



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

AUCTIONEERS ACT

PLEASE NOTE

This document, prepared by the *Legislative Counsel Office*, is an office consolidation of this Act, current to December 2, 2015. It is intended for information and reference purposes only.

This document is *not* the official version of the Act. The Act and the amendments as printed under the authority of the Queen's Printer for the province should be consulted to determine the authoritative statement of the law.

For more information concerning the history of this Act, please see the *Table of Public Acts* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office

Tel: (902) 368-4292

Email: legislation@gov.pe.ca



AUCTIONEERS ACT

CHAPTER A-23

1. Definition

In this Act “**non-resident**” means a person who has not resided in Prince Edward Island for at least one year immediately prior to the date of his application for a license under this Act. *R.S.P.E.I. 1974, Cap. A-22, s.1.*

2. License to conduct auction sales

Every auctioneer shall, before he conducts any auction sale of real or personal property, or carries on business as an auctioneer in Prince Edward Island, obtain from the Department of Justice and Public Safety a license for that purpose, in such form as the Minister of Justice and Public Safety and Attorney General may determine. *R.S.P.E.I. 1974, Cap. A-22, s.2; 1980, c.2, s.3; 1983, c.1, s.6; 1985, c.3, s.1; 1993, c.29, s.4; 1994, c.48, s.2; 1997, c.20, s.3; 2000, c.5, s.3; 2010, c.31, s.3; 2010, c.14, s.3; 2012, c.17, s.2; 2015, c.28, s.3.*

3. Expiration of licenses

Every license issued under this Act expires two years after the issuing thereof. *R.S.P.E.I. 1974, Cap. A-22, s.4; 1994, c.48, s.2.*

4. Offences and penalties

Every person who sells real or personal property by auction, without having first obtained a license under this Act, or contrary to the provisions of the license, is liable to a fine of not less than \$100 and not more than \$500. *R.S.P.E.I. 1974, Cap. A-22, s.5; 1994, c.48, s.2.*

5. Record of persons licensed

There shall be kept in the Department of Justice and Public Safety a record of all persons licensed under this Act. *R.S.P.E.I. 1974, Cap. A-22, s.6; 1980, c.2, s.3; 1983, c.1, s.6; 1985, c.3, s.1; 1993, c.29, s.4; 1994, c.48, s.2; 1997, c.20, s.3; 2000, c.5, s.3; 2010, c.31, s.3; 2010, c.14, s.3; 2012, c.17, s.2; 2015, c.28, s.3.*

6. Regulations

The Lieutenant Governor in Council may make regulations respecting licenses under this Act and, without prejudice to the generality thereof, the regulations may

- (a) provide for the refusal, suspension and cancellation of licenses;
- (b) require applicants for licenses to produce evidence of qualifications and to be familiar with the law of sale by auction and, in particular, the provisions of section 58 of the *Sale of Goods Act* R.S.P.E.I. 1988, Cap. S-1;

- (c) exempt persons from the requirement to obtain a license;
- (d) prescribe fees for licenses. *1977,c.3,s.1; 1987,c.16,s.2.*



SCHEDULE

Repealed by *1994, c.48, s.2*