
SCOTTISH STATUTORY INSTRUMENTS

2012 No. 324

LICENCES AND LICENSING

**The Civic Government (Scotland) Act 1982
(Metal Dealers' Exemption Warrants) Order 2012**

Made - - - - 26th November 2012
*Laid before the Scottish
Parliament* - - - - 28th November 2012
Coming into force - - 20th February 2013

The Scottish Ministers make the following Order in exercise of the powers conferred by section 29(1) of the Civic Government (Scotland) Act 1982⁽¹⁾ and all other powers enabling them to do so.

Citation, commencement, application and interpretation

1.—(1) This Order may be cited as the Civic Government (Scotland) Act 1982 (Metal Dealers' Exemption Warrants) Order 2012 and comes into force on 20th February 2013.

(2) This Order applies only to applications made to a licensing authority under section 29(1) of the Civic Government (Scotland) Act 1982 (metal dealers' exemption warrants) on or after the coming into force of this Order.

Amendment of the Civic Government (Scotland) Act 1982

2. In section 29(1) of the Civic Government (Scotland) Act 1982, for "£100,000" substitute "£1,000,000".

St Andrew's House,
Edinburgh
26th November 2012

KENNY MACASKILL
Member of the Scottish Government

(1) 1982 c.45; the functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 29 of the Civic Government (Scotland) Act 1982 (“the 1982 Act”) provides that metal dealers with an annual turnover of more than £100,000 can apply to the licensing authority for an exemption warrant. An exemption warrant granted to a metal dealer under section 29 excuses the metal dealer from the requirement to hold a metal dealers’ licence and the other requirements placed on metal dealers in sections 30 to 36 of the 1982 Act.

Section 29(1) requires a licensing authority to grant an exemption warrant if the metal dealer can produce to them an auditor’s certificate which shows that the metal dealer’s annual turnover exceeded £100,000 in a financial year ending in the period of 18 months immediately prior to the production of the certificate.

This Order changes the sum specified in section 29(1) from £100,000 to £1,000,000 in respect of all applications made to the licensing authority on or after the coming into force of this Order.