

LOCKSMITHS (LICENSING) ACT, 1994 ACT 488

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ACT 488

LOCKSMITHS (LICENSING) ACT, 1994(1)

AN ACT to provide for the licensing of locksmiths and for related matters.

1. Locksmiths to be licensed

A person shall not engage in the business of making locks, repairing locks or cutting keys unless that

person is granted a licence by the Minister responsible for the Interior or an officer authorised by the

Minister for that purpose.

2. Application for licence

(1) An application for a licence under section 1 shall be made

(a) in the prescribed form, and

(b) be accompanied by or contain the prescribed information.

(2) A fee of ¢5,000 shall be paid as a processing fee for each application form.

3. Grant of licence

(1) The Minister or an officer authorised by the Minister may issue a licence to an applicant subject to

the prescribed conditions.

(2) A fee of ¢20,000 shall be paid for each licence.

(3) Unless suspended or revoked under section 6, the licence is valid for twelve months from the date

of issue and may be renewed.

(4) A fee of ¢20,000 shall be paid for the renewal of a licence.

4. Non-transferability of licence

A licence issued under this Act is not transferable.

5. Exhibition and inspection

The licence shall be exhibited in a prominent place on the business premises of the licensee.

6. Suspension, revocation of licence

The Minister may suspend or revoke a licence where the licensee

(a) is convicted of an offence under this Act or the Regulations, of an offence involving fraud,

or

(b) is in breach of a condition attached to the licence.

7. Appeals

An applicant aggrieved by the refusal of the Minister to grant a licence under this Act or a licensee aggrieved by the suspension or revocation of the licence, may appeal to the High Court against the decision.

8. Other authorisation

A licence issued under this Act shall be in addition to any other authorisation required for the carrying

on of the business.

9. Offences

(1) A person who

(a) without a valid licence issued under this Act engages in or carries on a business as a

locksmith, or

(b) makes a false statement for procuring the licence, or

(c) fails to exhibit the licence contrary to section 5, or

(d) transfers a licence granted under this Act,

commits an offence and is liable on conviction to a fine not exceeding two hundred and fifty penalty units

or to a term of imprisonment not exceeding one year or to both the fine and the imprisonment.

(2) Where an offence is committed under subsection (1) by a body of persons,

(a) in the case of a body corporate, every director, manager or secretary of that body shall be deemed to have committed that offence, or

(b) in the case of partnership, every partner shall be deemed to have committed that offence.

(3) A person shall not be convicted of an offence under subsection (2) if it is proved that the offence

was committed without the consent or connivance of that person and that due care and diligence was

exercised to prevent the commission of the offence, having regard to the circumstances.

10. Regulations

The Minister may, by legislative instrument, make Regulations

(a) providing for conditions for the grant, suspension or revocation of licences;

(b) providing for the inspection of business premises;

(c) amending the fees provided in this Act; and

(d) generally for giving effect to this Act.

11. Interpretation

In this Act, unless the context otherwise requires,

“licensee” means a person licensed under this Act;

“locksmith” includes a person who makes or repairs locks and a person who cuts keys for any type

of lock;

“Minister” means the Minister responsible for the Interior;

“prescribed” means prescribed by this Act or the Regulations;

“Regulations” means Regulations made under this Act.

12. Transitional provisions

Spent.2(2)

Endnotes

1 (Popup - Footnote)

1. The Act was assented to on 22nd December, 1994 and published in the Gazette on 30th December, 1994.

2 (Popup - Footnote)

2. The section provided that,

“Any person who on the coming into force of this Act is engaged in a business as a locksmith shall within three months of the coming into force of this Act apply for a licence if he intends to continue with the business.”