

SCRAP METAL DEALERS ACT 2013 RECORD KEEPING

Purpose

The purpose of this guidance is to provide information to scrap metal dealers on the requirements for keeping records about the scrap metal they receive and dispose of.

Verification of Seller Identity

A scrap metal dealer must not receive scrap metal from a person without verifying the person's full name and address. That verification must be made by referring to documents, data or other information obtained from a reliable and independent source, which either:

A) Shows the person's full name, photograph and residential address;

- A valid Great Britain or Northern Ireland photo-card driving licence

OR

B) BOTH a document which shows the person's full name, photograph and date of birth (but not address);

- A valid United Kingdom passport
- A valid passport issued by an EEA state
- A valid UK biometric immigration document AND a supporting document which shows the person's full name and residential address;
- A bank or building society statement
- A credit or debit card statement
- A council tax demand letter or statement
- A utility bill, but not a mobile phone bill

All documents must be dated no later than three months before the date the scrap metal was received by the scrap metal dealer.

Receipt of Metal

As a licensed scrap metal dealer, you are required to keep written records. For every item of scrap metal you receive you must record:

- The description of the metal including;
- Its type (or types if mixed)
- Form
- Condition
- Weight
- Any identifying mark which identify the previous owners
- Any distinguishing features
- The date and time of its receipt
- If the metal is delivered in or on a vehicle, its registration mark
- If the metal is received from a person, the full name and address of that person
- If the dealer pays for the metal, the full name of the person who makes the payment acting for the dealer

If you receive the metal from a person you must keep a copy of any document which you use to verify the name and address of that person.

If you pay for the metal by cheque, you must keep a copy of the cheque.

If you pay for the metal by electronic transfer you must keep the receipt identifying the transfer, or if no receipt was obtained, you must record the particulars identifying the transfer.

Disposal of Metal

If you dispose of the metal, ie by selling it on to someone else, you must record:

- Whether or not it is in the same form in which it was received
- Whether or not the disposal is to another person
- Whether or not the metal is dispatched from a site If you dispose of the metal in the course of business under a site licence, you must record the following information:
- The description of the metal, including its type (or types if mixed), form and weight
- The date and time of its disposal
- If the disposal is to another person, the full name and address of that person
- If the dealer receives payment for the metal (whether by way of sale or exchange), details of the price or other consideration received

If you dispose of the metal in the course of business under a collector's licence, you must record the following information:

- The date and time of its disposal
- If the disposal is to another person, the full name and address of that person

The records must be kept in a way that allows the information and the scrap metal to which it relates to be readily identified by reference to each other.

- You must keep the records for three years.
- You can keep these records in any form. This may be in a bound book and handwritten, in a file, or on a computer.

Attached to this guidance are examples of the type of form you could use.

If you do not keep records as described in this guidance, and in the Scrap Metal Dealers Act 2013, then the scrap metal dealer, the site manager and anyone who has responsibility for keeping the records will be guilty of an offence.

A person guilty of this offence is liable, on summary conviction, to an unlimited fine.

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This document should be used as a guidance tool. Only the courts can give an authoritative opinion on statute law. Every effort has been made to ensure this document is both comprehensive and accurate but in an attempt to simplify the law omissions have been made. Please refer to the Scrap Metal Dealers Act 2013 and associated regulations for full details of the law. You should seek your own legal advice on the matters raised in this guidance note