

SCRAP METAL DEALERS ACT 2013

EXPLANATORY NOTES

THE ACT – COMMENTARY ON SECTIONS

Section 11: Verification of supplier's identity

38. **Section 11** places a requirement on scrap metal dealers, site managers and employees who have been delegated the responsibility to do so, to verify the identity of the person they are receiving metal from and the person's address. This verification must be done by reference to data, documents or other information obtained from a reliable or independent source, such as the Identity and Passport Service, the Driver and Vehicle Licensing Agency, a bank or utility company etc. The Secretary of State will prescribe in regulations the data or documents which are sufficient, or not sufficient as the case may be, for verifying identity.
39. It will be an offence not to obtain and verify the seller's identity, punishable by a fine not exceeding level 3 on the standard scale. The offence will apply to the scrap metal dealer, the site manager and any person, who under arrangements made by either the scrap metal dealer or the site manager, has responsibility for fulfilling this requirement on behalf of the business. A defence of making arrangements to ensure this requirement should be 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; this will cover situations where an employee has acted in a rogue manner, in breach of established working practices. In addition, a person who on delivering scrap metal to a scrap metal dealer gives a false name or address is liable on summary conviction to a fine not exceeding level 3 on the standard scale.