



ST. CHRISTOPHER AND NEVIS

CHAPTER 18.26

PAWNBROKERS ACT

Revised Edition
showing the law as at 31 December 2002

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PAWNBROKERS ACT

Act 21 of 1897 ... in force 1st July 1898

Amended by: Act 7 of 1976

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CHAPTER 18.26
PAWNBROKERS ACT

AN ACT TO PROVIDE FOR THE REGULATION OF PAWNBROKERS TO PROTECT CONSUMERS DEALING WITH PAWNBROKERS; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

PART I
PRELIMINARY

Short title.

1. This Act may be cited as the Pawnbrokers Act.

Interpretation.

2. In this Act—

“constable” includes any peace officer;

“pawnbroker” includes every person who carries on the business of taking goods and chattels in pawn;

“pawner” means a person delivering an article for pawn to a pawnbroker;

“pledge” means an article pawned with a pawnbroker;

“shop” includes dwelling-house and warehouse, or other place of business, or place where business is transacted;

“unfinished goods or materials” includes any goods of any manufacture or of any part or branch of any manufacture, either mixed or separate, or any materials whatever plainly intended for the composing or manufacturing of any goods, after such goods or materials are put into a state or course of manufacture, or into a state for any process or operation to be performed thereupon or therewith, and before the same are completed or finished for the purpose of wear or consumption.

PART II
APPLICATION OF ACT

Extension of Act to keepers of certain shops.

3. In order to prevent evasion of the provisions of this Act, the following persons shall be deemed to be persons carrying on the business of taking goods and chattels in pawn, that is to say, every person who—

- (a) keeps a shop for the purchase or sale of goods or chattels;

- (b) keeps a shop for taking in goods or chattels, by way of security for money advanced thereon; or

- (c) who purchases or receives or takes in goods or chattels, and pays or advances or lends thereon any sum of money not exceeding two hundred dollars with or under an agreement or understanding, expressed or implied, or to be from the nature and character of the dealing reasonably inferred, that those goods or chattels may be afterwards redeemed or repurchased on any terms,

and every such transaction, article, payment, advance, and loan shall be deemed a pawning, pledge and loan respectively within this Act.

(Amended by Act 7 of 1976)

Personal representatives of pawnbrokers.

4. The provisions of this Act relating to pawnbrokers shall extend to and include the executors or administrators of deceased pawnbrokers, except that an executor or administrator shall not be answerable for any penalty or forfeiture personally or out of his or her own estate, unless the same is incurred by his or her own act or neglect.

Servants, apprentices and agents of pawnbrokers.

5. For the purposes of this Act, anything done or omitted by the servant, apprentice or agent of a pawnbroker in the course of or in relation to the business of the pawnbroker, shall be deemed to be done or omitted (as the case may be) by the pawnbroker; and anything by this Act authorised to be done by a pawnbroker may be done by his or her servant, apprentice or agent.

Representation of pawners.

6. The rights, powers and benefits by this Act reserved to and conferred on pawners shall extend to and be deemed to be reserved to and conferred on the assigns of pawners, and to and on the executors or administrators of deceased pawners; but any person representing himself or herself to a pawnbroker to be the assign, executor or administrator of a pawn shall, if required by the pawnbroker, produce to the pawnbroker the assignment, probate, letters of administration or other instrument under which he or she claims.

Application of this Act in respect of loans.

7. (1) This Act shall apply—

- (a) to every loan by a pawnbroker of fifty dollars or under;
- (b) to every loan by a pawnbroker of above fifty dollars, and not above two hundred dollars, except as in this Act otherwise provided in relation to cases where a special contract respecting the terms of the loan (as authorised by this Act) is made between the pawn and the pawnbroker at the time of the pawning.

(2) Nothing in this Act shall apply to a loan by a pawn-broker of above two hundred dollars, or to the pledge on which the loan is made or to the pawnbroker or pawn in relation to the loan or pledge; and, notwithstanding anything in this Act, a person shall not be deemed a pawnbroker by reason only of his or her paying, advancing or lending on any terms any sum or sums of above two hundred dollars.

(Amended by Act 7 of 1976)

PART III

GENERAL OBLIGATIONS OF PAWNBROKERS

Pawnbrokers to keep certain books and documents.

8. (1) A pawnbroker shall keep and use in his or her business such books, documents and forms as may be prescribed by rules made by the Minister.

(2) A pawnbroker who fails to comply with any of the requirements of this section commits an offence against this Act.

(Substituted by Act 7 of 1976)

Pawnbrokers to keep names over doors, and tables of rates, etc., exhibited in shops.

9. (1) A pawnbroker shall keep exhibited in large characters over the outer door of his or her shop his or her full name or names and the word "Pawnbroker".

(2) A pawnbroker who fails to comply with any of the requirements of this section shall be guilty of an offence against this Act.

(Substituted by Act 7 of 1976)

PART IV

PAWNING, REDEMPTION AND SALE

Pawn-tickets to be given for pledges.

10. A pawnbroker shall, on taking a pledge in pawn, give to the pawner a pawn-ticket, and shall not take a pledge in pawn, unless the pawner takes the pawn-ticket.

Profits and charges allowed to pawnbrokers.

11. (1) A pawnbroker may take profit on a loan on a pledge at a rate not exceeding two per cent for each month or part of a month until the loan is repaid.

(2) A pawnbroker shall, if required at the time of redemption, give a receipt for the amount of loan and profit paid to him or her.

(Original subsections (2) and (3) deleted by Act 7 of 1976)

Pledges redeemable for one year with seven days of grace.

12. Every pledge shall be redeemable within twelve months from the day of pawning, exclusive of that day; and there shall be added to that year of redemption seven days of grace, within which every pledge (if not redeemed within the year of redemption) shall continue to be redeemable.

Pledges for \$10.00 or under, not redeemed in time forfeited.

13. A pledge pawned for ten dollars or under, if not redeemed within the year of redemption and days of grace, shall at the end of the days of grace become and be the pawnbroker's absolute property.

(Amended by Act 7 of 1976)

Pledges above \$10.00 redeemable until sale.

14. A pledge pawned for above ten dollars shall further continue redeemable, until it is disposed of as in this Act provided, although the year of redemption and days of grace are expired.

(Amended by Act 7 of 1976)

Sale by auction of pledges above \$10.00.

15. (1) A pledge pawned for above ten dollars shall when disposed of by the pawnbroker, be disposed of by sale by public auction, and not otherwise; and the regulations in the First Schedule shall be observed with reference to the sale.

(Amended by Act 7 of 1976)

(2) A pawnbroker may bid for and purchase at a sale by auction, made or purporting to be made under this Act, a pledge pawned with him or her; and on such purchase he or she shall be deemed the absolute owner of the pledge purchased.

Offences by auctioneers.

16. If an auctioneer does anything in contravention of the provisions of this Act relating to auctioneers, or fails to do anything which he or she is required by this Act to do, he or she commits an offence against this Act.

Power to inspect sale book.

17. At any time within three years after the auction at which a pledge pawned for above ten dollars is sold, the holder of the pawn-ticket may inspect the entry of the sale in the pawnbroker's book, and in the filled up catalogue of the auction (authenticated by the signature of the auctioneer), or in either of them.

(Amended by Act 7 of 1976)

Pawnbroker to account for surplus within three years subject to set-off.

18. (1) Where a pledge pawned for above two dollars and forty cents is sold, and appears from the pawnbroker's book to have been sold for more than the amount of the loan and profit due at the time of sale, the pawnbroker shall, on demand, pay the surplus to the holder of the pawn-ticket, in case the demand is made within three years after the sale, the necessary costs and charges of the sale being first deducted.

(2) If on any such demand it appears from the pawnbroker's book that the sale of a pledge or pledges has resulted in a surplus, and that within twelve months before or after that sale the sale of another pledge or other pledges of the same person has resulted in a deficit, the pawnbroker may set off the deficit against the surplus, and shall be liable to pay the balance only after such set-off.

Offences as to pledges for above \$10.00.

19. If with respect to pledges for loans of above ten dollars the pawnbroker—

- (a) does not *bonâ fide* according to the directions of this Act set a pledge pawned with him or her;
- (b) enters in his or her book a pledge as sold for less than the sum for which it was sold, or fails duly to enter the same;
- (c) refuses to permit any person entitled under this Act to inspection of an entry of sale in the pawnbroker's book, or in a filled-up catalogue of

the auction, authenticated by the auctioneer's signature, to inspect the same;

- (d) fails without lawful excuse (proof whereof shall lie on him or her) to produce such a catalogue on lawful demand;
- (e) refuses to pay on demand the surplus to the person entitled to receive the same,

he or she shall be liable to a fine of three hundred dollars.

(Amended by Acts 7 of 1976 and 9 of 1986)

PART V

SPECIAL CONTRACTS

Power to make special contracts, subject to restrictions.

20. (1) Notwithstanding anything in this Act, a pawn-broker may make a special contract with a pawner in respect of a pledge on which the pawnbroker makes a loan of above fifty dollars:

Provided that—

- (a) the pawnbroker at the time of the pawning shall deliver to the pawner a special contract pawn-ticket, signed by the pawnbroker;
- (b) a duplicate of the special contract pawn-ticket shall be signed by the pawner.

(Amended by Act 7 of 1976)

(2) The provisions of this Act, save as far as the application thereof is excluded by the terms of the special contract, shall apply thereto.

(3) A special contract pawn-ticket or the duplicate thereof, shall not be subject to stamp duty.

PART VI

DELIVERY UP OF PLEDGE

Holder of pawn-ticket entitled to redeem.

21. The holder for the time being of a pawn-ticket shall be presumed to be the person entitled to redeem the pledge, and, subject to the provisions of this Act, the pawnbroker shall accordingly (on payment of the loan and profit) deliver the pledge to the person producing the pawn-ticket, and he or she is hereby indemnified for so doing.

Production of pawn-ticket on redemption.

22. A pawnbroker shall not (except as in this Act provided) be bound to deliver back a pledge, unless the pawn-ticket for it is delivered to him or her.

Liability of pawnbroker in case of fire.

23. (1) Where a pledge is destroyed or damaged by or in consequence of fire, the pawnbroker shall nevertheless be liable, on application within the period during which the pledge would have been redeemable, to pay the value of the pledge, after deducting the amounts of the loan and profit, such value to be the amount of the loan and profit, and twenty-five per centum on the amount of the loan.

(2) A pawnbroker shall be entitled to insure to the extent of the value so estimated.

Compensation for depreciation of pledge.

24. If a person entitled and offering to redeem a pledge shows to the satisfaction of a court of summary jurisdiction that the pledge has become or has been rendered of less value than it was at the time of the pawning thereof by or through the default, neglect, or wilful misbehaviour of the pawnbroker, the court may, if it thinks fit, award a reasonable satisfaction to the owner of the pledge in respect of the damage, and the amount awarded shall be deducted from the amount payable to the pawnbroker, or shall be paid by the pawnbroker (as the case requires) in such manner as the court directs.

Protection of owners and of pawners not having pawn-tickets.

25. (1) The following provisions shall have effect for the protection of owners of articles pawned, and of pawners not having their pawn-tickets to produce—

- (a) any person claiming to be the owner of a pledge, but not holding the pawn-ticket, or any person claiming to be entitled to hold a pawn-ticket, but alleging that the same has been lost, mislaid, destroyed, or stolen, or fraudulently obtained from him or her, may apply to the pawnbroker for a printed form of declaration, which the pawnbroker shall deliver to him or her;
- (b) if the applicant delivers back to the pawnbroker the declaration duly made before a Magistrate by the applicant and by a person identifying him or her, the applicant, shall thereupon have, as between him or her, and the pawnbroker, all the same rights and remedies as if he or she produced the pawn-ticket:

Provided that such a declaration shall not be effectual for that purpose, unless it is duly made and delivered back to the pawnbroker not later than on the third day after the day on which the form is delivered to the applicant by the pawnbroker (exclusive of a day or days on which the pawnbroker is prohibited from carrying on business);

- (c) the pawnbroker is hereby indemnified for not delivering the pledge to any person until the expiration of the period aforesaid;
- (d) the pawnbroker is further hereby indemnified for delivering the pledge or otherwise acting in conformity with the declaration, unless he or she has actual or constructive notice that the declaration is fraudulent or is false in any material particular.

(2) If any person makes a declaration under this Act, either as an applicant or as identifying an applicant, knowing the same to be false in any material particular, he or she commits a misdemeanour and shall be liable to the punishment attaching by law to perjury.

Delivery to owner of property unlawfully pawned.

26. In each of the following cases—

- (a) if any person is convicted under this Act in a court of summary jurisdiction of knowingly and designedly pawning with a pawnbroker anything being the property of another person, the pawner not being employed or authorised by the owner thereof to pawn the same;
- (b) if any person is convicted in any court of feloniously taking or fraudulently obtaining any goods and chattels, and it appears to the court that the same have been pawned with a pawnbroker;
- (c) if in any proceedings before a court of summary jurisdiction it appears to the court that any goods and chattels brought before the court have been unlawfully pawned with a pawnbroker,

the court, on proof of the ownership of the goods and chattels, may, if it thinks fit, order the delivery thereof to the owner, either on payment to the pawnbroker of the amount of the loan or of any part thereof, or without payment thereof or of any part thereof, as to the court, according to the conduct of the owner and other circumstances of the case, seems just and fitting.

Summary order for delivery of pledge to person entitled.

27. If a pawnbroker, without reasonable excuse (proof whereof shall lie on him or her) neglects or refuses to deliver a pledge to the person entitled to have delivery thereof under this Act, he or she commits an offence against this Act, and a court of summary jurisdiction may, if the court thinks fit, with or without imposing a penalty, order the delivery of the pledge on payment of the amount of the loan and profit.

PART VII

GENERAL RESTRICTIONS ON PAWNBROKERS

Prohibition of purchasing pledges; taking pledges from children etc.

28. If a pawnbroker does any of the following things—

- (a) takes an article in pawn from any person appearing to be under twelve years or to be intoxicated;
- (b) purchases or takes in pawn or exchange a pawn-ticket issued by another pawnbroker;
- (c) employs any servant or apprentice or other person under sixteen years to take pledges in pawn;
- (d) carries on the business of a pawnbroker on Sunday, Good Friday, Christmas Day, a Public Holiday or a day appointed for public fast, humiliation or thanksgiving;
- (e) under any pretence purchases, except at public auction, any pledge, while in pawn with him or her;
- (f) suffers any pledge, while in pawn with him or her, to be redeemed with a view to his or her purchasing it;

- (g) makes any contract or agreement with any person pawning or offering to pawn any article, or with the owner thereof, for the purchase, sale or disposition thereof within the time of redemption;
- (h) sells or otherwise disposes of any pledge pawned with him or her except at such time and in such manner as authorised by this Act,

he or she shall be deemed to commit an offence against this Act.

PART VIII

UNLAWFUL PAWNING AND TAKING IN PAWN

Unlawful pawning of goods not property of owner.

29. If any person knowingly and designedly pawns with a pawnbroker anything being the property of another person, the pawner not being employed or authorised by the owner thereof to pawn the same, he or she commits an offence against this Act.

(Amended by Act 7 of 1976)

Proceedings where persons offering articles in pawn do not give a good account of themselves, etc.

30. (1) If any person does any of the following things—

- (a) offers to a pawnbroker an article by way of pawn, being unable or refusing to give a satisfactory account of the means by which he or she became possessed of the article;
- (b) wilfully gives false information to a pawnbroker as to whether an article offered by him or her in pawn to the pawnbroker is his own property or not, or as to his or her name and address, or as to the name and address, of the owner of the article;
- (c) not being entitled to redeem, and not having any colour of title by law to redeem, a pledge, attempts or endeavours to redeem the same,

commits an offence against this Act.

(2) In every such case, and also in any case where on an article being offered in pawn to a pawnbroker, he or she reasonably suspects that it has been stolen or otherwise illegally or clandestinely obtained, the pawnbroker may seize and detain the person and the article or either of them, and shall deliver the person and the article or either of them (as the case may be) as soon as may be into the custody of a constable, who shall as soon as may be convey the person, if so detained, before a Magistrate to be dealt with according to law.

Prohibition of taking in pawn linen, clothing, unfinished goods, etc. in certain cases.

31. If a pawnbroker knowingly takes in pawn any linen or apparel or unfinished goods or materials entrusted to any person to wash, scour, iron, mend, manufacture, work up, finish or make up, he or she commits an offence against this Act.

(Amended by Act 7 of 1976)

Search warrant for linen, etc. unlawfully pawned.

32. (1) If the owner of any linen or apparel or unfinished goods or materials entrusted to any person as aforesaid, and unlawfully pawned with a pawnbroker, or

the owner of any other article unlawfully pawned with a pawnbroker (the last-mentioned owner having on oath satisfied a Magistrate that his or her goods have been unlawfully obtained or taken from him or her), makes out on oath before a Magistrate that there is good cause to suspect that a pawnbroker has taken in pawn the linen, apparel, goods, materials or article aforesaid, without the privity or authority of the owner, and makes appear to the satisfaction of the Magistrate probable grounds for such suspicion, the Magistrate may issue his or her warrant for searching, within the hours of business, the shop of the pawnbroker.

(2) If the pawnbroker, on request by a constable authorised by the warrant, refuses to open the shop and permit it to be searched, a constable may break it open within the hours of business, and search as he or she thinks fit therein for the linen, apparel, goods, materials or article aforesaid, doing no wilful damage; and if any pawnbroker or other person opposes or hinders the search, he or she commits an offence against this Act.

(3) If on the search any linen, apparel, goods, materials, or article aforesaid is or are found, and the property of the owner thereof is made out to the satisfaction of a court of summary jurisdiction, the court shall cause the same to be forthwith restored to the owner thereof.

PART IX

LICENCES

Yearly licence and duty.

33. (1) Every pawnbroker shall yearly take out from the Accountant-General a licence for carrying on his or her business on which licence there shall be charged and paid such fee as the Minister may prescribe.

(Amended by Act 6 of 1976)

(2) Every licence shall be dated on the day on which it is issued and shall determine on the 31st day of December.

(3) A separate licence shall be taken out and paid for by a pawnbroker for each pawnbroker's shop kept by him or her.

(4) If a person acts as a pawnbroker without having in force a proper licence, he or she shall for every such offence, on summary conviction, be liable to a penalty not exceeding seven hundred and fifty dollars, and in default of payment may be imprisoned with or without hard labour for any term not exceeding six months.

(Amended by Act 6 of 1976)

Cesser of licence on conviction.

34. If a pawnbroker is convicted on indictment of any fraud in his or her business, or of receiving stolen goods knowing them to be stolen, the court before which he or she is convicted may, if it thinks fit, direct that his or her licence shall cease to have effect, and the same shall so cease accordingly.

Licence not to be granted without certificate.

35. (1) A pawnbroker's licence shall not be granted to any person except on the production and in pursuance of the authority of a certificate granted under this Act.

(2) Any licence granted in contravention of this section shall be void.

Grant of certificates.

36. Certificates under this Act shall be granted by a Magistrate having jurisdiction in the district where the application is made.

Form and duration of certificate.

37. A certificate under this Act shall be given in the form given in the Second Schedule, or to the like effect, and shall be in force for one year from its date.

Notice of first application.

38. A person intending to apply for the first time for a certificate under this Act shall proceed as follows—

- (a) twenty-one days at least before the application he or she shall give notice by registered letter sent by post of his or her intention to the Magistrate of the district in which he or she intends to carry on business, and to the inspector or other principal officer of police of the district, and shall in the notice set forth his or her name and address;
- (b) within twenty-eight days before the application he or she shall cause a like notice to be affixed and maintained between 10:00 a.m. in the morning and 5:00 p.m. in the afternoon of two consecutive Sundays, on the principal door or one of the doors of the church or chapel of the parish or place, or, if there is none, then on some other public and conspicuous place in the parish or place.

Grounds of refusal of certificate.

39. An application for a certificate shall not be refused, except on the following grounds, or one of them—

- (a) that the applicant has failed to produce satisfactory evidence of good character;
- (b) that the shop in which he or she intends to carry on the business of a pawnbroker, or any adjacent house or place owned or occupied by him or her, is frequented by thieves or persons of bad character;
- (c) that he has not complied with the last preceding section 38.

Forgery of certificate.

40. (1) If any person forges a certificate, or tenders a certificate knowing it to be forged, he or she shall, on summary conviction thereof, be liable to a penalty not exceeding seven hundred and fifty dollars, or, in the discretion of the court to imprisonment for any term not exceeding six months.

(Amended by Act 6 of 1976)

(2) A licence granted in pursuance of a forged certificate shall be void; and if any person makes use of a forged certificate, knowing it to be forged, he or she shall be disqualified from obtaining at any time thereafter a pawnbroker's licence.

PART X

PENALTIES AND LEGAL PROCEEDINGS

General penalty for offences.

41. If a pawnbroker or other person commits an offence against this Act, in respect whereof a specific forfeiture or penalty is not prescribed by this Act, he or she shall be liable, on summary conviction, to a penalty not exceeding five hundred dollars.

(Amended by Act 6 of 1976)

Application of penalties.

42. Penalties recovered under this Act, not directed to be otherwise applied, may be applied, under direction of the court in which they are recovered, as follows—

- (a) where the complainant is the party aggrieved, one moiety of the penalty may be paid to him or her;
- (b) where the complainant is not the party aggrieved, there shall be paid to him or her no part or such part only of the penalty as the court thinks fit.

Amends for frivolous informations.

43. Where an information or complaint of any offence against this Act (not being an offence against any provision of this Act relating to licences) is laid or made before a court of summary jurisdiction and is not further prosecuted, or if such information or complaint is further prosecuted, but it appears to the court of summary jurisdiction by which the case is heard that there was no sufficient ground for the making of the charge, the court shall have power to award such amends, not exceeding the sum of one hundred dollars, to be paid by the informer or complainant to the party informed or complained against for his or her loss of time and expenses in the matter as to the court may seem meet; and every sum so awarded shall be recoverable as penalties under this Act are recoverable.

(Amended by Act 6 of 1976)

Penalty on common informers compounding informations.

44. If any person lodges an information for an offence alleged to have been committed against this Act by which he or she was not personally aggrieved, and afterwards directly or indirectly receives, without the permission of a Magistrate, any sum of money or other reward for compounding, delaying or withdrawing the information, he or she commits an offence against this Act.

Detention of persons offering forged pawn-tickets, etc.

45. If any person utters, produces, shows, or offers to a pawnbroker a pawn-ticket which the pawnbroker reasonably suspects to have been counterfeited, forged or altered, the pawn-broker may seize and detain the person and the ticket, or either of them, and shall deliver the person and the ticket, or either of them, (as the case may be) as soon as may be, into the custody of a constable, who shall, as soon as may be, convey the person, if so detained, before a Magistrate to be dealt with according to law.

Production of books etc., before Magistrates.

46. A pawnbroker shall at any time, when ordered or summoned by a court of summary jurisdiction, attend before the court and produce all books and papers relating to his or her business which he or she is required by the court to produce, and if he or she fails so to do he or she commits an offence against this Act.

Contracts not void on account of offences.

47. Where a pawnbroker commits an offence against this Act (not being an offence against any provision of this Act relating to licences), any contract of pawn or other contract made by him or her, in relation to his or her business of pawnbroker, shall nevertheless not be void by reason only of that offence, nor shall he or she by reason only of that offence lose his or her lien on or right to the pledge or to the loan and profit; but nothing in this section shall restrict the operation of any provision of this Act providing for the delivery of any goods and chattels, or the restoration of any linen, apparel, goods, materials, or articles to the owner, under the order of any court.

Appeal.

48. If any person thinks himself or herself aggrieved by any conviction or order of a court of summary jurisdiction under this Act, or by the refusal of a certificate for a licence, he or she may appeal therefrom as in any other matter in which such court has jurisdiction.

Rules.

49. The Minister may make rules prescribing the books, documents and forms that are required to be kept and used by pawnbrokers and the fees payable under this Act.

(Inserted by Act 7 of 1976)

FIRST SCHEDULE

(Section 15)

REGULATIONS AS TO AUCTIONS OF PLEDGES ABOVE \$10.00

1. The auctioneer shall cause all pledges to be exposed to public view.
 2. He or she shall publish catalogues of the pledges stating—
 - (a) the pawnbroker's name and place of business;
 - (b) the month in which each pledge was pawned;
 - (c) the number of each pledge, as entered at the time of pawning in the pledge book.
 3. The pledges of each pawnbroker in the catalogue shall be separate from any pledges of any other pawnbroker.
 4. The auctioneer shall insert in some public newspaper an advertisement giving notice of the sale, and stating—
 - (a) the pawnbroker's name and place of business;
 - (b) the months in which the pledges were pawned.
 5. The advertisement shall be inserted on two separate days in the same newspaper, and the second advertisement shall be inserted at least three clear days before the first day of sale.
 6. Pictures, prints, books, bronzes, statues, busts, carvings in ivory and marble, cameos, intaglios, musical, mathematical and philosophical instruments, and china, sold by auction, shall be sold by themselves, and without any other goods being sold at the same sale, four times only in every year, (that is to say) on the first Monday in the months of January, April, July and October, and on the following day and days, if the sale exceeds one day, and at no other time.
 7. Where a pawnbroker bids at a sale, the auctioneer shall not take the bidding in any other form than that in which he or she takes the biddings of other persons at the same sale; and the auctioneer on knocking down any article to a pawnbroker shall forthwith declare audibly the name of the pawnbroker as purchaser.
 8. The auctioneer shall, within fourteen days after the sale, deliver to the pawnbroker a copy of the catalogue, or of so much thereof as relates to the pledges of that pawnbroker, filled up with the amounts for which the several pledges of that pawnbroker were sold, and authenticated by the signature of the auctioneer.
 9. The pawnbroker shall preserve every such catalogue for three years at least after the auction.
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SECOND SCHEDULE*(Section 37)*

FORM OF CERTIFICATE OF MAGISTRATE

I [*Here insert the description of the Magistrate*] do hereby certify that I do authorise the grant to A.B., of in the parish of of a licence to carry on the business of a pawnbroker at [*describe the place*].

Witness my hand this day of 20.....

(Original First and Second Schedules repealed by Act 7 of 1976)
