



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART II

LICENSING AND REGULATION—PARTICULAR ACTIVITIES

Licensing and regulation of metal dealers

30 Keeping of records

- (1) This section applies to metal acquired by or disposed of by the holder of a metal dealer's licence in the course of his business as a metal dealer.
- (2) A metal dealer shall keep the following records, containing the particulars required by this section—
 - (a) in relation to each place occupied by him for the purposes of his business as a metal dealer—
 - (i) records of all metal to which this section applies received at that place;
 - (ii) records of all such metal processed at or despatched or otherwise disposed of from that place;
 - (b) records of all metal to which this section applies received or processed at or despatched or otherwise disposed of from any place other than a place occupied by him for the purposes of his business as a metal dealer.

and separate records shall be kept of the particulars with respect to metal received and metal despatched, processed or otherwise disposed of, respectively.

- (3) A metal dealer shall keep records for the purposes of this section either by—
 - (a) keeping, at each place occupied by him for the purposes of his business as a metal dealer, books with serially numbered pages recording all metal to which this section applies received or processed at or despatched or otherwise disposed of from that place ; or
 - (b) the use of a device for storing and processing information,but—

Status: This is the original version (as it was originally enacted).

- (i) where he keeps books under paragraph (a) above, he shall not have in use at any one place and at any one time more than one book for recording particulars with respect to metal received at that place and more than one book for recording particulars with respect to metal processed at, or despatched or otherwise disposed of from, that place ; and
 - (ii) where he uses a device for storing and processing information under paragraph (b) above, he shall, by means of that device or otherwise, keep particulars of all modifications made in the records kept by the device.
- (4) Records kept under subsection (3) above shall be retained by the dealer for a period of two years from the day on which the last entry was made in it.
- (5) The said particulars, in the case of metal received or acquired, are—
 - (a) the description and weight of the metal;
 - (b) the date and time of the receipt of the metal;
 - (c) if the metal is received or acquired from another person, the name and address of that person;
 - (d) the price, if any, payable in respect of the receipt or acquisition of the metal, if that price has been ascertained at the time when the entry in the record relating to that metal is to be made;
 - (e) where paragraph (d) above does not apply, the value of the metal at the time when the entry is to be made as estimated by the dealer;
 - (f) in the case of metal delivered at the place in question by means of a mechanically propelled vehicle bearing a registration mark (whether the vehicle belongs to the dealer or not), the registration mark borne by the vehicle.
- (6) The said particulars, in the case of metal despatched, processed or otherwise disposed of are—
 - (a) the description and weight of the metal immediately before its despatch, processing or other disposal;
 - (b) the date of despatch, processing or other disposal of the metal and, in the case of processing, the process applied;
 - (c) in the case of metal disposed of on sale or exchange, the name and address of the person to whom the metal is sold or with whom it is exchanged, and the consideration for which it is sold or exchanged;
 - (d) in the case of metal disposed of otherwise than on sale or exchange, its value immediately before its disposal as estimated by the dealer.
- (7) Particulars required under this section to be recorded in respect of metal received or otherwise acquired shall be so recorded immediately after the receipt or acquisition; and particulars so required to be recorded in respect of metal disposed of shall be so recorded immediately after the disposal.
- (8) Any person who fails to comply with any requirement imposed upon him by this section shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £200.