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**Changes to legislation:** There are currently no known outstanding effects for the Scrap Metal Dealers Act 2013, Cross Heading: Enforcement of closure order. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 2

#### CLOSURE OF UNLICENSED SITES

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##### Commencement Information

**II** Sch. 2 in force at 1.12.2013 by [S.I. 2013/1966](#), [art. 4\(h\)](#)

##### *Enforcement of closure order*

- 9 (1) A person is guilty of an offence if the person, without reasonable excuse,—
- (a) permits premises to be open in contravention of a closure order, or
  - (b) otherwise fails to comply with, or does an act in contravention of, a closure order.
- (2) If a closure order has been made in respect of any premises, a constable or an authorised person may (if necessary using reasonable force)—
- (a) enter the premises at any reasonable time, and
  - (b) having entered the premises, do anything reasonably necessary for the purpose of securing compliance with the order.
- (3) Sub-paragraph (4) applies if a constable or an authorised person (“the officer”) seeks to exercise powers under this paragraph in relation to any premises.
- (4) If the owner, occupier or other person in charge of the premises requires the officer to produce—
- (a) evidence of the officer's identity, or
  - (b) evidence of the officer's authority to exercise those powers,
- the officer must produce that evidence.
- (5) A person who intentionally obstructs a constable or an authorised person in the exercise of powers under this paragraph is guilty of an offence.
- (6) A person guilty of an offence under this paragraph is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (7) In this paragraph “an authorised person” is a person authorised for the purposes of this paragraph by the local authority.

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##### Commencement Information

**II** Sch. 2 para. 9 in force at 1.12.2013 by [S.I. 2013/1966](#), [art. 4\(h\)](#)

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