It is important that you get hold of a copy of the by-laws that affect you in the municipality you are trading in.

You have a right to know what the law says.

How can you get hold of it?

- You can go to the Council offices of your municipality and ask to see a copy.
- You can also go to the municipal library and ask to see their copy of the by-law on informal traders.
- If you have access to the internet, the by-laws should also be available on the webpage of your municipality.

Know your rights!
You are an informal trader trading in the street, or in a mall or market? Maybe you are a mobile trader or a special events trader. This pamphlet is aimed at helping you to understand and organise for your RIGHTS!

**WHAT LAWS COVER YOU?**

You are covered by The Businesses Act 71 of 1991. This Act says that trading cannot be stopped. But local authorities have the power to make by-laws that regulate where and how and under what conditions you can trade.

**The main legislation covering you are the by-laws of the municipalities you trade in.**

You need to get access to these by-laws so that you know exactly what your rights are and what the law says you can and can't do.

These are the main areas covered by the by-laws:

- They confirm that you have the right to trade;
- They provide for the creation of areas where informal trading can happen, as well as for the closing down of these areas;
- They grant trading permits or licences;
- They regulate the conduct of street vendors;
- They set out health and safety measures and requirements;
- They set out penalties if the by-laws are violated.

**What should you be looking for in the by-law:**

- Do you need to apply for a permit or licence if you want to trade in the municipality? Or only if you want to trade in a designated area with a stall?
- What are the restrictions on what you can do? For instance, many by-laws say that you can't erect your structure, or trade in front of a shop selling goods similar to yours, or sleep overnight at your stall, or set up a stall outside a place of worship.
- Under what conditions can your goods be confiscated? Must you first be given written warnings? If your goods are confiscated must you have a right to a list of exactly what was taken?
- How can you get your goods back?
- How can you appeal any decision that is taken against you in terms of the by-law?