

Guidance on Scrap Metal Dealers Act 1964

Upon receipt of a completed application, the local authority will enter the details of the scrap metal dealer on the register, which the authority is required to keep under the above-mentioned Act. Registrations are valid for 3 years, at the end of which time an application must be made to renew the registration.

Please note that if, as part of your business, you are also involved in the destruction of motor vehicles or the salvage of motor vehicles or parts, there may be separate notification or registration requirements that affect you. The local authority can provide further information on request.

Change of Details

While a registration is in force, scrap metal dealers must notify the local authority of any changes in the details that have been given to the authority, within 28 days of the change taking place. Additionally, if the dealer ceases to trade as a scrap metal dealer in the area, they must notify the authority of this, to allow the authority to cancel the registration. Again, this notification should be made to the local authority within 28 days. It is an offence to fail to comply with these requirements.

Record Keeping

Every scrap metal dealer must keep, at each place occupied by him as a scrap metal store, a bound book containing the following information for every transaction carried out:

Details of scrap metal received at that place

- the description and weight of the scrap metal
- the date and time of the receipt of the scrap metal
- if the scrap metal is received from another person, the full name and address of that person
- the price, if any, payable in respect of the receipt of the scrap metal, if that price has been ascertained at the time when the entry in the book relating to that scrap metal is to be made
- where the last preceding paragraph does not apply, the value of the scrap metal at the time when the entry is to be made as estimated by the dealer
- in the case of scrap metal delivered at the place in question by means of a mechanically propelled vehicle bearing a registration mark (whether the vehicle belongs to the dealer or not), the registration mark borne by the vehicle

Details of scrap metal processed at or dispatched from, that place

- the description and weight of the scrap metal
- the date of processing or, as the case may be, despatch of the scrap metal, and, if processed, the process applied
- in the case of scrap metal despatched on sale or exchange, the full name and address of the person to whom the scrap metal is sold or with whom it is exchanged, and the consideration for which it is sold or exchanged

- in the case of scrap metal processed or dispatched otherwise than on sale or exchange, the value of the scrap metal immediately before its processing or dispatch as estimated by the dealer

These details must be entered into the book immediately after receiving or processing/dispatching the scrap metal. Completed books must be retained for a minimum of two years beginning on the date on which the final entry was made.

If a registered person has declared that they carry on (or propose to carry on) the business of a scrap metal dealer as part of the business of an itinerant collector (that is, a person regularly engaged in collecting waste materials and old, broken, worn out or defaced articles, by means of visits from house to house), and has satisfied the local authority that this is the case, the authority may make an order that modifies the above requirements for that individual for a specified period. Such a person would be expected to obtain and retain receipts for the sale of all scrap metal, which include the weight of the metal and the aggregate price paid.

Scrap metal dealers who do not occupy premises as a scrap metal store are still required to keep records as outlined above, with the exception of the requirement to record metal received/processed/dispatched at premises, instead recording metal received/disposed of in the course of business. Records should be held at the dealers place of residence (or registered office). In this case records should be updated as soon as is practicable.

A constable may enter and inspect at any reasonable time any premises registered by the local authority, and require production for inspection of any scrap metal kept at that place together with the records referred to above. Obstructing a constable exercising this right, or failing to produce records for inspection, is an offence under the Act.

The Council has powers of entry to ascertain if the premises are being used as a scrap metal store.

Offences

Offences under the Act include:

- failing to register a scrap metal business or to notify the local authority of alterations in the appropriate particulars
- failing to notify a local authority that a business has ceased
- failing to keep the proper prescribed records. Where a person is convicted of failing to register or failing to keep records of dealings the Court may make an order imposing restrictions on the dealer for a period not exceeding two years.
- to acquire scrap metal from any person under the age of sixteen years, regardless of whether they are offering the metal on their own behalf or not.
- Obstruction of the entry of an authorised inspector or fails to produce any book or document which the officer has a right to inspect

In addition, any seller of scrap metal who supplies a false name or address to a dealer commits an offence.