

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

SCHEDULES

SCHEDULE 2

CLOSURE OF UNLICENSED SITES

Commencement Information

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

Discharge of closure order by court

- 7 (1) Any of the following persons may make a complaint to a justice of the peace for an order that a closure order be discharged (a “discharge order”)—
- (a) any person to whom the relevant closure notice was given under paragraph 2;
 - (b) any person who has an interest in the premises but to whom the closure notice was not given.
- (2) The court may not make a discharge order unless it is satisfied that there is no longer a need for the closure order.
- (3) Where a complaint has been made under this paragraph, the justice may issue a summons directed to—
- (a) such constable as the justice considers appropriate, or
 - (b) the local authority,
- requiring that person to appear before the magistrates' court to answer to the complaint.
- (4) If a summons is issued under sub-paragraph (3), notice of the date, time and place at which the complaint will be heard must be given to all the persons to whom the closure notice was given under paragraph 2 (other than the complainant).
- (5) The procedure on a complaint under this paragraph is to be in accordance with the Magistrates' Courts Act 1980.

Commencement Information

II Sch. 2 para. 7 in force at 1.12.2013 by [S.I. 2013/1966](#), [art. 4\(h\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Scrap Metal Dealers Act 2013, Cross
Heading: Discharge of closure order by court.