

**OFFICE OF CITY SOLICITOR  
RESOURCES MANAGEMENT  
ABERDEEN CITY COUNCIL**

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

**DEALING IN SECOND-HAND GOODS**

**GUIDANCE NOTE**

This guidance note has been prepared to assist anyone who deals or is thinking of dealing in second-hand goods. It specifies the categories of goods requiring a licence and outlines the duties and responsibilities of licence holders.

**Who requires a Second-Hand Dealer's Licence**

If you wish to trade in any of the following second-hand or used goods you will need a Second-Hand Dealer's Licence:-

Antiques	Furniture and carpets
Bicycles and accessories	Fabrics
Magazines	Handbags, Purses, Suitcases and Umbrellas.
Bric-a-Brac	Household utensils
China and crockery	Jewellery and precious stones
Clocks and Watches	Memorabilia
Clothing	Motor vehicles and accessories
Compact Discs	Musical instruments and equipment
Computer and Console Games	Paintings and other artistic reproductions
Computer Software	Records, Tapes and Video recordings
Domestic appliances	Sculptures
DVD's	Tools
Electrical and Battery Powered appliances	Toys
	Video and Digital Cameras

**What are the Duties and Responsibilities of Licence Holders**

All second-hand dealers' licences are granted subject to a number of conditions which you must abide by. For the avoidance of doubt, and to assist by way of an aide memoire, the following is a list of the principal responsibilities to be borne by licence holders.

- (1) You must keep a record of the particulars of each transaction. The record must be a distinctive description of each article bought or received by you, the name, address and means of identification (e.g. driving licence, passport, bank book or card, rent book etc) of the person from whom the articles have been bought or received, the date of each transaction and the price paid. The

records must be kept for at least 3 years. The keeping of the records in computer form is acceptable to the Council.

- (2) All articles purchased or received by you (except goods bought at auction) must be kept in the place of business for a full 48 hours after they are recorded as bought in the record books.
- (3) You must, at all reasonable times, produce on demand to a Constable all articles in your possession, or which you may have received or purchased. In addition you must produce your books or computer records if required by a Court, or by Trading Standards Officers.
- (4) If advised by a Constable that particular goods or articles have been stolen, embezzled, or fraudulently obtained, and the goods should come into your possession, then, without unnecessary delay, you must advise the Police.
- (5) You or any person acting on your behalf may not at any time buy any articles from any person who is apparently under 14 years of age (unless young person is accompanied by a person who is at least 18 years of age).

### **Other Duties or Responsibilities of Licence Holders**

You should note that in addition to the foregoing responsibilities, an authorised officer of the licensing authority or the fire authority or a constable may at any reasonable time, exercise rights of entry and inspection of your second-hand dealers premises.

They may:-

- (a) enter and inspect any premises, used for second-hand dealing;
- (b) require production of and inspect, any equipment, plant, apparatus or stock-in-trade which you use in connection with your business; and
- (c) require you to produce any records or other documents you keep.

**Please be aware that these notes are no more than guidance on the responsibilities applicable to the grant of a Second-Hand Dealers Licence. You should refer to your licence certificate for authoritative information on the conditions attached to your licence.**