st day of March in any year, there shall be paid a sum bearing to the prescribed fee the same proportion as the unexpired portion of the year bears to the whole year, and for the purpose of computing such proportion every portion of a quarter of the year shall be counted as a quarter.

(3) In addition to the licence fee prescribed in Schedule 3, every travelling agent shall, upon each visit to Anguilla in his capacity as a travelling agent, pay to the Comptroller a fee of $50 in respect of such visit.

(Act 6/2010, s. 41)

Duration of licence

6. A licence issued under this Act shall remain in force until the 31st day of December in the year in which it is issued.

Transfer of licence

7. The Comptroller may transfer any pedlar's licence granted under this Act to the appointee of the licensee or in the event of the death of the licensee to his personal representative, or to the appointee of such personal representative, if such appointee is otherwise qualified to hold a licence, and such transfer shall be made by endorsement on the original licence in the form set out in Schedule 4.

(Act 6/2010, s. 41)

Obstruction of Comptroller an offence

8. Any person who resists, opposes, molests, hinders or obstructs the Comptroller or any police officer in the performance of any duty authorised by this Act is guilty of an offence against this Act.

(Act 6/2010, s. 41)

Penalty

9. Any person guilty of an offence against this Act for which no special penalty is provided by this Act is liable on summary conviction to a fine of $3,840 or to imprisonment for a term of 3 months.

Penalty for false declaration or deceiving Comptroller

10. Any person who makes any declaration required to be made by this Act knowing the same to be false in any material particular or makes any attempt to deceive the Comptroller in regard to such declaration is liable—

(a) on summary conviction to imprisonment for a term of 6 months or to a fine of $19,200; or

(b) on conviction on indictment to imprisonment for a term of 1 year, and in the case of a second or subsequent offence to imprisonment for a term of 2 years or to a fine of $38,400 or to both.

(Act 6/2010, s. 41)

Citation

11. This Act may be cited as the Travelling Agents and Pedlars Licences Act, Revised Statutes of Anguilla, Chapter T45.

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SCHEDULE 1

(Section 2)

FORM OF APPLICATION FOR LICENCE

To the Comptroller.

I, ...…….... of ..... hereby make application for a* ……..... licence on behalf of myself.

Particulars†

State—

(a) if born in Anguilla, when born and where, or

(b) if born outside Anguilla, length of time immediately preceding this application during which you have continuously resided within Anguilla.

I hereby declare that the foregoing particulars are true and correct.

Dated the ..... day of ....., 20..... .

……..……
(Signed)

Note—

* *State nature of licence applied for.*

† *In the case of an application for a travelling agent's licence, the particulars need not be filled in, nor need the declaration be made.*

(Act 6/2010, s. 41)

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SCHEDULE 2

(Section 3)

FORM OF LICENCES

TRAVELLING AGENT'S LICENCE

Anguilla.

No. .....

...…..... of .....….....…….....

is hereby licensed to carry on the business of a travelling agent between the .....…….....….. day of ....., 20....., and the ..... day of ....., 20..... .

Dated the ..... day of ....., 20..... .

Comptroller

———————

PEDLAR'S LICENCE

Anguilla.

No. .....

..... of .....

is hereby licensed to carry on business of a pedlar between the ..... day of ....., 20....., and the ..... day of ....., 20..... .

Dated the ..... day of ....., 20..... .

Comptroller

(Act 6/2010, s. 41)

SCHEDULE 3

(Section 5)

FEES

1. For a travelling agent's licence; $1,200 per annum.
2. For a pedlar's licence in respect of non-resident individual; $1,000 per annum.
3. For pedlar's licence in respect of an individual not falling within item 2 of this Schedule; $50 per annum.

SCHEDULE 4

(Section 7)

TRANSFER OF LICENCE

Anguilla.

No. .....

I do hereby upon the application of ..... transfer this licence to ..... of ..... for the residue of the term for which it is to remain in force.

Dated the ..... day of ....., 20..... .

Comptroller

(Act 6/2010, s. 41)
