Subsidiary Legislation made under s.15.

Street Traders and Pedlars Rules

1960.12.20

Commencement **1.3.1963**

Amending enactments	Relevant current provisions	Commencement date
Regs. of 28.5.1970	rr. 6, 8, 17-18, 22	
LN. 1974/045	rr. 6(3), 11, Sch. 1	
1980/085	Sch. 1	
1981/064	r. 7	
1985/064	Sch. 1	1.7.1985
2005/057	Sch. 1	1.4.2005
2018/191	rr. 2, 5, 6(1), (2), 6A, 7-8, 14(1), 22, 25, Sch. 1-2	13.9.2018
2022/226	rr. 6A(4), 7, Sch. 1	4.8.2022
2023/220	rr. 6A(4), 7, Sch. 1	1.8.2023
2024/119	rr. 6A(4), 7, Sch. 1	1.8.2024
2025/192	rr. 6A(4), 7, Sch. 1	1.8.2025
2026/265	rr. 6A(4), 7, Sch. 1	1.8.2026

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SCHEDULE 1.

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Title.

1. These Rules may be cited as the Street Traders and Pedlars Rules.

Interpretation.

2. In these Rules, unless the context otherwise requires –

"Chief Environmental Health Officer" includes any person authorised by him to act on his behalf for the purposes of these Rules.

"market produce" means –

(a) vegetables and fruit;

(b) fish including uncooked shell fish;

(c) eggs, poultry and game;

"meat" means the flesh (including edible offal and fat) of animals and birds and includes bacon and ham;

"vendor" means a street trader or pedlar but excludes a handicraftsman.

Classification of street-traders and pedlars.

3. For the purposes of these Rules street traders, pedlars and licences shall be divided into the categories or classes set out in Schedule 1.

Assistants.

4. Every person acting as an assistant to a street trader or pedlar shall be licensed and shall pay for his licence the same fee as paid by his employer or principal except that a street trader may have one assistant who need not be the holder of a licence.

Application for licences.

5. Application shall be made to the Chief Environmental Health Officer in the form set out in Schedule 2 –

(a) for an initial licence; and

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(b) where a licensee requires a licence to sell any class of goods or exercise any trade not specified in the initial licence.

Issue of and fees for licences.

6. (1) Licences shall be issued by the Chief Environmental Health Officer in accordance with these Rules and with any instructions which may from time to time be issued by the Government.

(2) Licences shall be obtainable at the Offices of the Environmental Agency at 37 Town Range on payment of the appropriate fees set out in Schedule I to such persons as may be authorized by the Chief Environmental Health Officer to collect such fees.

(3) Subject to the provisions of these Rules where the holder of a licence applies to sell goods not included in his licence (other than goods for which a separate licence is required under these Rules) he may apply to have his licence amended to enable him to sell such goods.

Sale, transfer or assignment of licence

6A.(1) A holder of a licence is prohibited from selling, transferring assigning or otherwise alienating a licence without the Chief Environmental Health Officer's authorisation to do so, and any unauthorised sale, transfer, assignment or alienation shall be void.

(2) The Chief Environmental Health Officer shall have the sole discretion to authorise a sale, transfer, assignment or other alienation of the licence, and any such authorisation must be given by him in writing.

(3) (a) Where the holder of a licence is a company and control or ownership of that company changes, the licence shall be deemed withdrawn on the day such change of control or ownership becomes effective.

(b) Despite subrule (a), the holder may apply to the Chief Environmental Officer for the licence –

(i) not to be withdrawn; or

(ii) to be restored, if it has already been withdrawn or deemed withdrawn.

(4) The fee for a sale, transfer or assignment of a licence is £24.50, payable by the beneficiary of the sale, transfer or assignment.

Duplicate licences.

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7. If a valid licence is lost or damaged the licensee shall apply in writing for a duplicate thereof and the Chief Environmental Health Officer shall on payment to him by the licensee of £13.00 issue to the licensee a duplicate of such licence.

8. *Omitted*.

Young persons.

9. No licence shall be granted to any person under the age of eighteen years.

Name of employer (if any) to appear on licence.

10. Where a street trader or a pedlar is exercising his trade as the employee of any other person the name of that other person shall be inserted in the licence.

11. *Revoked.*

Duration of licences.

12.(1) Every licence shall be issued for and in respect of the period ending on the last day of the month in which the licence is issued.

(2) No fee or part thereof shall be refunded in respect of any licence issued whether or not the licence is surrendered, revoked or suspended.

Only goods specified to be sold.

13. No street trader or pedlar shall sell any class of goods or exercise any trade other than those which are specified in his licence.

Vendors of market produce.

14.(1) No vendor of market produce shall, without the prior authorisation of the Chief Environmental Officer, sell or offer for sale any such produce within the limits of Landport Ditch; West Place of Arms and the road leading thence to the Markets; Waterport and Waterport Wharf; Fish Market Road; Chatham Counter Guard; Parliament Lane; that part of Irish Town from Parliament Lane to Cooperage Lane ; Cooperage Lane; that part of Main Street from Parliament Lane to Casemates Square; Casemates Square and the road leading from Casemates Square to Line Wall Road.

(2) Except by agreement with the purchaser all market produce shall be sold by weight.

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(3) Every vendor of market produce shall provide himself with and constantly carry a beam and scales with proper weights or other sufficient weighing instrument in order that goods sold may at the time of sale be weighed in the presence of the purchaser.

Sale of meat.

15. No street trader or pedlar shall sell any meat.

Restriction on peddling and street trading.

16.(1) A pedlar shall not sell any goods in or from a stationery position in any street except when stopped by a prospective purchaser and then only for such time as may be reasonably necessary to complete a transaction, if any.

(2) A street trader shall not exercise his trade in or from a stationery position in a street other than in or from such stationary position and during such times, if any, as may be specified in his licence.

Requirements as to receptacles.

17. Where the Government in any particular licence impose any requirements as to the receptacles to be used by any street trader or pedlar the holder of such licence shall comply with such requirements.

Removal of receptacles.

18. A street trader shall immediately remove his receptacles and goods for so long as may be necessary if required to do so by a police officer or a duly authorized officer of the Government, in the event of an emergency, or in the exercise by the Government of any of their powers and duties.

Disposal of refuse and litter.

19. Every street trader and pedlar shall dispose of any refuse or litter arising out of the exercise of his trade.

Sale by instalments, etc.

20. No street trader or pedlar shall sell goods by instalment or on any hire-purchase system.

No undue importuning.

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21. A pedlar shall not unduly importune any other person to purchase his goods or to employ him.

Suspension, etc., of licences.

22. The holder of any licence which may be revoked or suspended by the Government shall forthwith deliver the said licence to the Chief Environmental Health Officer.

23. *Revoked*.

Provisions to be cumulative.

24. The provisions of these Rules shall be additional to, and not in derogation of, the provisions of the Food and Drugs Act and of any subsidiary legislation made thereunder or of the provisions of any other enactment.

Penalties.

25. A person who contravenes any of the provisions of these Rules is liable on summary conviction –

(a) for a first offence to a fine not exceeding level one on the standard scale

(b) for a second or subsequent offence to a fine not exceeding level two on the standard scale.

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SCHEDULE 1

Rule 3

CATEGORIES OF STREET TRADERS

Category	General description	Fees payable in respect of each month or part of a month of validity of licence
A.	Street traders of any goods excluding flowers and greenery	£24.50
B.	Street traders of flowers and greenery	£24.50
C.	Pedlars of market produce	£24.50
D.	Pedlars of articles of food or drink not being market produce	£24.50
E.	Pedlars other than those licenced under Category C or D	£24.50

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SCHEDULE 2.

Rule 5.

APPLICATION FOR A LICENCE UNDER THE STREET TRADERS AND PEDLARS RULES.

Name of applicant. . . . . .
(block letters)

Identity card number or
company registration number. . . . . .

Address . . . . . .

Place and date of birth
or registered address (if a company). . . . . .

Category of licence required. . . . . .

If category required is A or B
state stationary positions
where it is desired to trade. . . . . .

State the kind and dimensions
of the receptacle (if any)which
it is intended to use . . . . . .

Name and address of employer
if licensee is required to work as
an employee to any other person . . . . . .
Signature of employer. . . . . .
(if any)

I am not suffering from any disease and, as far as I am aware, I am not the carrier of any infectious disease.

I hereby declare that the above particulars are true and accurate in every respect.

Dated this. . . ., day of . . . . . 20. . .

Signature of Applicant. . . . . .

To
The Chief Environmental Health Officer, Gibraltar.

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