

*These notes refer to the Scrap Metal Dealers Act 2013
(c.10) which received Royal Assent on 28 February 2013*

SCRAP METAL DEALERS ACT 2013

EXPLANATORY NOTES

THE ACT – COMMENTARY ON SECTIONS

Section 12: Offence of buying scrap metal for cash etc

40. **Section 12** re-enacts with modifications the amendments made by section 146 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, which inserted section 3A into the Scrap Metal Dealers Act 1964, creating the offence of purchasing scrap metal for cash. The offence will apply to all scrap metal dealers.
41. This offence prohibits scrap metal dealers from paying for scrap metal other than by cheque or by electronic transfer – the Secretary of State can make an order to permit other methods of payment if considered appropriate under subsection (2).
42. As with section 11, the offence applies to the scrap metal dealer, the site manager and any person who makes the payment acting for the dealer. A defence of making arrangements to ensure this requirement is met, and taking all reasonable steps to ensure those arrangements were complied with, can be used by the scrap metal dealer or the site manager. Anyone convicted will be liable on summary conviction to a level 5 fine on the standard scale.