



# Scrap Metal Dealers Act 2013

## 2013 CHAPTER 10

### *Conduct of business*

#### **12 Offence of buying scrap metal for cash etc**

- (1) A scrap metal dealer must not pay for scrap metal except—
  - (a) by a cheque which under section 81A of the Bills of Exchange Act 1882 is not transferable, or
  - (b) by an electronic transfer of funds (authorised by credit or debit card or otherwise).
- (2) The Secretary of State may by order amend subsection (1) to permit other methods of payment.
- (3) In this section paying includes paying in kind (with goods or services).
- (4) If a scrap metal dealer pays for scrap metal in breach of subsection (1), each of the following is guilty of an offence—
  - (a) the scrap metal dealer;
  - (b) if the payment is made at a site, the site manager;
  - (c) any person who makes the payment acting for the dealer.
- (5) It is a defence for a person within subsection (4)(a) or (b) who is charged with an offence under this section to prove that the person—
  - (a) made arrangements to ensure that the payment was not made in breach of subsection (1), and
  - (b) took all reasonable steps to ensure that those arrangements were complied with.
- (6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.