

THE STATUTES OF THE REPUBLIC OF SINGAPORE

AUCTIONEERS' LICENCES ACT
(CHAPTER 16)

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10 of 1906

Amended by
21 of 1906
32 of 1949
3 of 1950
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Auctioneers' Licences Act

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An Act to provide for the licensing of auctioneers,
appraisers and house agents.

[1st July 1906]

1. This Act may be cited as the Auctioneers' Licences Act. Short title.

2. Every person who exercises or carries on the trade or business of an auctioneer, or who acts in such capacity at any sale, and every person who sells or offers for sale any goods or chattels, lands, tenements or hereditaments or any interest therein at any sale where any person becomes the purchaser of the same by competition and being the highest bidder, either by being the single bidder or by increasing Definition of auctioneer.

upon the biddings made by others or decreasing on sums named by the auctioneer or person acting as auctioneer or other person at the sale, or by any other mode of sale by competition, shall be deemed to carry on the trade or business of an auctioneer and shall be an auctioneer within the meaning of this Act.

Auctioneers
to be
licensed.

3. Every auctioneer shall, before conducting any sale by auction, take out a licence substantially in the Form A in the Schedule.

Definition of
appraiser.

4. Every person who values or appraises any estate or property, lands, tenements or hereditaments, or any interest in possession or reversion, remainder or contingency in any estate or property movable or immovable, or any goods, merchandise or effects of whatsoever kind or description for or on expectation of any hire, gain, fee or reward or valuable consideration to be paid, to him therefor, shall be deemed to carry on the business of an appraiser, and shall be an appraiser within the meaning of this Act.

Appraisers to
be licensed.

5. Every appraiser shall take out a licence in the Form B in the Schedule.

Definition of
house agent.

6. Every person, firm or company who —

- (a) as an agent for any other person, for or in expectation of any fee, gain or reward of any kind, advertises for sale or letting any furnished house or part of any furnished house;
- (b) by any public notice or advertisement or by any inscription in or upon any house, shop or place used or occupied by him, or by any other ways or means, holds himself out to the public as an agent for selling or letting furnished houses; or
- (c) lets or sells or makes or offers or receives any proposal or in any way negotiates for the selling or letting of any furnished house or part of any furnished house,

shall be deemed to be a person using and exercising the business, occupation and calling of a house agent, and shall be a house agent within the meaning of this Act.

7. Every person, firm or company carrying on the business of a house agent shall take out a licence in the Form C in the Schedule. House agents to be licensed.

8. Every licence to be taken out under the authority of this Act shall contain and set forth — Contents of licence.

- (a) the purpose, trade or business for which the licence is granted;
- (b) the true name and place of abode of the person taking it out;
- (c) the true date or time of granting the licence; and
- (d) the principal place of business at which the trade or business for which the licence is granted shall be carried on.

9.—(1) Every licence shall expire on 31st December and shall be renewed annually 10 days at least before the expiration thereof. Expiry and renewal of licences.

(2) Any person who having had such a licence continues to carry on the trade or business for which the licence was granted in the year next ensuing its expiration and omits to renew it as aforesaid, and any person who carries on a trade or business required by this Act to be licensed without taking out a licence shall, except as provided in this Act, each be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000. Penalties.

10. It shall not be necessary for —

- (a) any Sheriff, bailiff or other officer of a court of justice, acting under the authority of the court and appraising any goods or chattels, whatever may be the value, or selling any goods or chattels, whether under writ of seizure and sale, distress or other writ or order to levy a sum not exceeding \$100, exclusive of expenses, or where the property to be sold is not expected to exceed that sum, to take out a licence as an appraiser or auctioneer under this Act; Exemption of officers of courts in levies not exceeding \$100.
- (b) any police officer, land office bailiff or other public servant in any department of the Government service to take out a licence as an auctioneer for the purpose of conducting a sale by auction held under the provisions of any written law or departmental regulations;

Sale of fish
on seashore.

- (c) any person to take out a licence as an auctioneer in order to enable him to sell fish by auction on the seashore where the fish has been first landed.

Full name of
auctioneer to
be displayed
at every
auction sale.

11.—(1) Every auctioneer before beginning any auction shall affix or suspend or cause to be affixed or suspended a ticket or board containing his true and full name and residence, painted, printed or written in large letters, publicly visible and legible in some conspicuous part of the house, room or place where the auction is held, so that all persons may easily see the ticket or board, and shall also keep the ticket or board so affixed or suspended during the whole time the auction is being held.

(2) Any auctioneer, who begins any auction or acts as an auctioneer at any auction in any house, room or place where his name and residence is not so painted or written on a ticket or board so affixed or suspended as aforesaid, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500.

No exemp-
tion to
auctioneers
from taking
out special
licences.

12. Nothing in this Act shall exempt any auctioneer from taking out in addition to the licence granted to him as auctioneer such further licence as is required by law to deal in or retail or vend, trade in or sell any goods or commodities for which a special licence is required before he is permitted or authorised to sell the goods or commodities by auction.

Exceptions.

13. This Act shall not extend to require —

- (a) any agent employed in the management of landed estates to take out a licence under this Act for that purpose;
- (b) any advocate and solicitor who as such has in force a practising certificate, or any auctioneer having in force a licence as such under this Act, to take out in addition thereto a licence as a house agent;
- (c) any auctioneer having a licence in force under this Act to take out in addition thereto a licence as an appraiser;
- (d) any appraiser having a licence in force under this Act to take out in addition thereto a licence as a house agent; or

- (e) any person licensed under section 19 (4) of the Pawnbrokers Act for selling unredeemed pledges to take out in addition thereto a licence under this Act for the purpose of conducting such sales only. Cap. 222.

14. The officer empowered to grant licences may refuse any application for a licence or to renew any licence, and may cancel the licence of any person who has been convicted of any offence under this Act or who has failed to account for or pay over any moneys or property which have come into his possession or control as such licensed person, or if an auctioneer has parted with any property entrusted to him for sale without obtaining payment for it and has failed to make good to his employer the value thereof or has otherwise misconducted himself as an auctioneer. Refusal and cancellation of licences.

15. The judgment of any court of competent jurisdiction whether civil or criminal, having the effect of finding that any licensed person — Evidence of misconduct.

- (a) is liable or responsible for any money or property come into his possession or control as a licensed person under circumstances amounting to a breach of trust or duty;
- (b) has committed any offence as an auctioneer or agent;
- (c) has contravened any statutory provision as to the conduct of sales by auction; or
- (d) has paid or agreed to pay to his employer any part of his charges or expenses by way of return commission when the employer is a person accountable to any other person for the proceeds of the sale,

shall be ground for the cancellation of his licence.

16. Any offence punishable under this Act may be tried by a District Court. Offences triable by District Court.

17.—(1) The officer holding the office of Comptroller of Property Tax is hereby empowered to grant licences under the provisions of this Act. Power to grant licences.

(2) Every licence granted under this Act shall be granted under the hand of the Comptroller of Property Tax.

(3) The issue of any licence shall be notified as soon as possible in the *Gazette*.

(4) On every such licence there shall be paid in money by the person taking out or renewing the licence to the officer empowered to grant the licence, such fee as may be prescribed by the Minister in respect of the class of licence to which the licence belongs, and no licence shall be granted or renewed under this Act until such fee has first been paid.

(5) The Minister may from time to time prescribe such fees as are referred to in subsection (4) by order to be published in the *Gazette* and may prescribe different fees for different classes of licences.

Power to make regulations.

18.—(1) The Minister may make regulations to regulate sales by public auction and to check collusive or fraudulent sales, and the regulations may provide amongst other things for the length of notice to be given and the manner of advertising sales on the instructions of mortgagees acting under powers of sale or of any person in a position of trust with respect to or liable to account for the proceeds of sale.

(2) The breach of any regulations made under this section shall render the auctioneer liable to cancellation of his licence.

(3) All such regulations shall be presented to Parliament and shall not come into force until approved by a resolution of Parliament.

THE SCHEDULE

FORM A

Section 3.

The Auctioneers' Licences Act
(Chapter 16)

AUCTIONEER'S LICENCE

Subject to the provisions of the Auctioneers' Licences Act and all regulations made thereunder
residing at _____ and
carrying on the business of an _____ at _____
is hereby licensed to conduct sales
by auction at his place of business as described above or elsewhere in
Singapore.

This Licence will continue in force until 31st December 19 _____,
unless previously cancelled under sections 14 and 15 of the Act.

Given under my hand this _____ day of _____ 19 _____.

Comptroller of Property Tax

Prescribed fee of
\$ _____ paid.

FORM B

*The Auctioneers' Licences Act
(Chapter 16)*

Section 5.

APPRAISER'S LICENCE

Subject to the provisions of the Auctioneers' Licences Act and all regulations made thereunder

residing at
and carrying
on the business of an
at is hereby
licensed to carry on the business of an appraiser at his place of business
as described above or elsewhere in Singapore.

This Licence will continue in force until 31st December 19 ,
unless previously cancelled under sections 14 and 15 of the Act.

Given under my hand this day of 19 .

Comptroller of Property Tax

Prescribed fee of
\$ paid.

FORM C

*The Auctioneers' Licences Act
(Chapter 16)*

Section 7.

HOUSE AGENT'S LICENCE

Subject to the provisions of the Auctioneers' Licences Act and all regulations made thereunder

carrying on the business of house agent at
is
are hereby licensed to carry
on the business of house agent at $\frac{\text{his}}{\text{their}}$ place of business as described
above or elsewhere in Singapore.

This Licence will continue in force until 31st December 19 ,
unless previously cancelled under sections 14 and 15 of the Act.

Given under my hand this day of 19 .

Comptroller of Property Tax

Prescribed fee of
\$ paid.