



2001 CHAPTER 8

Street traders to be licensed

Activities which are not street trading

2.—(1) The following activities are not street trading for the purposes of this Act—

- (a) trading by—
 - (i) selling articles or things, or
 - (ii) supplying a service,to the occupiers of premises adjoining any street, if the trading is carried out by means only of visiting those premises, whether by appointment or otherwise;
- (b) selling articles or things from a vehicle which is used only for the regular delivery of such articles or things to the occupiers of premises adjoining any street;
- (c) anything done in a market or fair the right to hold which was acquired by virtue of a grant (including a presumed grant) or acquired or established by virtue of any statutory provision;
- (d) doing anything—
 - (i) authorised by regulations made under section 5 of the Police, Factories, &c (Miscellaneous Provisions) Act 1916 (c. 31), or
 - (ii) authorised by a licence granted under the House to House Charitable Collections Act (Northern Ireland) 1952 (c. 6) or exempted by an order made under section 3 of that Act;

- (e) trading by a person acting as a pedlar under the authority of a pedlar's certificate granted under the Pedlars Act 1871 (c. 96), if the trading is carried out only by means of visits from house to house.
- (2) Trading which is carried out—
- (a) at or adjoining premises used as a petrol filling station; or
 - (b) at or adjoining premises used as a shop,
- is not street trading for the purposes of this Act if—
- (i) it forms part of the business of the owner or the occupier of the premises, and
 - (ii) takes place during the period when the premises are open to the public for business.
- (3) Trading as a news vendor is not street trading for the purposes of this Act if—
- (a) the only articles sold are newspapers or periodicals, and
 - (b) they are sold without a receptacle or from a receptacle which is carried by the vendor.
- (4) The Department may by order subject to affirmative resolution—
- (a) vary (whether by addition, omission or alteration) the activities which are not street trading for the purposes of this Act, and
 - (b) amend subsections (1) to (3), as they have effect for the time being, in such manner as appears necessary or expedient in consequence of such variation.