

PLUS ADVISORY ON THE REGISTRATION PROCESS UNDER THE NEW REGULATORY REGIME FOR SECONDHAND GOODS DEALERS

Introduction

A new law to regulate secondhand goods dealers, which is known as the Secondhand Goods Dealers Act (henceforth known as “the Act”) will come into effect on 1 Dec 2007. With the introduction of this new law, the existing Secondhand Dealers Act, Cap 288, will be repealed on the same date.

Rationale for the New Rules

- 2 The rationale for the new Act and its regulations are threefold:
 - a. To enable the legislation to be more flexible in adapting to changing crime trends;
 - b. To strengthen and facilitate crime control and investigation; and
 - c. To allow Police to adopt more pro-business approaches in regulating secondhand dealers.

Who Would Fall Under Regulation?

3 From 1 Dec 2007, all dealers¹ who deal in the following secondhand goods (henceforth referred to as “scheduled goods”) would be regulated, regardless of whether such dealing takes place at a shopfront, via a makeshift stall or over the Internet.

1. Cameras, video-graphic and photographic equipment including lenses;
2. Computers including Tablet Personal Computers, Laptops, Palmtops, Personal Digital Assistants and computer accessories;
3. Handphones, Personal Digital Assistant Handphones and Smartphones;
4. Compact Disc players and Moving Picture Experts Group-1 Audio Layer 3 players and Moving Picture Experts Group-1 Audio Layer 4 players;
5. Jewellery set with precious stones including but not limited to diamonds, jade, rubies, sapphires and emeralds;
6. Jewellery made from platinum, gold and white gold without precious stones;
7. Pawn tickets;

¹ This would exclude pawnbrokers as they are already governed under the Pawnbrokers' Act.

8. Watches;
9. Cables and wires made of copper;
10. Items (in whole or parts) that are made of copper, stainless steel, aluminium, steel or brass or a composite of such metals, and that are used or intended to be used as fittings or installations that form part of, or are attached to, any building, road, sidewalk, amenity or other place (whether public or private), including but not limited to the following:
 - (a) bicycle racks;
 - (b) drain covers;
 - (c) dry risers;
 - (d) earth bars;
 - (e) fencings;
 - (f) frames or other parts of a door or window;
 - (g) grills;
 - (h) hydrants;
 - (i) lightning conductors;
 - (j) manhole covers;
 - (k) meters;
 - (l) over-ground boxes;
 - (m) park benches;
 - (n) pipes;
 - (o) railings;
 - (p) rubbish bins or parts thereof;
 - (q) signs or signposts;
 - (r) sinks;
 - (s) television aerials; or
 - (t) water taps; or
11. Scraps of copper, stainless steel, aluminium, steel or brass or any composite of such metals, whether in the form of bars, rods, sheets, turnings or parts of disassembled items or articles, or otherwise, but excluding scraps derived from drink cans or household utensils or articles.

4 Dealers who do not deal in any of the above scheduled goods will not be regulated under the new law.

Existing Licensees

5 Existing licences issued to secondhand goods dealers under the former Act will remain valid until expiry. However, these existing dealers would have to register with Police before 31 Dec 07 when their existing licence expires, if they intend to deal in the goods as listed in the Schedule of the Act beyond 31 Dec 07.

6 The purpose of the registration is for Police to determine whether there is a need for the registrant to be licensed. If there is no such need, the dealer may proceed to operate as an exempted secondhand goods dealer under the new law.

New Secondhand Goods Dealers

7 Dealers who deal in the secondhand goods listed in the Schedule and who commence business on or after 1 Dec 2007 are required to register with Police before commencing operations. Registrants may register with Police Licensing Division from 19 Nov 2007. The registration will be based on the location where the dealing in secondhand goods takes place. If the business operations comprise several branches or Uniform Resource Locator (URLs for Internet dealing) or different points of dealing in secondhand goods (for itinerant businesses), each branch, URL or point of dealing will require a separate registration.

Supporting Documents

8 Each registrant should prepare copies of the following documents to support his registration:

- a. Accounting & Corporate Regulatory Authority (ACRA) record if his or her business is operating as an entity of “business” as stated under the Business Registration Act;
- b. Approved IDA licence (if he / she intends to deal in secondhand telecommunications equipment which are scheduled goods); and
- c. Tenancy agreement with the landlord for the premises use (where applicable).

9 Sunk investments will not be regarded as grounds for either an exemption or licence to be granted. Hence, registrants are advised to consider the financial commitment to their business carefully if an exemption or licence has yet been granted.

Registration Process

10 Registrants could either register in person at Police Licensing Division (see address below) or via post. Registrants applying in person should bring along with them the relevant documents (a), (b) and (c) above. These documents are to be submitted along with the application form. Registrants registering via post, can download a copy of the registration form from Police Licensing Division’s webpage at <http://www.spf.gov.sg/licence/>.

11 Registrants are to list down exhaustively the types of scheduled goods they intend to deal in on the form. An online mode of registration and other licensing services is in the pipeline and is expected to be ready in 2008.

Registration Outcomes

12 Registration is free. Registrants will be informed of the outcome via post about two weeks from the receipt of the registration form and all supporting documents as to whether they are “Exempted” or “Licensed”.

Exemption

13 For registrants who are eligible for exemption, they will be notified via post that they may proceed to deal in the Scheduled goods without the need to apply for a licence or pay any fees, for as long as the registered business is in operation and the registrant does not become a subject of police investigations for the commission of any offence under the Act or one that involves fraud or dishonesty. Exempted dealers will still be required to comply with various requirements as stipulated in the Act, for instance, keeping records of transactions including particulars of persons who buy/ sell the secondhand goods.

Ordinary Licence

14 For registrants who are not eligible for exemption but have to hold a licence in order to deal in secondhand goods, there is no need for them to apply separately for a licence. Police will issue them with an ordinary licence.

Temporary Licence

15 A temporary licence is valid for dealing in secondhand goods at a stipulated site [includes physical location as well as URL] for a period of 30 days only. Secondhand goods dealers who wish to market test certain goods, or those who intend to run road shows, makeshift stalls or “pasar malams”, may choose to apply for a temporary licence, instead of an ordinary one, to cater to their short-term business needs.

Fees

16 The fees are as follows:

- a. Ordinary Licence (Annual) - \$150;
- b. Temporary Licence (30 days at a specific site) - \$40;
- c. Licence transfer and a change in licensee – \$40;
- d. Change in any particulars such as name and address of business, URL, email address, place of storage, type of secondhand goods, appointment of office bearer, and any other information provided in the application form – \$20; and
- e. Replacement licence – \$10.

Payment Modes

17 Dealers may attend in person at Police Licensing Division to make payment via cash or NETS, and collect their licence on the spot after payment is received. Alternatively, they can make payment via crossed cheque addressed to “Accountant-General” and send it via post to Police Licensing Division at:

Police Licensing Division
Police Cantonment Complex
Block D, 391 New Bridge Road
#02-701
Singapore 088762

Once payment is received, the approved licence will be sent via post to the licensee or the licensee may opt to collect it at Police Licensing Division.

For Further Queries & Feedback

18 For further queries and feedback, please contact Police Licensing Division during office hours through any of the following channels.

Telephone

19 Call us via our general enquiry line at Tel. No. 68350000

Email

20 Email us at spf_ops_licensing@spf.gov.sg

Over the Counter

21 Address:
Police Licensing Division
Police Cantonment Complex
Block D, 391 New Bridge Road
#02-701
Singapore 088762

Please see **Annex A** for a list of the Frequently Asked Questions.