



2001 CHAPTER 8

Street traders to be licensed

Activities which are not street trading

2.—(1) The following activities are not street trading for the purposes of this Act—

- (a) trading by—
 - (i) selling articles or things, or
 - (ii) supplying a service,to the occupiers of premises adjoining any street, if the trading is carried out by means only of visiting those premises, whether by appointment or otherwise;
- (b) selling articles or things from a vehicle which is used only for the regular delivery of such articles or things to the occupiers of premises adjoining any street;
- (c) anything done in a market or fair the right to hold which was acquired by virtue of a grant (including a presumed grant) or acquired or established by virtue of any statutory provision;
- (d) doing anything—
 - (i) authorised by regulations made under section 5 of the Police, Factories, &c (Miscellaneous Provisions) Act 1916 (c. 31), or
 - (ii) authorised by a licence granted under the House to House Charitable Collections Act (Northern Ireland) 1952 (c. 6) or exempted by an order made under section 3 of that Act;

Changes to legislation: Street Trading Act (Northern Ireland) 2001, Section 2 is up to date with all changes known to be in force on or before 12 February 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (e) trading by a person acting as a pedlar under the authority of a pedlar's certificate granted under the Pedlars Act 1871 (c. 96), if the trading is carried out only by means of visits from house to house.
- [^{F1}(f) where a pavement café licence is in force, trading carried out in the area covered by the licence, if the trading—
- (i) takes place at a time when that area has temporary furniture on it that under the terms of the licence is permitted to be there at that time;
 - (ii) is done in the course of a business which is carried on by the licence holder at the premises specified in the licence;
 - (iii) relates to the supply of food or drink in or from those premises for consumption on that area; and
 - (iv) does not involve a contravention of the conditions of the licence.]
- (2) Trading which is carried out—
- (a) at or adjoining premises used as a petrol filling station; or
 - (b) at or adjoining premises used as a shop,
- is not street trading for the purposes of this Act if—
- (i) it forms part of the business of the owner or the occupier of the premises, and
 - (ii) takes place during the period when the premises are open to the public for business.
- (3) Trading as a news vendor is not street trading for the purposes of this Act if—
- (a) the only articles sold are newspapers or periodicals, and
 - (b) they are sold without a receptacle or from a receptacle which is carried by the vendor.
- (4) The Department may by order subject to affirmative resolution—
- (a) vary (whether by addition, omission or alteration) the activities which are not street trading for the purposes of this Act, and
 - (b) amend subsections (1) to (3), as they have effect for the time being, in such manner as appears necessary or expedient in consequence of such variation.
- [^{F2}(5) Expressions used in paragraph (f) of subsection (1) and in the Licensing of Pavement Cafés Act (Northern Ireland) 2014 have the same meaning in that paragraph as in that Act.]

F1 S. 2(1)(f) inserted (1.10.2016) by [Licensing of Pavement Cafés Act \(Northern Ireland\) 2014](#) (c. 9), s. 32(1), **Sch. para. 3(2)**; S.R. 2016/126, art. 2

F2 S. 2(5) inserted (1.10.2016) by [Licensing of Pavement Cafés Act \(Northern Ireland\) 2014](#) (c. 9), s. 32(1), **Sch. para. 3(3)**; S.R. 2016/126, art. 2

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Changes and effects yet to be applied to :

- s. 2(1)(d)(ii) and word repealed by [2008 c. 12 \(N.I.\) Sch. 8 para. 7\(2\)](#)[Sch. 9](#)
- s. 2(1)(dd) inserted by [2008 c. 12 \(N.I.\) Sch. 8 para. 7\(3\)](#)