

2016 No. 73

LICENCES AND LICENSING

**The Civic Government (Scotland) Act 1982 (Metal Dealers and
Itinerant Metal Dealers) (Verification of Name and Address)
Regulations 2016**

Made - - - - *2nd February 2016*
Laid before the Scottish Parliament *4th February 2016*
Coming into force - - *1st September 2016*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 33C(6) of the Civic Government (Scotland) Act 1982(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Civic Government (Scotland) Act 1982 (Metal Dealers and Itinerant Metal Dealers) (Verification of Name and Address) Regulations 2016 and come into force on 1st September 2016.

Means of verification

2.—(1) For the purposes of section 33C of the Civic Government (Scotland) Act 1982 the means by which a person's name and address may be verified is for the metal dealer or itinerant metal dealer ("the dealer") to refer to—

- (a) a document listed in paragraph (2) which bears the person's name, photograph and residential address; or
- (b) (i) a document listed in paragraph (2) which bears the person's full name, photograph and date of birth; and
(ii) a document listed in paragraph (3) which bears the person's full name and residential address.

(2) The documents for the purposes of paragraph (1)(a) or (b)(i) are—

- (a) a valid United Kingdom passport;
- (b) a valid passport issued by an EEA state;
- (c) a valid Great Britain or Northern Ireland photo-card driving licence; and

(a) 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). Section 33C was inserted by section 70 of the Air Weapons and Licensing (Scotland) Act 2015 (asp 10).

(d) a valid biometric immigration document.

(3) The documents for the purposes of paragraph (1)(b)(ii) are—

(a) a bank or building society statement;

(b) a credit or debit card statement;

(c) a council tax bill or statement where the person's address is in England, Wales or Scotland;

(d) a rate bill or statement where the person's address is in Northern Ireland; and

(e) a utility bill, but not a mobile telephone bill,

provided that the date on which the document was issued is not more than three months before the date the metal is acquired by the dealer or not more than three months before the date the metal is disposed of by sale or exchange by the dealer.

(4) In this regulation—

“biometric immigration document” means a biometric immigration document issued in accordance with the Immigration (Biometric Registration) Regulations 2008(a);

“driving licence” means a licence granted under—

(a) Part 3 of the Road Traffic Act 1988(b); or

(b) the Road Traffic (Northern Ireland) Order 1981(c);

and includes a provisional licence, a Counterpart Community licence and a British external licence within the meaning of those enactments;

“EEA State” means—

(a) a state which is a member State of the EU; or

(b) any other state which is a party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992, together with the Protocol adjusting that Agreement signed at Brussels on 17th March 1993; and

“United Kingdom passport” has the meaning given in section 33(1) of the Immigration Act 1971(d).

MICHAEL MATHESON

A member of the Scottish Government

St Andrew's House,
Edinburgh
2nd February 2016

(a) S.I. 2008/3048, as amended by S.I. 2009/819, S.I. 2012/594, S.I. 2015/433 and S.I. 2015/897.

(b) 1988 c.52.

(c) S.I. 1981/154 (N.I. 1).

(d) 1971 c.77, as amended by section 1(2) of the British Overseas Territories Act 2002 (c.8).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations specify, for the purposes of section 33C of the Civic Government (Scotland) Act 1982 (“the 1982 Act”), the means by which a person’s name and address may be verified by a metal dealer or itinerant metal dealer for record keeping purposes in relation to any metal acquired or disposed of by sale or exchange.

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