

Scrap Metal Dealer Registration

Scrap Metal Dealers Act 1964

The dealing in scrap metal or the running of a scrap metal business is controlled by the Scrap Metal Dealers Act 1964.

No person may carry on the business of a scrap metal dealer unless they are registered to do so by their Local Authority.

A person is deemed to be carrying on a scrap metal business if:

- a place in the area is occupied by him as a scrap metal store, or
- no place is occupied by him as a scrap metal store in the Carlisle City Council area or elsewhere, but he has his usual place of residence in the Carlisle City Council area, or
- no place is occupied by him as a scrap metal store in the Carlisle City Council area or elsewhere, but a place in Carlisle City Council area is occupied by him for the purpose of that business.

Registration as a scrap metal dealer shall last for 3 years and must be renewed on or before the expiry date if the registered person wishes to carry on as a scrap metal dealer.

Registration Details

Before registering any person as a scrap metal dealer the Council will require the following information:

- The full name of the dealer.
- The address of the dealer or in the case of a body corporate the registered or principal office.
- The address of each place in Carlisle City Council area that is, or will be used as a scrap metal store
- If the business is carried on from the applicants place of residence, notice of that fact.
- If premises are used for a scrap metal business but not as a scrap metal store, notice of that fact and the address of the premises.

The Council must be notified within 28 days of any alterations to a registered person's or business' particulars, or if the business ceases to operate.

Records Required to be Kept

Every scrap metal dealer must keep, at each place occupied by him as a scrap metal store, a book detailing all scrap metal received at that place and all scrap metal either

processed at or dispatched from that place. Two books may be kept where the metal processed and or dispatched from a place is not received at that place.

The details to be kept for scrap metal received are:

- The description and weight of the metal;
- The date and time of receipt of the metal;
- If the metal is received from another person the name and address of that person;
- The price of the metal if it has been ascertained at the time the entry is made in the book;
- If no price has been ascertained, the estimated value of the scrap metal;
- The registration mark of any mechanically propelled vehicle used to deliver the scrap metal.

The details to be kept scrap metal processed or dispatched are:

- The description and weight of the metal;
- The date of processing or dispatch, and in the case of processing, the process applied;
- Where scrap metal is dispatched for sale or exchange, the name and address of the person to whom it is sold or with whom it is exchanged and the consideration for which it is sold or exchanged;
- Where scrap metal is despatched or processed other than for sale or exchange, its estimated value before being dispatched or exchanged.

Entries must be made immediately upon receipt, processing or despatch and books containing records must be kept for two years following the last entry.

Where a person satisfies the Council that the business is part of the business of an itinerant scrap metal collector, the Council after consulting with the Chief of Police may make an order requiring that on the sale of any scrap metal he shall obtain from the purchaser a receipt showing the weight of the metal and the aggregate price at which it was sold. These receipts must be kept for two years and must be produced on demand to any body authorised to require their production.

Where a scrap metal dealer does not occupy a scrap metal store and is not registered as an itinerant then the reference to keeping a book at a scrap metal store shall be construed as a reference to keeping a book either at the dealers usual place of residence or at any other place occupied for the purpose of the scrap metal business. The references to the receipt, processing or despatch of scrap metal at or from a place shall be construed as the receipt, processing or despatch of scrap metal during the course of business. Particulars must be entered in the book as soon as is practicable. Where a dealer occupies a scrap metal store and is not registered as an itinerant and scrap metal is received and disposed of other than at registered premises then entries

in the required books must be made as soon as is practicable at the business' nearest registered store.

Rights of Entry

Any constable has a right at any reasonable time to inspect registered premises, records kept on those premises and scrap metal kept on the premises.

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

Offences and Penalties

Any person found guilty of failing to register a scrap metal business or to notify the local authority of alterations in the appropriate particulars shall be liable on conviction to a fine not exceeding £1,000.

Any person found guilty of failing to notify a local authority that a business has ceased shall be liable on conviction to a fine not exceeding £200.

Any person found guilty of failing to keep the proper prescribed records shall be liable on conviction to a fine not exceeding £1,000.

Any person found guilty of acquiring scrap metal from a person under the age of 16 shall on conviction be liable to a fine not exceeding £200.

Any person who obstructs the entry of an authorised inspector or fails to produce any book or document which the officer has a right to inspect shall on conviction be liable to a fine not exceeding £200.

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.

Further Information

Copies of the Scrap Metal Dealers Act 1964 can be purchased from Her Majesty's Stationery Office. A copy of the Scrap Metal Dealers Act 1964 can be inspected at the Council Offices where you may also obtain an application form and further help or advice.