

Suggested additional text in blue:

Do you have any cautions or criminal convictions recorded against you in the past five years?  
(This may not prohibit you obtaining a pedlars certificate) Please give details.

.....  
.....

Signature ..... Date .....

Notes

\* Delete as applicable

Ethnicity - please select one of the 'self-defining' ethnicity statements below.

White	Mixed	Asian
White British	White and Black Caribbean	Asian - Indian
White Irish	White and Black African	Asian - Pakistani
White - other background	White and Asian	Asian - Bangladeshi
<b>Black or Black British</b>	Mixed - other background	Asian - other background
Caribbean	<b>Chinese or other Ethnic group</b>	<b>Gypsy or Traveller</b>
African	Chinese	Romany Gypsy
Black - other background	Any other background	Irish Traveller

Suggested additional text:

There is no requirement under the Pedlars Act to do so; therefore failure of this is not a reason to refuse a Certificate.

A Press Release at pedlars.info dated 5 April 2011 raised the same issue with Dorset Police with resulting amendment as worded here.

This form consists of four (4) pages all of which must be completed in FULL

Form A2

(West Sussex 07/2015)

## SUSSEX POLICE

### Application for a Pedlars Certificate - guidance notes to applicant

Please find below details of the documents or completed forms you will be requested to supply when applying for a Pedlars Licence:

- Completed "Application for Pedlars Certificate" form
- Completed "Form of Recommendation" filled in by two (2) Householders
- Proof of residence in Sussex for the last 1 month, i.e. bank statement or utility bill in your name. You must provide us with an original document and not a copy. Your original document will be handed back to you when you attend the Police Station to collect your Pedlars Certificate.
- Two (2) Passport size photographs **There is no requirement under the Pedlars Act to do so; therefore failure of this is not a reason to refuse a Certificate.**
- One (1) Clear photocopy of Proof of your Identity i.e Passport, Driving Licence.
- **PLEASE DO NOT SEND ANY MONEY WITH THIS APPLICATION FORM**

Once the above has been satisfied, you will need to return them to:

Adur, Arun, Chichester or Worthing:

Licensing Unit, Sussex Police, Centenary House, Durrington Lane, Worthing BN13 2PQ – 01273 404030

Crawley, Horsham or Mid Sussex:

Licensing Unit, Sussex Police, Hurst Road, Horsham, BN12 2DJ – 01273 404242

When posting your application, you must ensure sufficient postage is placed on the envelope.

A Licensing Officer will contact you via the telephone number / email address you supply on your application form to arrange an appointment time for you to attend **the** Police Station **where you applied** to collect your certificate and pay the **£12.25** Registration Fee.


**When attending the Station to collect your Pedlars Certificate you must bring the £ 12.25 in cash and have the exact money please.**

You are also required to bring the original of the document you used as your 'proof of identity' (passport, driving licence) for examination.

**Please do not attend either the Centenary House or Horsham locations without first having an appointment with the Police Licensing team to see you, as we may not be in a position to deal with you at that time that you call.** **not applicable if the above is adopted**

We aim to deal with your application within 10 working days of receipt of your application in the Licensing office.

**Lost and stolen Pedlars' Certificates.** Please note that there is a charge of £10.00 to replace lost or stolen Pedlars' Certificates to cover our administrative costs. In the event that a certificate has to be replaced a second time, the replacement charge is £ 12.25.

**Annual renewal of Pedlars Certificates.** If you wish to renew your Pedlars Certificate you will need to complete a new application form and enclose two new passport sized photographs  and again send the full documentation to us as described above and write 'renewal' on the top of the application form.

**without statutory obligation**

## PLEASE RETAIN THIS INFORMATION

This information has been compiled from the current legislation.

Legislative and associated case law can change regularly, this information is therefore intended as a guide only and it is your responsibility to ensure that you act lawfully at all times.

### WHO NEEDS ONE?

A person who is mobile and sells his/her wares whilst moving from place to place and is selling goods in exchange for money as an immediate sale.

You are eligible for a Pedlars Certificate if you are over 17 years of age, have lived in the issuing area for at least 1 month and are free of any convictions, or under certain circumstances, convictions that are considered as 'spent' under the terms of the Rehabilitation of Offenders Act.

**NB: A Pedlars Certificate is not needed if you are leaving a catalogue and returning later for orders or to collect monies. Certificates are also not required by commercial travellers, sellers of fish, fruit, or victuals (nothing in the Pedlars Act prohibits a person applying for a pedlar's certificate), or people selling at markets or fairs.**

### PLEASE NOTE

A Pedlar must be mobile **AT ALL TIMES** and **NOT** set up in a permanent position, i.e goods laid out on the ground, on a table or trolley.

- They must **NOT** cause an obstruction to footpaths, public highways, doorways or street corners.

Trading on Private Land is subject to permission of the Landowner

If you intend to sell foodstuffs please contact the [Environmental Health Department](#) to discuss.

**NB; Trading [without authority](#) is strictly prohibited and may result in the certificate being suspended or revoked by a magistrate in a court of law.**

**UNAUTHORISED TRADING IS AN OFFENCE FOR WHICH YOU COULD  
BE ARRESTED AND/OR PROSECUTED**

### The Pedlars Act 1871

The provisions of this Act provide an exemption to [Street Trading Regulation](#) for persons 'trading as a pedlar'

**However**, there is guidance as to the definition of a pedlar, and this is detailed below.

**If you are in possession of a Pedlars Certificate, as issued by the Police, you need to be aware of the following information.**

There have been a number of legal cases which help to clarify the rules applied to trading under a [pedlar's](#) certificate.

**One** relevant case which is applied is *Chichester District Council v. Wood* [1997] E.W.H.C.

In this case the judgement gave us the following definitions:

## Suggested additional text in blue and notes in pink

- Each case depends on its own facts
- A pedlar goes to his/her customers, rather than allowing them to come to him/her
- A pedlar trades as s/he travels, rather than travels to trade **see footnote**
- A pedlar is a pedestrian
- A pedlar sells reasonably small goods
- Use of a small means of assisting transport of goods, such as a small trolley, is permitted.
- Use of a stall, a stand or a barrow, is not permitted. This may indicate an intention to remain in one place or in a succession of places for longer than is necessary to affect a particular sale, or sales, indicating s/he is a street trader and not a pedlar.
- If he/she sets up a stall, barrow, or other defined pitch (such as a blanket or sheet), and waits for people to approach him/her rather than approaching them, this indicates that s/he is a street trader and not a pedlar.
- ~~Trading in perishable goods (e.g. food) is not permitted.~~ **delete as incorrect**

### ***This means that if you have a Pedlars Certificate:***

You must **not** take up one stationary position for longer than the time necessary to **sell or expose for sale** .

**You are not permitted to remain static for longer than 20 minutes before moving on (unless you are selling to a crowd of people who have gathered for that reason). ~~Moving a few feet down the pavement and re-establishing a site, does not exempt you from prosecution. You must make continual progress, failure to do so will render you liable to prosecution.~~ delete unreliable text**

~~Once you have made a sale, you must move on, and continue to move until someone approaches you to make a purchase.~~ **delete text - a pedlar may also expose for sale and this includes demonstration**

### **Using a Pedlar's certificate outside of Sussex.**

If you intend to use your pedlar's certificate in other parts of the country, you are strongly advised to check with the respective council to ensure you are able to use a pedlar's certificate in their domain. Many towns and cities now have their own specific laws and by-laws **that impact upon pedlary** . We are unable to provide a comprehensive list of which towns and cities . However Bournemouth has its own **street trading regulation that qualifies the exempted activities of a pedlar similar to the City of Westminster Act** It is your responsibility to check the law in any area in which you wish to work.

Applicants are advised to read the Pedlars Act 1871 and 1881.

For further on-line information search pedlar, pedlary, pedlars certificate.

footnote for future reference:

Chichester-v-Wood is unreliable and open to challenge.

The Pedlars Act states: A pedlar "travels and trades".