
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the Scrap Metal Dealers Act 2013 (“the 2013 Act”), which repeals the Scrap Metal Dealers Act 1964 and the system of registration contained therein, and replaces it with a new system of licensing, to be administered by local authorities. The 2013 Act also replaces the system of registration for motor salvage operators under the Vehicles (Crime) Act 2001, in that motor salvage operators will now be treated as scrap metal dealers who fall to be licensed under the new regime.

Article 2 of the Order brings into force paragraph 6 of Schedule 1 of the 2013 Act on 1st September 2013, since this will enable local authorities to set a fee that will be payable on an application for a licence, and requires local authorities to have regard to guidance issued by the Secretary of State in setting the fee.

Article 3 of the Order brings into force the majority of the provisions in the 2013 Act on 1st October 2013, in compliance with the policy on common commencement dates.

Article 4 of the Order brings into force the majority of the criminal offences in the 2013 Act from 1st December 2013.

Article 5 of the Order sets out transitional provisions. These will enable scrap metal dealers who were previously registered under the Scrap Metal Dealers Act 1964 or the Vehicles (Crime) Act 2001 to benefit from a deemed licence, provided that they have applied for a licence on or before 15th October 2013. The intention behind these provisions is to minimize disruption to business during the transition from the old regime to the new regime.