

Our Obligations under The Scrap Metal Dealers Act 2013

This document is part of our Data Protection Policy Portfolio.

Please refer to the Introduction document to provide a definition of terms, outline of policies and the context in which this policy is set.

Introduction

In addition to our policies this document sets out our additional obligations under “The Scrap Metal Dealers Act 2013”

<http://www.legislation.gov.uk/ukpga/2013/10/enacted>

Retention of records.

Article 15:

Section 3.

The dealer must keep the information and other records mentioned in sections 13(2) to (5) and 14(3) and (4) for a period of **3 years** beginning with the day on which the metal is received or (as the case may be) disposed of.

Referenced Legislation

13 Records: receipt of metal

- (1) This section applies if a scrap metal dealer receives any scrap metal in the course of the dealer’s business.
- (2) The dealer must record the following information—
 - (a) the description of the metal, including its type (or types if mixed), form, condition, weight and any marks identifying previous owners or other distinguishing features;
 - (b) the date and time of its receipt;
 - (c) if the metal is delivered in or on a vehicle, the registration mark (within the meaning of section 23 of the Vehicle Excise and Registration Act 1994) of the vehicle;
 - (d) if the metal is received from a person, the full name and address of that person;

(e) if the dealer pays for the metal, the full name of the person who makes the payment acting for the dealer.

(3) If the dealer receives the metal from a person, the dealer must keep a copy of any document which the dealer uses to verify the name or address of that person.

(4) If the dealer pays for the metal by cheque, the dealer must keep a copy of the cheque.

(5) If the dealer pays for the metal by electronic transfer—

(a) the dealer must keep the receipt identifying the transfer, or

(b) if no receipt identifying the transfer was obtained, the dealer must record particulars identifying the transfer.

14 Records: disposal of metal

(1) This section applies if a scrap metal dealer disposes of any scrap metal in the course of the dealer's business.

(2) For these purposes metal is disposed of—

(a) whether or not it is in the same form in which it was received;

(b) whether or not the disposal is to another person;

(c) whether or not the metal is despatched from a site.

(3) Where the disposal is in the course of business under a site licence, the dealer must record the following information—

(a) the description of the metal, including its type (or types if mixed), form and weight;

(b) the date and time of its disposal;

(c) if the disposal is to another person, the full name and address of that person;

(d) if the dealer receives payment for the metal (whether by way of sale or exchange), the price or other consideration received.

(4) Where the disposal is in the course of business under a collector's licence, the dealer must record the following information—

(a) the date and time of the disposal;

(b) if the disposal is to another person, the full name and address of that person.