

L.N. 117 of 2020

**TRADING LICENCES ACT
(CAP. 441)**

**Temporary Street Hawker Licences and Street Hawking Distance
Regulations, 2020**

IN EXERCISE of the powers conferred by article 17 of the Trading Licences Act, the Minister for the Economy, Investment and Small Businesses, has made the following regulations:-

- Citation. **1.** The title of these regulations is Temporary Street Hawker Licences and Street Hawking Distance Regulations, 2020.
- Interpretation. **2.** In these regulations, unless the context otherwise requires:-
- Cap. 441. "the Act" means the Trading Licences Act;
- "agriculture produce" means fruit and vegetables produced from fields registered with the director responsible for agriculture;
- "permit" means permit to operate a stall within a Farmers' Market issued under the Farmers' Markets Regulations;
- S.L. 117.31.
- "street hawker" means the same as the meaning assigned to it by the Trading Licences Regulations;
- S.L. 441.07.
- "Unit" means the Market Administration Unit or any other section or entity vested with the power to issue permits under the Farmers' Markets Regulations.
- S.L. 117.31.
- Temporary Licences for Persons that have a Farmer's Market permit. **3.** (1) A person in possession of a valid permit issued by the Unit shall automatically be deemed to be in possession of a temporary licence as a street hawker to sell local agricultural produce without the need to apply and secure a street hawkers licence as is required for street hawking activity in accordance with the Trading Licences Regulations, subject to the Environmental Health Directorate being satisfied that the person in question can operate such activity on the basis of clearances already issued in respect of said person:
- S.L. 441.07.

Provided that, this temporary licence shall be subject to all conditions and penalties related to street hawking as may be applicable except for the obligation to apply for a street hawker's licence.

- (2) If a person having a valid permit in accordance with sub-

regulation (1) has no clearance from Environmental Health Directorate, he shall ensure to register the said activity with the Food Safety Commission.

(3) A permit holder deemed to be in possession of a temporary licence as a street hawker to sell local agricultural produce may have a substitute and up two (2) assistants:

Provided that, this substitute and assistants shall be beforehand notified to the Unit by the permit holder.

(4) Any person being a permit holder or operating as a street hawker for local agricultural produce by means of these regulations, as well as his substitute and assistants shall wear at all times, the identification badge supplied by the Unit.

(5) The permit document issued by the Unit in respect of a stall within a Farmers' Market shall be kept clearly visible at all times when the permit holder or his substitute is operating as a street hawker for local agricultural produce.

(6) Either the permit holder or the substitute shall be present at all times where the street hawking is conducted.

4. Such temporary licences are valid until such time that the Superintendent of Public Health determines: Validity of Temporary Licences.

(a) that markets or farmers markets shall not remain closed; or

(b) that street hawking activity including street hawking for the selling of vegetables shall cease; or

(c) that the persons themselves fall within a category of persons who are not permitted to be outdoors.

5. When any street hawker licensed under the Trading Licences Regulations or a person deemed to be in possession of a temporary license as a street hawker to sell local agricultural produce, stops his vehicle to sell to his clients, the vehicle shall not be parked within: Distance. S.L. 441.07.

(a) one-hundred (100) metres of walking distance from the entrance of any commercial premises which is not closed:

Provided that, for such purpose, a fixed kiosk shall be deemed to be a commercial premises; or

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(b) less than one-hundred (100) metres of walking distance apart from another street hawker:

S.L. 441.07.

Provided that, within a circumference of three-hundred (300) meters from each street hawker there shall not be more than two (2) other street hawkers at any one time irrespective of whether they are licensed under the Trading Licences Regulations or persons deemed to be in possession of a temporary license as a street hawker to sell local agricultural produce:

Provided further that a street hawker or a person deemed to be in possession of a temporary license as a street hawker to sell local agricultural produce shall only serve one customer at a time and the other customers shall have to stay in a line with a distance of at least two (2) metres apart from each other.
