

These are frequently asked questions & answers.

Visit the forum if you have further questions - you may find that someone posts an answer.

**Q:** How can I become a pedlar? **A:** *Visit your local police station and request an application form for a Pedlars Certificate. Don't be fobbed off by ill-informed opinions. Read the legislation on this site. Pedlars Act cl 15 deals with refusal to grant and the action you can take. A Certificate costs £12.25 and lasts for 1 year.*

**Q:** What does the Pedlars Act say? **A:** *To assist a pedlar on the street we have prepared a 1 page [document](#) that highlights how to act under the legislation. It is advised that you keep copies of this to hand to enforcement officers who give you their opinion about the law.*

**Q:** How old do I have to be? **A:** *17 years.*

**Q:** Where can I act as a pedlar? **A:** *Within any part of the United Kingdom. Be aware that some local authorities have private legislation that is yet to be tested in law and is currently the subject of Petitions in Parliament - you may be treated as a criminal, your goods seized and forfeited, and the burden of proof reversed so that you must prove your innocence.*

**Q:** What can I do about harassment? **A:** *Be sure that you are acting within the definition of a pedlar. If you are, then take down the name/number of the person, the place date & time, and then write a formal complaint to the most senior person in the organisation - police or council.*

**Q:** Are pedlar's products good quality? **A:** *An example of quality assurance for handicraft/toys often sold by pedlars is a testing procedure titled EN71-part1,2 & 3 which tests 'mechanical/physical properties', 'toxicity' & 'flamability'. Products meeting these standards have*

CE labeling and carry manufacturer's name & address.

**Q:** Can I take a civil action against the police? **A: *Trespass to Goods*** -Trespass to goods is the unlawful direct interference with the goods of another. This could include damage to goods such as damage to a front door when police officers make a forcible entry, the **seizure of goods**

, or even the mere touching of goods. Once the individual establishes that there has been a trespass to his goods, the police must provide a lawful justification.

**Malicious Prosecution**

- This occurs when an individual alleges that he has been maliciously prosecuted. The burden of proof is on the individual bringing a claim. To succeed in this tort, the individual must prove that the prosecution was without reasonable and probable cause. To establish that the prosecution was without reasonable and probable cause you have essentially to show that you were not guilty of the offence you were charged with and the prosecution should have known you were not guilty. To show that the prosecution was malicious you will have to show that the Police prosecuted you because of an improper motive such as a Claim under the Human Rights Act 1998 for breaches of the European Convention of Human Rights - Part II The First Protocol Article 1 Protection of property - "Every natural or legal person is

**entitled to the peaceful enjoyment of his possessions**

. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law". Here is a [link](#)

to a most useful helpline.

**Q:** What is the difference between a Certified Pedlar and a Licensed Street Trader? **A:** A Pedlar's Certificate is issued by the police under the authority of the Magistracy. A Street Trader is licensed & regulated by Local Authority. A pedlar can trade anywhere in the United Kingdom but a Street Trader's license is not recognised by any other Local Authority except where it was issued. The notion that Councils should license and regulate pedlars is a red-herring ie unworkable as it infringes on a pedlars right to be an itinerant trader ie when he wants, where he wants, how he wants, and with what products he wants - it is a matter of freedom to choose. A license prohibits that freedom and may be withdrawn on a whim. Click this

[link](#)

for a handy comparison chart.

**Q:** Is obstruction a red-herring issue? **A:** Here's an interesting argument for Councils to consider about SHOPKEEPERS putting street traders out of business by undercutting a bona fide cultural activity with cheap imported imitations.....click this short

[BBC news](#)

video.....and it doesn't look like all those STATIC easels are causing OBSTRUCTION, neither

does it appear the TOURISTS see the street activity as being a hindrance, but they do take offence at the shopkeepers cashing in on the artists.

**Q:** Do the words "town to town or to other mens houses" mean something different to "only by means of visits from house to house" ? **A:** *this issue awaits resolution!*

**Q:** What is the definition of a Pedlar? **A:** *The Pedlars Act 1871 states:*

*"Any hawker, pedlar, petty chapman, tinker, caster of metals, mender of chairs  
or other person who  
without any horse or other beast bearing or drawing burden  
travels  
and trades  
on foot  
and goes from town to town  
or to other men's houses  
carrying to sell or exposing for sale any goods wares or merchandise  
or procuring orders for goods or merchandise immediately to be delivered  
or selling or offering for sale his skill in handicraft."*

**Q:** What is a Petty Chapman? **A:** *Chapman is a derivative of the Saxon word Caepman, meaning a marketman, a monger or a merchant. According to a list of colonial occupations, a chapman is a peddler or dealer of goods, usually itinerant, going from village to village. The name comes from the Old High German choufman or koufman, which became the Old English céapman. Old High German chouph, Old Saxon cop and Old English céap meant barter, business, dealing, which, combined with mann or man, gives the name CHAPMAN. Other spellings of the name include cepeman, cypman, cypmann, chepmon, caepmon, and even shapman! The Oxford English Dictionary supplies four meanings for chapman. A chapman was a man whose business was buying and selling—a merchant, trader or dealer. Second, he was an itinerant dealer who travelled about from place to place selling or buying; one who kept booths at markets etc; a hawker, a peddler (English spelling). The third meaning is that of an agent in a commercial transaction, a negotiator or broker. Fourth, a chapman was a purchaser or customer. There is also a citation that appears to be a law handed down by Edward VI in 1553. A Petty chapman was a retail dealer. Edward said "No Tinker, Peddler, or petit Chapman shall wander about from the Towne but such as shall be licensed by two Justices of Peace.*

**Q:** What is a Tinker? **A:** *A tinker was originally an itinerant tinsmith, who mended household utensils.*

**Q:** What are **other persons** referred to by definition in the Pedlars Act 1871? **A:** *Others means none of the aforementioned; distinct from the aforementioned or implied in them. The list includes – someone without a means of drawing burden; someone who is a traveller; someone who trades; someone who is a pedestrian; someone who goes anywhere; someone who is a salesman or craftsman; an entrepreneur; a person who has possession over a company, enterprise, or venture, and assumes significant accountability for the inherent risks and the outcome - a dynamic personality. Examples of Other: a performer and seller of small toys like balloons, kites, yo-yo's, window creeper, whistle; a musician performing & selling music; an artist rendering and selling drawings, a poet reciting and selling written poems; an inventor of a novelty researching his product with his culture.*

**Q:** Can I sell food? **A:** *please see latest update 28.06.12 [here](#)*

**Q:** How should a pedlar act? **A:** *We at pedlars.info analysed all legislation and case law and submitted that analysis to government BIS in 2009. Any pedlar or regulator who seek a thorough understanding about the lawful activities of a pedlar should [download this 40 page document](#)*