



# Civic Government (Scotland) Act 1982

## 1982 CHAPTER 45

### PART II

#### LICENSING AND REGULATION—PARTICULAR ACTIVITIES

##### *Licensing and regulation of metal dealers*

#### **31 Retention of metal.**

- (1) Subject to subsection (2) below and section 35 of this Act, no metal dealer shall dispose of or process any metal acquired by him in the course of business until the expiry of a period of 48 hours (excluding any time on Saturdays or Sundays) after its acquisition.
- (2) A licensing authority may, on granting a metal dealer's licence or at any time thereafter, on application by the dealer and after consultation with the chief constable, order that subsection (1) above shall not apply to such metal or classes of metal as may be specified in the order.
- (3) An order under subsection (2) above may—
  - (a) be made subject to such conditions as the licensing authority think fit;
  - (b) relate to metal still to be acquired by the metal dealer to whom the order relates;
  - (c) be varied or revoked by the licensing authority.
- (4) The holder of a metal dealer's licence may appeal to the sheriff against a decision of the licensing authority under this section and paragraphs 18(3) to (9) and (11) and (12) of Schedule 1 to this Act shall, with any necessary modifications, apply to an appeal under this subsection.
- (5) Any person who fails to comply with subsection (1) above shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding [<sup>F1</sup>level 3 on the standard scale].

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

**Changes to legislation:** Civic Government (Scotland) Act 1982, Section 31 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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#### Textual Amendments

**F1** Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **s. 289G**

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