

CHAPTER 87

GOLDSMITHS

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SCHEDULE

CHAPTER 87

Goldsmiths Law

A law to control and regulate the licensing of Goldsmiths in the Enugu state of Nigeria and for connected matters.

ANSI. Cap, 59

[27th August 1991]

1. This law may be titled as the Goldsmiths law.

Short title

2. In this Law —

Interpretation

“goldsmith” includes any person who makes articles or parts of articles either wholly or in part of gold but not a person who is registered or licensed as a dentist under the medical practitioners and Dentists in respect of articles made to his professional capacity;

“the commissioner” means the commissioner charged with responsibility for finance;

"raw gold" means gold in the raw state and includes undefined gold, amalgam, slims and scrapings and smelted gold which is not manufactured into any articles of commerce.

3. (1) No person shall earning on the business of a goldsmith unless he has obtained a licence under this Law

Licence to be obtained to carry on the business of Goldsmith

(2) Any person who carries on the business of a goldsmith without such a licence shall be guilty of an offence and shall be liable on conviction to a fine not exceeding the sum of four hundred naira or to imprisonment not exceeding two years or to both such fine and imprisonment.

4. (1) The Commissioner may appoint an administrative officer in charge of a local government council to be a licencing authority for the purposes of this Law and shall in such appointment specify the area for which such officer or council is so appointed.

Licences and licencing authorities

(2) Application for a licence shall be made in quadruplicate to the appropriate licencing authority at the area in which the business premises of the applicant are situate and shall be in Form A in the Schedule

(3) The licensing authority may grant a licence and such licence shall specify the name, residence and place of business of the goldsmith and shall only have effect in respect of the business premises specified therein and shall be in Form B in Schedule

(4) A goldsmith may carry on at one or more business premises but a separate licence shall be obtained in respect of each such business premises

(5) A licence shall not be assigned or transferred and shall not confer any right upon any personal by reason of his being the executor or administrator of the person to whom such licence was granted

(6) The fee in respect of the issue of each first licence or of renewal thereof shall be such amount as shall be prescribed by regulations made pursuant to the provisions of this Law, and a licence shall, unless revoked or forfeited, continue in force for one year from the date of issue or renewal.

5. (1) No person shall hawk articles manufactured of gold unless he has obtained a hawker's licence.

(2) Application for a hawker's licence shall be made to any licensing authority, and shall be in Form C in Schedule

(3) The fee for a hawker's licences shall be such amount as shall be prescribed by the regulations made pursuant to the provisions of this Law, and a hawker's licence shall, unless revoked or forfeited, continue in force for one year from the date of issue and shall have effect throughout Enugu State

6. The licensing fees payable under the provisions of this Law shall accrue to and form part of the revenue of Enugu State.

Licensing fees to
from part of
revenue of Enugu
State of Nigeria

7. (1) A licensing authority may in his discretion refuse to grant a licence or to renew any licence- which has expired or may revoke any licence which has been issued or renewed

Power to refuse a
licence and to
revoke when
granted

(2) Any person aggrieved by such refusal or revocation may appeal to the High Court.

8. A goldsmith shall keep a signboard suspended or fixed on the outside of the licensed premises inscribed in legible letters with his name and the description "LICENSED GOLDSMITH NO..." in letters and figures not less than 762 millimeters high.

Duty of goldsmith
to display
signboard at
business premises

9. (1) a goldsmith shall keep within the licensed premises books showing—

(a) all purchases by him of gold, raw gold and other matter containing gold and the weight thereof together with the date of each such purchase and the full name, address and description of the vendor, and

(b) all articles of gold manufactured by him, the weight of the articles manufactured and the weight of gold manufactured by him from gold purchased.

(c) all articles of gold sold by him and the full names, addresses and descriptions of the persons purchasing such articles: and

Hawker's
Licence

Goldsmith
to keep
books and
stock

- (d) a descriptive of jewellery received for alternation, repair or re-manufacture including the weight of such jewellery before and after re-manufacture with the full name, address and description of the owner such jewellery;
- (e) the number of the receipt issued by him to any vendor, purchaser or owner.
- (f) such other particulars as may be from time In time prescribed;

(2) Such books and receipt shall be in Forms F, G and H in the Schedule respectively and shall be produced on demand for inspection by any licensing authority, administrative office, officer of the mines department of the Federal Ministry of Mines and Power or any police officer not being below the rank of inspector.

(3) A goldsmith shall keep within the licensed premises a set of accurate troy weights and an accurate goldsmith's balance and shall produce them together with his stocks of gold, on demand, for inspection by any licensing authority, administrative officer, officer of the Mines Department or any police officers not being below the rank of inspector.

(4) Where a goldsmith is absent from his business premises at the time of any inspection the person in charge of such business premises, who shall be an employee duly authorized under the provisions of this Law, shall comply with the requirements of this section.

(5) Where a licensing authority is satisfied that a licensed goldsmith is illiterate and that the earnings of such goldsmith do not permit him to engage a literate employee he may by order exempt such goldsmith from all or any of the provisions of this section or require such simple form of records of weighing to be kept or used as the degree of literacy of such goldsmith may allow.

(6) Any order under this provision of this subsection (5) shall be in writing and signed by the licensing authority and a certified copy thereof shall be given the licensee goldsmith connected.

Receipt to be
given by
goldsmiths

10. (1) A goldsmith shall at the time of deposit nr purchase issue a receipt to the owner of any article containing gold deposited for him to repair or alternation, and to the vendor of any gold, raw gold or article or matter containing gold purchased by him, and to the purchaser from him of any gold, raw gold or article or matter containing gold.

(2) Any such receipt shall be nearly as circumstances permit in Form E in the Schedule and such receipt may be given by any duly authorized employee.

(3) A goldsmith shall retain for one year the duplicate of every receipt given under the provisions of this section.

Power of
search to
certain officers

11. (1) Any member of the Nigeria police force not below the rank of inspector may at any time, without a warrant, between the hours of 6am and 6pm enter and search business premises of any goldsmith for the purpose of ascertaining what gold, raw gold or other matter containing gold is therein, and seize any article in respect of which it may reasonably be suspected that an offence has been committed.

(2) A magistrate if satisfied upon information on oath that there is reasonable ground for believing that there is in any building or premises within the area of his jurisdiction —

(a) anything in respect of which an offence against the provisions of this Law has been committed or is suspected of having been committed or

(b) anything which will afford evidence as to the commission of any offence against the provisions of this Law; or

(c) anything which is intended to be used for the purposes of committing an offence against the provisions of this Law.

may issue a search warrant authorizing the persons named therein together with assistants at any time within one month from the date of such warrant to enter or open, if necessary by force, the building or premises named in such warrant and to search for and seize the articles named in the warrant together with any vessel, package or other receptacle containing such articles.

(3) Any article or thing seized under the authority of a search warrant shall as soon as possible be brought before a magistrate

(4) Whosoever obstructs any person duly exercising the powers conferred by this section shall be guilty of an offence.

12. No goldsmith shall employ any apprentice except under the provisions of an apprenticeship contract in accordance with the provisions of Chapter VII of the Labour Code Act.

Apprentices

13. (1) A goldsmith shall not employ in connection with his business; as a goldsmith any person whose particulars do not appear in the licence or the renewal and, if during the currency of any licence or renewal any change is to be made in such employees, full particulars in triplicate of the person to be employed shall be given to the licensing authority who issued the licence or renewal and such licence or renewal shall be altered accordingly.

Employees

(2) Any employee whose name appears on the licence or renewal issued in respect of any licensed premises shall be a duly authorized employee for the purpose of this Law for such licensed premises

Offence and
general penalty

14. Any person who contravenes or fails to comply with any of the provisions of this Law shall be guilty of an offence and, if no other penalty is herein provided, shall be liable on Conviction to a fine not exceeding the sum of two hundred naira herein provided, shall be liable on conviction to a fine not exceeding the sum of two hundred naira or a term of imprisonment not exceeding one year or to both such fine and imprisonment.

Power to make
regulations

15. The Commissioner may make regulations for---

(a) the purpose of further securing the effectual control of the business of goldsmiths and the prevention of improper or illegal use of gold, raw gold and other matter containing gold,

(b) prescribing further books to be kept and forms thereof;

- (c) providing for the further registration or licensing of persons employed by goldsmiths in the course of their business as such:
- (d) prescribing penalties for offence against any regulation made hereunder:
- (e) prescribing the fees payable in respect of a goldsmith's licence, the renewal of such licence and of a hawker's licence; and
- (f) generally carrying into effect the provisions of this Law.

SCHEDULE

ENUGU STATE

THE GOLDSMITHS LAW

FORM A

APPLICATION FOR THE ISSUE OR RENEWAL OF A GOLDSMITH'S LICENCE

Serial number

1. Full name of Applicant.....	
2. Age of Applicant	
3. (a) Full address of the premises for which licence is desired	
(b) Full address of residence of applicant.....	
4. (a) Whether applicant has previously made an application for a goldsmith's licence.....	
(b) and if so, whether any such application has been refused.....	
5. If the application for renewal the number of the existing licence	
6. The full names and full address, of all (a) indentured apprentices..... (b) employees..... At the time of application	
7. Whether the applicant has ever been convicted of an offence against the Goldsmiths Law, the Goldsmiths Act, or the Gold Trading Act, and if so the place and date of the convictions, the nature of the offence and the penalty imposed.....	

Date....., 20.....

Signature of applicant

FORM B
ENUGU STATE
THE GOLDSMITHS LAW LICENCE

Goldsmith's licence No.....

Licence is hereby granted/renewed to (*full name*).....

.....

At.....(indicate and describe premises by full particulars of name, situation or other means of identification).

EMPLOYEES

Date engaged if not
employed at time of
application for licence

Name

Employee's full address

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APPRENTICES

Name

Full address

Date of indenture

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.....

.....

Dated at.....this.....day of.....20.....

Fee: Issue/Renewal N

.....
Licensing Authority for the Area
Of

FORM C
ENUGU STATE
THE GOLDSMITHS LAW
APPLICATION FOR HAWKER'S LICENCE

1. Full name of
applicant.....

2. Full address of
applicant.....

Section 5(2)

3. Age of
applicant.....

4. Whether the applicant has ever been convicted of an offence against the Goldsmiths Law, the Goldsmiths Act, the Gold Trading Act, and if so the place and date of the conviction, the nature of the offence and the penalty imposed.....

.....
.....

Date 20.....

.....
Signature of applicant

FORM D
ENUGU STATE
THE GOLDSMITHS LAW

Hawker's Licence No.....

Licence is hereby granted to.....

Of..... to hawk articles manufactured within
Nigeria

This licence will expire on the..... day of.....20.....

Dated at..... this.....day of20.....

.....

Licensing Authority for the Area

of.....

FORM E

ENUGU STATE THE GOLDSMITH LAW

RECEIPT FOR ARTICLE CONTAINING GOLD DEPOSITED FOR REPAIR OR ALTERATION OR PURCHASED OR FOR RAW GOLD PURCHASED

Serial No.

Received from (full name).....

Reading at (full address).....

.....

*the following article/articles/raw gold

*deposited for the purposes of repair/alteration

*purchased by me, Licensed Goldsmith No.....

Description.....

Signature.....

**Delete the words which are not applicable to any particular transaction*

[illegible]

FORM G

SECTION 9 (2)

PURCHASES AND SALES OF MANUFACTURED GOLD ARTICLES

[illegible]

FORM H

SECTION 9 (2)

**PURCHASE OF MANUFACTURED JEWELLERS GOLD BAR., TO BE SHOWN IN
BOOK KEPT ACCORDING TO FORM (G)**

Entry No.	Date	PURCHASES		USED		GOLD STOCK
		Bought from	Troy weight	How disposed of	Troy weight	Troy weight
			Mg		mg	mg

SUBSIDIARY LEGISLATION

Goldsmiths Law

GOLDSMITHS (RENEWAL OF LICENCES) REGULATIONS

Made under section 15

- | | |
|---|---|
| 1. These regulations may be cited as the Goldsmiths (renewal of Licences) | Short title |
| 2. Application for the renewal of a goldsmith's licence shall be made in quadruplication to the proper authority at least one month before the date on which the licence on or any previous renewal thereof is due to expire and the prescribed fee shall be forwarded therewith. | Manner of application for renewal of license |
| 3. Where application for the renewal of a licence has been made in accordance with the provisions of regulation 2 and applicant has not been informed of the decision on such application before the date on which existing licence or renewal is due to expire, the applicant may continue to carry on the business of a goldsmith in accordance with the provisions of the law unless and until notified that the application has been refused. | Goldsmith may carry on business pending decision on application |
| 4. Where an application for renewal has been granted such renewal shall be effected from the date on which the existing licence or renewal would, but for such renewal, have expired. | Date of renewal |
| 5. Where an application for renewal has been refused the prescribed fees which accompanied the application shall be returned to the applicant. | Refund of fee on refusal |

FEES FOR GOLDSMITH'S AND HAWKWER'S LICENCE REGULATIONS

1. These regulations may be cited as the fees for Goldsmith and Hawker's Licences Regulations.
2. A licence fee in the Schedule hereto shall be paid for the purpose set out opposite it in the first column thereof.

SCHEDULE

For the issued of each first goldsmith's	N	K
licence.....	40.	00
for each renewal of a goldsmith's licence	2.	00
for the issue of a hawker's licence.....	10.	00

Appointment of Goldsmith Licensing Authorities Order

Made under section 4 (1)

1. This order may be cited as the appointment of Goldsmith Licensing Authorities Order.
2. The officer specified in the first column of the Schedule hereto is hereby appointed the sole licensing authority for the corresponding area set out in the second column thereof for the purposes of the Goldsmiths Law.

SCHEDULE

<i>person appointed licensing Authority</i>	<i>Area for which person is appointed</i>
1. Secretary, Enugu Local Government Area	Enugu Local Government Area
2. Secretary, Awgu Local Government Area	Awgu Local Government Area
3. Secretary, Udi Local Government Area	Udi Local Government Area
4. Secretary, Igbo-Eze Local Government Area	Igbo-Eze Local Government Area
5. Secretary, Nkanu Local Government Area	Nkanu Local Government Area
6. Secretary, Isi-Uzo Local Government Area	Isi-Uzo Local Government Area
7. Secretary, Igbo-Etiti Local Government Area	Igbo-Etiti Local Government Area
8. Secretary, Ezeagu Local Government Area	Ezeagu Local Government Area
9. Secretary, Oji -River Local Government Area	Oji -River Local Government Area
10. Secretary, Uzo-Uwani Local Government Area	Uzo-Uwani Local Government Area