



ST. CHRISTOPHER AND NEVIS

CHAPTER 20.47

TRAVELLING AGENTS AND PEDLARS LICENCES ACT

Revised Edition

showing the law as at 31 December 2002

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This edition contains a consolidation of the following laws—

TRAVELLING AGENTS AND PEDLARS LICENCES ACT

Act 11 of 1950 ... in force 28th December 1950

Amended by: Act 8 of 1965

Act 1 of 1970

Act 7 of 1976

Act 27 of 1976

Act 9 of 1986

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TRAVELLING AGENTS AND PEDLARS LICENCES ACT

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CHAPTER 20.47

TRAVELLING AGENTS AND PEDLARS LICENCES ACT

AN ACT TO PROVIDE FOR THE LICENSING OF TRAVELLING AGENTS AND PEDLARS; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

Short title.

1. This Act may be cited as the Travelling Agents and Pedlars Licences Act.

Interpretation.

2. In this Act—

“non-resident” means a person other than—

- (a) a person born in the State; or
- (b) a person born outside the State but who has resided in the State for the space of five 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 the State, 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 or her 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.

3. An application for a licence under this Act shall be in writing in the form set out in the First Schedule, and an applicant for a pedlar’s licence shall at the time of his or her application make the declaration set out in the said Schedule, and it shall be lawful for the Comptroller of Inland Revenue 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.

Travelling agents and pedlars licences.

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

(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) commits an offence against this Act.

Production of travelling agents and pedlars licences.

5. The Comptroller of Inland Revenue 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, without lawful excuse,

fails, neglects or refuses to produce such licence for inspection when called upon to do so commits an offence against this Act.

Fees for licences.

6. (1) On the issue of a licence under this Act the applicant shall pay to the Comptroller of Inland Revenue the appropriate fee prescribed in the Third Schedule.

(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 the Third Schedule to this Act, every travelling agent shall, upon each visit to the State in his or her capacity as a travelling agent, pay to the Comptroller of Inland Revenue a fee of ten dollars in respect of such visit.

(Inserted by Act 1 of 1970)

Duration of licence.

7. 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.

8. The Comptroller of Inland Revenue 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 or her personal representative, or to the appointee of such personal representative, provided 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 the Fourth Schedule.

Obstruction of Comptroller of Inland Revenue an offence.

9. Any person who resists, opposes, molests, hinders or obstructs the Comptroller of Inland Revenue or any police officer in the performance of any duty authorised by this Act commits an offence against this Act.

Penalty.

10. Any person who commits an offence against this Act for which no special penalty is provided by this Act shall be liable, on summary conviction, to a fine not exceeding five hundred dollars or to imprisonment, with or without hard labour, for a term not exceeding three months.

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

Penalty for false declaration or deceit of Comptroller of Inland Revenue.

11. 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 of Inland Revenue in regard to such declaration shall be liable—

- (a) on summary conviction, to imprisonment with or without hard labour for a term not exceeding six months, or to a fine not exceeding one thousand five hundred dollars;

- (b) on conviction on indictment, to imprisonment, with or without hard labour for a term not exceeding one year, and in the case of a second or subsequent offence to imprisonment, with or without hard labour, for a term not exceeding two years, or to a fine not exceeding five thousand dollars or to both such imprisonment and fine.

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

FIRST SCHEDULE

(Section 3)

FORM OF APPLICATION FOR LICENCE

To the Comptroller of Inland Revenue.

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

PARTICULARS†

STATE

- (a) if born in the State when born and where, and
(b) if born outside the State length of time immediately preceding this application during which you have continuously resided within the State.

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 to be filled in, nor need the declaration be made.

SECOND SCHEDULE

(Section 4)

TRAVELLING AGENT'S LICENCE

St. Kitts and Nevis.

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 of Inland Revenue

PEDLAR'S LICENCE

St. Kitts-Nevis.

No.
of
is hereby licensed to carry on the business of a pedlar between the
day of 20, and the
day of 20

Dated the day of 20

Comptroller of Inland Revenue

THIRD SCHEDULE

(Section 6)

1. For a travelling agent's licence; two hundred and fifty dollars per annum.
2. For a pedlar's licence in respect of non-resident individual; four hundred and eighty dollars per annum.
3. For pedlar's licence in respect of an individual not falling within item 2 of this Schedule; one dollar per annum.

FOURTH SCHEDULE

(Section 8)

TRANSFER OF LICENCE

St. Kitts and Nevis.

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 of Inland Revenue
