



## 2001 CHAPTER 8

### *Supplementary*

#### **General interpretation**

**25.—(1)** In this Act—

“authorised officer” means a person authorised by a council for the purposes of this Act;

“conditions”, in relation to a street trading licence, means conditions specified under section 7;

“council” means a district council;

“the Department” means the Department for Social Development;

“designated street” has the meaning given in section 3(2);

“designating resolution” has the meaning given in section 3(2);

“district” has the meaning given in section 148(1) of the Local Government Act (Northern Ireland) 1972 (c. 9);

“mobile trader” means a person authorised by a street trading licence to trade from a vehicle which goes from place to place, stopping for a time for the purpose of trading;

“receptacle” includes—

- (a) a vehicle, trailer or stall;
- (b) any basket, bag, box, vessel, stand, easel, board or tray; and
- (c) anything which is used (whether or not constructed or adapted for such use) as a container for, or for the display of—
  - (i) any article or thing, or
  - (ii) any equipment used in the supply of a service;

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*Changes to legislation: There are currently no known outstanding effects for the Street Trading Act (Northern Ireland) 2001, Cross Heading: Supplementary. (See end of Document for details)*

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- “sell” shall be construed in accordance with section 1(3);
- “stationary trader” means a person authorised by a street trading licence to trade from a street trading pitch;
- “statutory provision” has the meaning given in section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c. 33);
- “street trading” has the meaning given in section 1(2);
- “street trading licence” means a licence granted under this Act, but excludes a temporary licence;
- “street trading pitch” means the location at which a stationary trader is authorised by a street trading licence to engage in street trading;
- “supply” shall be construed in accordance with section 1(3);
- “temporary licence” means a licence granted under section 14;
- “thing” includes a living thing.

(2) References in this Act to premises include references to their curtilages.

(3) In this Act “street” includes—

- (a) any road or footpath within the meaning of Article 2(2) of the Road Traffic (Northern Ireland) Order 1995 (NI 18);
- (b) any public place within the meaning of subsection (4); and
- (c) any part of a street.

(4) In subsection (3) “public place” means a place in the open air within 10 metres of a road or footpath—

- (a) to which the public has access without payment, but
- (b) which is not within enclosed premises or the curtilage of a dwelling.

#### *S. 26—Amendments*

#### **Transitional provisions and saving**

**27.—**(1) Any existing licence in force immediately before the day appointed for the coming into operation of this Act—

- (a) shall on and after that day be deemed to be a street trading licence granted by the council for the district in which the holder of the existing licence is authorised to trade, and
- (b) shall remain in force, unless revoked, until 31st December next following that day.

(2) In subsection (1) “existing licence” means a licence under the Street Trading (Regulation) Act (Northern Ireland) 1929 (c. 9).

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(3) Nothing in this Act shall affect section 13 of the Markets and Fairs Clauses Act 1847 (c. 14) (sales elsewhere than in markets or in shops, &c., prohibited) as applied by any other statutory provision.

*S. 28—Repeals*

### **Commencement**

**29.—**(1) This Act, except this section and section 30, shall come into operation on such day as the Department may by order appoint<sup>F1</sup>.

(2) An order under subsection (1) may make such transitional provision as appears to the Department to be necessary or expedient in connection with the provisions brought into operation by the order.

<b>F1</b> fully exercised by SR 2001/164
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### **Short title**

**30.** This Act may be cited as the Street Trading Act (Northern Ireland) 2001.

**Changes to legislation:**

There are currently no known outstanding effects for the Street Trading Act (Northern Ireland) 2001, Cross Heading: Supplementary.