

Transaction Recording Requirements for Pawnbrokers and Second Hand Dealers

Bylaw 20002 - Business Licence Bylaw

Edmonton

Effective January 17, 2022

Pawnbrokers

In accordance with section 56 of Bylaw 20002 - Business Licence Bylaw (the "Bylaw"), a Pawnbroker licensee must record transaction information in a form and manner acceptable to the City Manager. Transactions must be recorded within 24 hours of receiving goods.

The form and manner of recording must meet the following minimum requirements to be acceptable:

1. The licensee must record and maintain transaction information in an **electronic database** that is intended to be accessible 24/7 to the Edmonton Police Service (EPS) Pawn Detail Unit (or designate) via a secure web portal and unique login credentials. As EPS only requires access to records that are relevant to previous or ongoing investigations, the electronic database must be hosted and maintained by the licensee, or through an outline agreement between the licensee and the licensee's vendor of choice.
2. Transaction information must be recorded in an **organized** format. For each transaction, all applicable transaction details must be consolidated into a complete electronic record. Applicable transaction details must be recorded under corresponding input fields to ensure consistent and predictable organization of data. This must include input fields for:
 - a. Transaction date and time
 - b. Employee name
 - c. Amount of money advanced or paid for each of the goods
 - d. Manufacturer, make, and model
 - e. Serial number
 - f. Physical description of the goods
 - g. Seller's full name
 - h. Identification type and number for two (2) pieces of identification
 - i. Physical description of the seller

Additional input fields may be added at the licensee's discretion, but are not required by the Bylaw, and are included at the licensee's own risk.

3. All of the input fields listed above must be **searchable** in real-time by EPS and return complete transaction records as required for investigative purposes. The database must allow for exact match or partial searching, and the option to filter search results based on the required input fields. If not already provided by a vendor, the licensee will provide instruction and support to EPS on how to access, search for, and use records in the database.
4. The licensee is solely responsible for **protecting and securing personal information** that is collected, recorded, and stored in the database to the level required by privacy legislation in Alberta. EPS access to records required for investigative purposes must be granted via a secure online portal with unique login credentials to ensure access is controlled.

5. There must be **no cost passed on to EPS or the City of Edmonton** by the licensee to collect, record, store or access the information. The licensee is solely responsible for all upfront and ongoing costs associated with their database. EPS and the City will not absorb any of these costs or provide reimbursement to the licensee. EPS and the City will also not take part in, or advise on, contract negotiations between parties if applicable.
6. Records must be **retained for a minimum of two (2) years**. When requested by EPS, records that are identified as being relevant to an ongoing law enforcement investigation or ongoing court action must be retained for a period of up to six (6) years, or a shorter period as requested by EPS.

The **R.A.P.I.D. system from Business Watch International (BWI)** has been approved by the Program Manager as an acceptable form and manner of recording transaction information. R.A.P.I.D. meets and exceeds these requirements, and is widely used by municipalities and police services throughout Alberta and Canada. Additionally, EPS has an existing information sharing agreement with BWI to allow for immediate database access and Bylaw compliance.

Licensees may opt to use alternative database solutions instead. In doing so, each licensee is responsible for ensuring their chosen solution meets these minimum requirements, and is encouraged to seek independent legal or technical advice as required. Businesses using solutions that do not meet these requirements could be subject to minimum fines of \$2,000 for each day they continue to be non-compliant, with potential for escalated fines if necessary.

Second Hand Dealers

In accordance with section 63 of Bylaw 20002 - Business Licence Bylaw, a Second Hand Dealer licensee must record transaction information in a form and manner acceptable to the City Manager. Transactions must be recorded within 24 hours of receiving goods. **Transactions for exempt goods are not subject to these requirements.** The Exempt and Non-Exempt Goods list is available at edmonton.ca/businesscategories under 'Second Hand Dealer'.

Second Hand Dealer licensees that are also licensed under the Pawnbroker category must use the same form and manner of recording described above for Pawnbroker licensees.

For all other Second Hand Dealer licensees, the acceptable form and manner of recording must meet the following minimum requirements:

1. The licensee may record transaction information using the **electronic or analogue method of their choosing**.
2. Transaction information must be recorded in an **organized** format. For each transaction, all applicable transaction details must be consolidated into a complete record - for example, on a form or a single row on a spreadsheet. At a minimum, the method of recording must include space for:
 - a. Transaction date and time
 - b. Employee name
 - c. Amount of money paid for each of the goods
 - d. Manufacturer, make, and model
 - e. Serial number
 - f. Physical description of the goods
 - g. Seller's full name
 - h. Identification type and number for two (2) pieces of identification
 - i. Physical description of the seller

Any hand-written records must be legible.

3. The licensee must **provide transaction records to EPS when requested** for investigative purposes. The licensee may transfer records using the method of their choosing, or may prepare records for EPS to pick up during business hours.
4. The licensee is responsible for **protecting and securing personal information** that is collected, recorded, and stored. This includes records required by EPS for investigative purposes up to the point at which EPS has custody of the records.
5. There must be **no cost to EPS or the City of Edmonton**. The licensee is solely responsible for all upfront and ongoing costs associated with their chosen recording method. EPS and the City will not absorb any of these costs or provide reimbursement to the licensee.
6. Records must be **retained for a minimum of two (2) years** unless otherwise released into the custody of EPS. When requested by EPS, records that are identified as being relevant to an ongoing law enforcement investigation or ongoing court action must be retained for a period of up to six (6) years, or a shorter period as requested by EPS.