



THE STATUTES OF THE REPUBLIC OF SINGAPORE

**SECONDHAND GOODS DEALERS
ACT 2007**

2020 REVISED EDITION

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Secondhand Goods Dealers Act 2007

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An Act to provide for the licensing and control of dealers in secondhand goods and for matters connected therewith.

[1 December 2007]

Short title

1. This Act is the Secondhand Goods Dealers Act 2007.

Interpretation

- 2.—(1) In this Act, unless the context otherwise requires —
 - “goods” in the expression “secondhand goods” means any of the goods specified in the Schedule;
 - “licence” means a licence issued under section 5;
 - “Licensing Officer” means the Licensing Officer appointed under section 3 and includes an Assistant Licensing Officer;
 - “secondhand goods dealer” means any person who deals in secondhand goods;
 - “shop” includes a stall, house, flat, place of business, place of storage of secondhand goods, an administrative office or any other premises from which the business of a secondhand goods dealer is being carried out, whether electronically or otherwise;
 - “stolen property” means property, the possession of which has been transferred by theft, extortion or robbery, which has been criminally misappropriated or in respect of which criminal breach of trust or cheating has been committed, whether the transfer has been made or the misappropriation or breach of trust or cheating has been committed within or out of Singapore; but does not include such property which subsequently comes into the possession of a person legally entitled to the possession of the property.
- (2) For the purposes of this Act, a reference to a person who deals in secondhand goods includes a reference to a person in Singapore who deals in secondhand goods through the Internet.
- (3) Every person in whose shop secondhand goods are found apparently exposed for sale, or who is found in possession of secondhand goods of an unusual quantity, is deemed, until the contrary is proved, to be a person who deals in secondhand goods.

Appointment of Licensing Officer and Assistant Licensing Officers

3. The Minister may, by notification in the *Gazette*, appoint —
- (a) a Licensing Officer for the purposes of this Act; and
 - (b) such number of Assistant Licensing Officers as may be necessary.

Dealing in secondhand goods

4.—(1) A person must not deal in secondhand goods except under and in accordance with the conditions of a licence issued under section 5.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

Issuance, renewal and conditions of licence

5.—(1) An application for a licence must be —

- (a) made to the Licensing Officer in such form or manner as the Licensing Officer may require; and
- (b) accompanied by —
 - (i) such particulars, information and documents as the Licensing Officer may require; and
 - (ii) the prescribed fee and any other prescribed charge.

(2) Upon receipt of an application under subsection (1), the Licensing Officer may issue a licence to the applicant subject to such conditions as the Licensing Officer may impose.

(3) The Licensing Officer may at any time add to, vary or revoke any condition of a licence imposed under subsection (2).

(4) The Licensing Officer must, before adding to, varying or revoking any condition of a licence under subsection (3), give the licensee —

- (a) written notice of the Licensing Officer's intention to do so; and

- (b) an opportunity to be heard, within such time as may be specified in the notice, as to why the condition should not be added to, varied or revoked.

(5) Any person who is aggrieved by the Licensing Officer's decision under this section may, within 14 days of being notified of the decision, appeal in writing to the Minister whose decision is final.

(6) A licence may be renewed upon its expiry, and subsections (1) to (5) apply, with the necessary modifications, to an application for the renewal of a licence.

(7) Any person who, in making an application for a licence —

- (a) makes any statement or provides any particulars, information or document which the person knows to be false or does not believe to be true; or

- (b) by the intentional suppression of any material fact, provides any information which is misleading,

shall be guilty of an offence.

Form and validity of licence

6. A licence must —

- (a) be in such form as the Licensing Officer determines;

- (b) contain the conditions subject to which it is issued; and

- (c) be valid for such period as may be specified in the licence.

Transfer of licence

7.—(1) A person must not transfer the person's licence to another person except with the Licensing Officer's consent and upon payment of the prescribed fee.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

Revocation or suspension of licence

8.—(1) The Licensing Officer may revoke a licence or suspend a licence for such period as he or she thinks fit —

- (a) if the Licensing Officer is satisfied that the licensee —
 - (i) has ceased to carry on the business for which the licensee has been licensed or, if the licensee being a company, has gone into liquidation or is wound up or otherwise dissolved;
 - (ii) has improperly obtained the licence contrary to the provisions of this Act;
 - (iii) is no longer a fit and proper person to continue to hold a licence;
 - (iv) has been convicted of any offence involving dishonesty or, if the licensee is a company, any of its officers holding a managerial or an executive position has been convicted of any offence involving dishonesty;
 - (v) is carrying on or has carried on the business of a secondhand goods dealer in such a manner as to render the licensee unfit to continue to hold a licence;
 - (vi) has failed to comply with any condition of the licence;
 - (vii) is contravening or has contravened any of the provisions of this Act; or
 - (viii) has been convicted of any offence under this Act or, if the licensee is a company, any of its officers holding a managerial or an executive position has been convicted of any offence under this Act; or
- (b) if the Licensing Officer considers it in the public interest to do so.

(2) The Licensing Officer must, before revoking or suspending any licence under subsection (1), give the licensee written notice of the Licensing Officer's intention to do so, specifying a date, not less than

14 days after the date of the notice, upon which the revocation or suspension takes effect and calling upon the licensee to show cause to the Licensing Officer why the licence should not be revoked or suspended.

(3) When the Licensing Officer has revoked or suspended a licence under subsection (1), he or she must immediately inform the licensee by notice in writing of the revocation or suspension.

(4) Any person whose licence has been revoked or suspended under subsection (1) may, within 14 days of the receipt of the notice mentioned in subsection (3) or such extended period of time as the Minister may allow, appeal in writing against the revocation or suspension to the Minister whose decision is final.

(5) Any revocation or suspension of a licence does not take effect until the expiration of a period of 14 days after the Licensing Officer has informed the licensee of the revocation or suspension in accordance with subsection (3), and if within that period, the licensee gives due notice that an appeal has been made to the Minister, the revocation or suspension order does not take effect unless the revocation or suspension order is confirmed by the Minister or the appeal is for any reason dismissed by the Minister.

(6) Where any licence has been suspended under subsection (1), the Licensing Officer may, at any time and subject to such conditions as he or she may think fit to impose, lift the suspension if he or she considers it appropriate to do so.

Effect of revocation or suspension of licence

9.—(1) Where any revocation or suspension of a licence becomes effective under section 8(5), the licensee must cease to carry on the business of a secondhand goods dealer.

(2) Subsection (1) does not prejudice the enforcement by any person of any right or claim against the licensee or by the licensee of any right or claim against any person arising out of or concerning any matter or thing done prior to the revocation or suspension of the licence.

Keeping proper records

10.—(1) Every secondhand goods dealer must keep in the dealer's shop —

- (a) records of the particulars of all goods bought by the dealer, including the dates of purchase, the names and addresses of the persons from whom the dealer bought the goods and such other particulars as may be prescribed; and
- (b) records of the particulars of all goods sold by the dealer, including the dates of sale, the names and addresses of the persons to whom the dealer sold the goods and any other prescribed particulars.

(2) Every secondhand goods dealer must submit to the Licensing Officer the records referred to in subsection (1) at such time and in such format and through such medium (whether electronic or otherwise) as the Licensing Officer may require.

(3) Every secondhand goods dealer must retain the records mentioned in subsection (1) for a period of not less than 5 years from the end of the financial year in which the transactions or operations to which those records relate are completed.

(4) Every secondhand goods dealer must produce the records mentioned in subsection (1) for examination at any time on demand by any Magistrate, Justice of the Peace, the Licensing Officer or a police officer.

(5) Any person who —

- (a) contravenes subsection (2), (3) or (4); or
- (b) in compliance or purported compliance with subsection (2), (3) or (4), fabricates, keeps, submits or produces to the Licensing Officer or to a Magistrate, Justice of the Peace or police officer, any record which the person knows is false or misleading,

shall be guilty of an offence.

Information of stolen and lost property to be given to secondhand goods dealers

11.—(1) Where a police officer has received any information as to any stolen property or as to any property which has been lost, he or she may, if he or she thinks it necessary or expedient to assist in the recovery of the property, disseminate the information to all secondhand goods dealers, with lists and descriptions of the stolen or lost property.

(2) If any secondhand goods dealer possesses any property fitting such lists and descriptions mentioned in subsection (1) or such property is thereafter offered to or shown to any secondhand goods dealer, the secondhand goods dealer —

- (a) must, without unnecessary delay, make a report to any police officer, with the name and address of the person in whose possession the property was seen; and
- (b) may detain the person offering or showing the secondhand goods dealer such property until the arrival of a police officer.

(3) Any person who contravenes subsection (2)(a) shall be guilty of an offence.

Power to enter and search secondhand goods dealer's shop, etc.

12.—(1) Any police officer may enter the shop of any secondhand goods dealer at any time and may, without a warrant, search the shop for any property which he or she has reason to suspect to be in the shop and to be stolen property or property that has been lost.

(2) Any police officer may at any time enter and search without a warrant any shop where he or she has reason to suspect that any person is dealing in secondhand goods without a licence issued under this Act.

(3) For the purposes of exercising his or her powers under this section, a police officer may, with such assistance as he or she considers necessary, break open any door, window, lock, fastener, floor, wall, ceiling, compartment, box, container or any other thing.

(4) Any police officer may seize any secondhand goods found in any shop mentioned in subsection (1) or (2).

Power to arrest persons loitering suspiciously about secondhand goods dealer's shop

13.—(1) Any police officer, having reason to believe that a person in or loitering about the shop of any secondhand goods dealer under suspicious circumstances has any stolen property with him or her, may arrest that person and require that person to produce any property which that person has with him or her.

(2) Where any property is produced by any person under subsection (1) and if the police officer has reason to suspect that property to be stolen property, the police officer may take the person and the property, or cause the person and property to be taken, to a police station to be dealt with according to law.

Delivery to owner of property

14.—(1) If any person is convicted in any court of an offence under Chapter 17 of the Penal Code 1871 in respect of any property, and it appears to the court that the property has been sold to a secondhand goods dealer, the court may, on proof of the ownership of the property and if it thinks fit, order the delivery of the property to the owner either on payment to the secondhand goods dealer of the amount of the purchase price or any part thereof, or without payment thereof or of any part thereof, as seems just and fitting to the court according to the conduct of the owner and the other circumstances of the case.

(2) The court may also adjourn the proceedings for the attendance of the secondhand goods dealer and may summon the secondhand goods dealer to attend at the adjourned hearing.

(3) If after hearing the secondhand goods dealer the court is satisfied that the secondhand goods dealer, before purchasing the property mentioned in subsection (1) —

- (a) ought reasonably to have known or suspected that the property was stolen property; and

- (b) did not exercise due care and diligence to ascertain that the property was not stolen property,

the court may order the secondhand goods dealer to pay a financial penalty not exceeding \$2,000.

Offences by bodies corporate, etc.

15.—(1) Where an offence under this Act committed by a body corporate is proved —

- (a) to have been committed with the consent or connivance of an officer; or

- (b) to be attributable to any neglect on the officer's part,

the officer as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with his or her functions of management as if he or she were a director of the body corporate.

(3) Where an offence under this Act committed by a partnership is proved —

- (a) to have been committed with the consent or connivance of a partner; or

- (b) to be attributable to any neglect on the partner's part,

the partner as well as the partnership shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(4) Where an offence under this Act committed by an unincorporated association (other than a partnership) is proved —

- (a) to have been committed with the consent or connivance of an officer of the unincorporated association or a member of its governing body; or

- (b) to be attributable to any neglect on the part of such an officer or a member,

the officer or member as well as the unincorporated association shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(5) In this section —

“body corporate” includes a limited liability partnership which has the meaning given by section 2(1) of the Limited Liability Partnerships Act 2005;

“officer” —

(a) in relation to a body corporate, means any director, partner, member of the committee of management, chief executive, manager, secretary or other similar officer of the body corporate and includes any person purporting to act in any such capacity; or

(b) in relation to an unincorporated association (other than a partnership), means the president, the secretary, or any member of the committee of the unincorporated association, or any person holding a position analogous to that of president, secretary or member of a committee and includes any person purporting to act in any such capacity;

“partner” includes a person purporting to act as a partner.

Liability for offences

16.—(1) Where an offence under this Act is committed by any person acting as an agent or employee of another person, or being otherwise subject to the supervision or instruction of another person for the purposes of any employment in the course of which the offence was committed, that other person shall, without affecting the liability of the firstmentioned person, be liable under this Act in the same manner and to the same extent as if that other person had personally committed the offence if it is proved that the act which constituted the offence was committed with that other person's consent or connivance or that it was attributable to any neglect on that other person's part.

(2) Where any person, being an agent or employee employed by a secondhand goods dealer in the course of the secondhand goods dealer's business as such, wilfully does any act or commits any omission that constitutes an offence under this Act, that person shall also be guilty of that offence and shall be liable to the fine or punishment prescribed for that offence, as if that person were the person carrying on such business as a secondhand goods dealer.

Jurisdiction of court

17. Despite any provision to the contrary in the Criminal Procedure Code 2010, a District Court has jurisdiction to try any offence under this Act and has power to impose the full penalty or punishment in respect of the offence.

General penalty

18. Any person who is guilty of an offence under this Act shall be liable on conviction to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both.

Composition of offences

19.—(1) The Licensing Officer may compound any offence under this Act that is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding \$2,000.

(2) On payment of the sum of money, no further proceedings are to be taken against that person in respect of the offence.

(3) The Minister may make rules to prescribe the offences which may be compounded.

Exemption

20.—(1) The Minister may, by order in the *Gazette*, with or without conditions, exempt any person or class of persons from all or any of the provisions of this Act.

(2) If any exemption is granted under this section with conditions, the exemption operates only if the conditions are complied with.

Amendment of Schedule

21. The Minister may, by order in the *Gazette*, amend the Schedule.

Rules

22. The Minister may make rules for any of the following purposes:

- (a) to prescribe the fees and charges payable for the purposes of this Act;
- (b) to prescribe the forms to be used for the purposes of this Act;
- (c) to prescribe the records to be kept by secondhand goods dealers and the particulars to be entered in the records;
- (d) generally to carry out the purposes of this Act.

THE SCHEDULE

Section 2(1)

SECONDHAND GOODS

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.
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;

THE SCHEDULE — *continued*

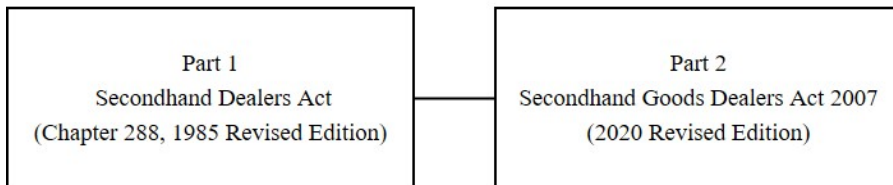
- (m) park benches;
- (n) pipes;
- (o) railings;
- (p) rubbish bins or parts thereof;
- (q) signs or signposts;
- (r) sinks;
- (s) television aerials;
- (t) water taps.

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.

LEGISLATIVE HISTORY
SECONDHAND GOODS DEALERS
ACT 2007

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

PICTORIAL OVERVIEW OF PREDECESSOR ACTS



LEGISLATIVE HISTORY DETAILS

PART 1
SECONDHAND DEALERS ACT
(CHAPTER 288, 1985 REVISED EDITION)

1. Ordinance 21 of 1917 — Second-hand Dealers Ordinance, 1917

Bill	:	G.N. No. 1027/1917
First Reading	:	27 August 1917
Second Reading	:	7 September 1917
Notice of Amendments	:	7 September 1917
Third Reading	:	24 September 1917
Commencement	:	18 October 1918

2. 1920 Revised Edition — Ordinance No. 163 (Second-hand Dealers)

Operation	:	28 November 1921
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3. 1926 Revised Edition — Ordinance No. 163 (Second-hand Dealers)

Operation	:	1 August 1926
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4. Ordinance 14 of 1926 — Second-hand Dealers (Amendment) Ordinance, 1926

Bill	:	G.N. No. 45/1926
First Reading	:	1 February 1926
Second Reading	:	29 March 1926

Third Reading	:	6 September 1926
Commencement	:	23 September 1926

5. Ordinance 2 of 1934 — Second-hand Dealers (Amendment) Ordinance, 1934

Bill	:	G.N. No. 2096/1933
First Reading	:	4 December 1933
Second Reading	:	12 February 1934
Notice of Amendments	:	12 February 1934
Third Reading	:	12 February 1934
Commencement	:	14 February 1934

6. 1936 Revised Edition — Second-hand Dealers Ordinance (Chapter 215)

Operation	:	1 September 1936
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7. Ordinance 41 of 1936 — Statute Law (Revised Edition) Amendment Ordinance, 1936

(Amendments made by section 2 read with item XIV of the Schedule to the above Ordinance)

Bill	:	G.N. No. 3285/1936
First and Second Readings	:	7 December 1936
Notice of Amendments	:	7 December 1936
Third Reading	:	7 December 1936
Commencement	:	30 December 1936 (section 2 read with item XIV of the Schedule)

8. Ordinance 20 of 1939 — Second-Hand Dealers (Amendment) Ordinance, 1939

Bill	:	G.N. No. 1017/1939
First Reading	:	24 April 1939
Second and Third Readings	:	12 June 1939
Commencement	:	30 June 1939

9. Ordinance 8 of 1955 — Revised Edition of the Laws (Miscellaneous Amendments) Ordinance, 1955

(Amendments made by section 2 read with item 25 of the Schedule to the above Ordinance)

Bill	:	45/1954
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First Reading	:	14 December 1954
Second and Third Readings	:	28 January 1955
Commencement	:	4 February 1955 (section 2 read with item 25 of the Schedule)

10. Ordinance 37 of 1952 — Law Revision (Penalties Amendment) Ordinance, 1952

(Amendments made by section 2 read with item 74 of the Schedule to the above Ordinance)

Bill	:	32/1952
First Reading	:	16 September 1952
Second and Third Readings	:	14 October 1952
Commencement	:	30 April 1955 (section 2 read with item 74 of the Schedule)

11. 1955 Revised Edition — Second-hand Dealers Ordinance (Chapter 200)

Operation	:	1 July 1956
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12. Ordinance 19 of 1957 — Second-hand Dealers (Amendment) Ordinance, 1957

Bill	:	106/1957
First Reading	:	22 May 1957
Second and Third Readings	:	19 June 1957
Commencement	:	5 July 1957

13. Ordinance 71 of 1959 — Transfer of Powers Ordinance, 1959

(Amendments made by section 4 read with the First Schedule to the above Ordinance)

Bill	:	30/1959
First Reading	:	22 September 1959
Second and Third Readings	:	11 November 1959
Commencement	:	20 November 1959 (section 4 read with the First Schedule)

14. Ordinance 72 of 1959 — Transfer of Powers (No. 2) Ordinance, 1959

(Amendments made by section 2 read with the First Schedule to the above Ordinance)

Bill	:	31/1959
First Reading	:	22 September 1959

Second Reading	:	11 November 1959
Notice of Amendments	:	11 November 1959
Third Reading	:	11 November 1959
Commencement	:	20 November 1959 (section 2 read with the First Schedule)

15. Ordinance 10 of 1960 — Second-hand Dealers (Amendment) Ordinance, 1960

Bill	:	51/1959
First Reading	:	29 December 1959
Second and Third Readings	:	14 January 1960
Commencement	:	15 February 1960

16. Act 23 of 1970 — Second-hand Dealers (Amendment) Act, 1970

Bill	:	18/1970
First Reading	:	7 May 1970
Second and Third Readings	:	21 May 1970
Commencement	:	17 July 1970

17. 1970 Revised Edition — Secondhand Dealers Act (Chapter 227)

Operation	:	31 July 1971
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18. Act 21 of 1973 — Statutes of the Republic of Singapore (Miscellaneous Amendments) Act, 1973

(Amendments made by section 2 read with the Schedule to the above Act)

Bill	:	16/1973
First Reading	:	7 March 1973
Second and Third Readings	:	20 March 1973
Commencement	:	6 April 1973 (section 2 read with the Schedule)

19. 1985 Revised Edition — Secondhand Dealers Act (Chapter 288)

Operation	:	30 March 1987
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PART 2
SECONDHAND GOODS DEALERS ACT 2007
(2020 REVISED EDITION)

20. Act 4 of 2007 — Secondhand Goods Dealers Act 2007

Bill	:	16/2006
First Reading	:	8 November 2006
Second and Third Readings	:	22 January 2007
Commencement	:	1 December 2007

21. G.N. No. S 555/2007 — Secondhand Goods Dealers Act (Amendment of Schedule) Order 2007

Commencement	:	1 December 2007
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22. 2008 Revised Edition — Secondhand Goods Dealers Act (Chapter 288A)

Operation	:	31 July 2008
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Abbreviations

C.P.	Council Paper
G.N. No. S (N.S.)	Government Notification Number Singapore (New Series)
G.N. No.	Government Notification Number
G.N. No. S	Government Notification Number Singapore
G.N. Sp. No. S	Government Notification Special Number Singapore
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian Subsidiary Legislation)
M. Act	Malayan Act/Malaysia Act
M. Ordinance	Malayan Ordinance
Parl.	Parliament
S.S.G.G. (E) No.	Straits Settlements Government Gazette (Extraordinary) Number
S.S.G.G. No.	Straits Settlements Government Gazette Number

COMPARATIVE TABLE
 SECONDHAND GOODS DEALERS
 ACT 2007

This Act has undergone renumbering in the 2020 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the last Revised Edition.

2020 Ed.	2008 Ed.
<i>[Omitted as spent]</i>	10—(4)
10—(4)	(5)
(5)	(6)
<i>[Omitted as spent]</i>	23—(1)
<i>[Omitted as spent]</i>	(2)