CHAPTER 279.

OLD METAL AND MARINE STORES.

(11*th August,* 1956.) 14/1956.

Short title.

1. This Ordinance may be cited as the Old Metal and Marine Stores Ordinance.

Interpretation.

2. In this Ordinance—

"division" shall have the same meaning as in section 2 of the Police Act; Cap. 167.

"licensed dealer" means any person licensed under section 3 to deal in old metal or marine stores;

"marine stores" includes second-hand anchors, wire cables or chains, slings, sails, old junk and other second-hand marine stores of any kind;

"old metal" includes old metal, used or second-hand metal fittings, scrap metal, broken metal, partly manufactured metal goods, and defaced or old metal goods.

Dealers in old metal and marine stores to be licensed.

3. (1) It shall not be lawful for any person to carry on the business of a dealer in old metal or marine stores unless he has previously taken out a licence under this Ordinance.

(2) Licences under this Ordinance shall be granted by and at the discretion of the Magistrate of the District in which the premises to be licensed are situate.

(3) No such licence shall be granted without the previous report of the police officer in charge of the division in which the premises to be licensed are situate, and before the expiration of twenty-one days at least after application in writing has been made therefor to the Magistrate.

First Schedule.

(4) Such licences shall be in the form in the First Schedule and shall be annual licences terminating on the 31st day of December of the year for which they are granted. A fee of two dollars and forty cents shall be paid to the Magistrate for each such licence.

Signboard to be displayed.

4. Over one of the principal entrances of the place of business of every licensed dealer there shall be placed a board on which shall be printed, in legible letters of at least two inches in length, the name in full of the licensed dealer and the words "Licensed Dealer in Old Metal and Marine Stores".

Licensed Dealer to keep book.

Second Schedule.

5. (1) Every licensed dealer shall keep a book (hereinafter called "Licensed Dealer's Book") in the form in the Second Schedule, in which shall be legibly written in ink the date and time of the day when any old metal or marine stores are purchased or received by him or on his behalf, the name in full, and the residence and occupation of the person from whom any such old metal or stores are purchased or received, and, in a case where the seller is the agent of another person, the name and address of the principal, the quantity purchased or received, and the price paid for each purchase.

(2) Every such entry in a Licensed Dealer's Book shall be made at the time of the transaction, and shall be signed by the licensed dealer or his agent and by the seller or his agent:

Provided that where a licensed dealer is unable by reason of illiteracy or any physical cause to sign the entry in the Licensed Dealer's Book the licensed dealer shall complete the entry by making his mark thereto in the presence of a police officer.

Restrictions on purchases and dealings.

6. (1) No person shall purchase or receive any old metal or marine stores except between the hours of seven o'clock in the morning and four o'clock in the afternoon.

(2) No person shall purchase or receive any old metal or marine stores from any person under the age of sixteen years.

(3) No person shall employ any servant or apprentice or other person under the age of sixteen years to purchase or receive any old metal or marine stores.

(4) No old metal or marine stores shall be purchased or received at any one time in any quantity less than twenty-five pounds.

(5) Any person contravening any of the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding six months.

Power of entry and inspection.

7. (1) It shall be lawful for any police officer at any time when a licensed dealer's premises are open for business, to inspect the Licensed Dealer's Book and all old metal and marine stores in the premises.

(2) The licensed dealer or his representative, or the person in charge of a licensed dealer's premises, or the person in whose custody or charge the Licensed Dealer's Book, any old metal, or marine stores may be, or any person who has made an entry in the Licensed Dealer's Book with respect to which a police officer may desire to ask any questions, shall permit such police officer to inspect the Licensed Dealer's Book and all old metal and marine stores, and shall answer all such questions as may be asked by the police officer with reference to the Licensed Dealer's Book, any old metal or marine stores in the premises or any of the entries or contents of the Licensed Dealer's Book.

Goods purchased to be kept for 15 days.

8. (1) All old metal and marine stores purchased or received by or on behalf of a licensed dealer shall be kept in the licensed dealer's premises and shall not in any way be changed in form or shape or disfigured for a period of at least fifteen days after their purchase or receipt:

Provided that the police officer in charge of the division in which a licensed dealer carries on his business may, in his discretion, on the application of the licensed dealer grant a permit—

(*a*) for the shipment or alteration in form or shape of any old metal or marine stores without the same having been kept for a period of fifteen days;

(*b*) for the shipment of broken machinery direct from the place where the same is purchased, notwithstanding the provisions of this section to the contrary.

(2) Every person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding three months.

Obligation to give information to police.

9. (1) Every person licensed under this Ordinance who, after notice has been given to him by any police officer or by advertisement in the *Gazette* or a local newspaper that any old

metal or marine stores have been stolen or fraudulently obtained, fails to give information to the police that articles of the like description were offered to him or were or are in his possession, shall be guilty of an offence against this Ordinance.

(2) Every licensed dealer who offends against the provisions of subsection (1) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding six months.

Offences.

10. Every person who—

(*a*) assaults, resists or obstructs any police officer in the execution of any duty under this Ordinance;

(*b*) aids or abets any other person in assaulting, resisting or obstructing any police officer while acting in the execution of his duty under this Ordinance;

(*c*) aids or abets any other person in a contravention of any of the provisions of this Ordinance;

(*d*) deals in old metal or marine stores without a licence as required by section 3;

(*e*) fails to keep a signboard as required by section 4;

(*f*) fails to keep a Licensed Dealer's Book as required by section 5,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding three months.

Licence may be cancelled on conviction.

11. If any licensed dealer is convicted of an offence under this Ordinance, the court may, in its discretion, cancel the licence of that licensed dealer.

Appropriation of moneys.

12. All moneys received for licences, and all penalties recovered under this Ordinance, shall be paid into the Treasury for the use of the Colony.

FIRST SCHEDULE. S. 3(4)

FORM OF LICENCE.

A.B. having this day paid the sum of $2.40 is hereby authorized and licensed to deal in Old Metal and Marine Stores at

in accordance with the provisions of the Old Metal and Marine Stores Ordinance.

This licence expires on the 31st day of December, 19 .

.....
District Magistrate, District " ".

SECOND SCHEDULE.

FORM OF BOOK TO BE KEPT BY LICENSED DEALER.

Date	Time of day	Name in full, residence and occupation of seller	Name and address of principal	Description and quantity of goods purchased or sold	Price	Signature or mark of Licensed Dealer	Signature of police officer witnessing mark

5 Noise

5.1 *Introduction*

The main sources of noise in Northern Montserrat at present are road traffic noise, noise from the helicopter services operating from the Heliport at Gerald's Bottom and music (as a noise nuisance). The Scoping Report identified the potential impacts of the project as aircraft noise on land uses adjacent to the airport and under flight paths, change in road traffic noise both during operation and construction and noise from construction activities. The following section sets out the baseline noise conditions, then section 5.3 gives the assessment of the potential impacts listed above and proposed mitigation for adverse impacts identified is given in section 5.4.

5.2 *Baseline Conditions*

5.2.1 *Existing Noise Problems*

Discussion with Norman Cassell, the Airport Manager at the Heliport, revealed there have been no formal complaints about helicopter noise (there is no official complaints procedure) but informal comments had been made by Tropical Mansions (the hotel on Sweeney's Road, west of the heliport) and Lookout (to the east of the heliport) regarding noise and vibration. The closest and probably most sensitive land uses, St John's Hospital and Margeston House and Hill View Homes for the Elderly, had not made complaints to date and Mr Cassell said this was due to the predominantly Easterly winds which blow noise away from the hospital site. The Principal Environmental Health Officer (EHO), Trevor Howe, said noise and dust from the helicopter operation was perceived as a current problem but music was the main noise nuisance for which the EHO receives complaints under the Montserrat Noise Nuisance Regulations contained in the Public Health (Nuisance) (Amendment) Regulations 1990.

According to the EHO there are no measurements of noise levels in northern Montserrat. No surveys were undertaken as part of this EIA.

5.2.2 *Road Traffic Noise*

Existing (and future) road traffic volumes and their distribution in northern Montserrat are discussed in section 13 of the EIA. The daytime (7am to 7pm)

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