Registration of Scrap Metal Dealers

This Fact Sheet provides information on requirements relating to the registration of scrap metal dealers arising from the commencement of the Scrap Metal Industry Act 2016 on 1 March 2017.

DO I NEED TO REGISTER AS A SCRAP METAL DEALER?

From 1 March 2017, any person or corporation who carries on a business of dealing in scrap metal must register their business details with the Commissioner of Police.

WHAT IS SCRAP METAL?

Any object of commercial value that is made from or contains metal and is sold or obtained as scrap for recycling or reprocessing. However, aluminium cans are exempt.

WHAT DOES IT MEAN TO BE “DEALING IN” SCRAP METAL?

“Dealing in” includes buying, receiving and obtaining.

IF I COLLECT SCRAP METAL OFF THE STREET OR COLLECT LEFT OVER SCRAP METAL LAWFULLY FROM OTHER LOCATIONS, AM I REQUIRED TO BE REGISTERED?

No. You will be treated as an individual selling to a scrap metal business. You will still need to provide proof of identity when selling scrap metal. These details will be recorded by the scrap metal business buying the scrap metal.

HOW DO I REGISTER MY SCRAP METAL BUSINESS?

1. Download Form 1159 - “Application for Registration as a Scrap Metal Dealer” from the NSW Police Force website at www.police.nsw.gov.au/community_issues/scrap_metal_industry

2. Complete the form, including payment details (acceptable methods of payment are: cheque, money order; or credit card - Visa or Master Card only)

3. Post to: SLED, NSW Police Force, Locked Bag 5099, PARRAMATTA NSW 2124

WHAT INFORMATION WILL I NEED TO PROVIDE WHEN I REGISTER A SCRAP METAL BUSINESS?

You will need to provide the name of your business, the name of the scrap metal dealer, the dealer’s ABN and the address of each scrap metal business location. For corporations, you will also need to provide the business address of the corporation if it is different to that of the scrap metal yard and the name of the manager for each scrap metal yard location.

IF THESE DETAILS CHANGE, DO I NEED TO NOTIFY ANYONE?

Yes. Scrap metal dealers MUST notify the Commissioner of Police within 14 days of any change to registration details.

HOW OFTEN WILL I NEED TO RENEW MY REGISTRATION?

You will need to renew your registration every 3 years.

HOW MUCH WILL IT COST?

$210 for 3 years.

HOW WILL I KNOW IF I AM REGISTERED?

You will receive a certificate of registration from the Commissioner of Police which will have a unique registration number. Your registration details will also be recorded in the Public Register of Scrap Metal Dealers that will be accessible by all persons via the NSW Police Force website.
WHAT HAPPENS IF I FORGET TO RENEW OR PAY FOR MY REGISTRATION?

Your business will cease to be registered and it will be unlawful for you to continue to trade in scrap metal.

GENERAL

You are encouraged to contact the SLED on 1300 362 001 if you need further information regarding the registration of your scrap metal business.

WHERE CAN I FIND MORE INFORMATION?

The information provided in this Fact Sheet is for general guidance only. Scrap metal dealers should familiarise themselves with the Scrap Metal Industry Act 2016 and the Scrap Metal Industry Regulation 2016 which are available on the NSW Legislation website (www.legislation.nsw.gov.au).
Record Keeping by Scrap Metal Dealers

This Fact Sheet provide information on requirements relating to record keeping by scrap metal dealers arising from the commencement of the Scrap Metal Industry Act 2016 on 1 March 2017.

DO I NEED TO RECORD DETAILS OF SCRAP METAL THAT I BUY?

Yes. Transaction records MUST be maintained on the scrap metal business premises in the form and manner approved by the Commissioner of Police. Records can be either electronic or in hard copy format as long as all the required information is recorded.

WHAT INFORMATION DO I NEED TO RECORD WHEN I BUY SCRAP METAL?

• Date of transaction
• Name, residential address and date of birth of the person selling the scrap metal
• If buying from a corporation, the name, business address and ABN of the corporation and a statement from the executive officer of the corporation consenting to the sale
• A description of the scrap metal, including its quantity or weight or both
• If the scrap metal relates to a motor vehicle, the motor vehicle’s unique identifier
• The method of payment, including cheque number or electronic funds account details.

CAN I MAINTAIN RECORDS ELECTRONICALLY?

Yes, as long as all the required details are recorded and the records can be easily examined by police. You will need to have the capacity to regularly back-up and save data so that records are not lost.

HOW LONG DO I NEED TO KEEP THESE RECORDS FOR?

3 years

WHAT SHOULD I RECORD IF THE MOTOR VEHICLE HAS BEEN PROCESSED (CUBED, CRUSHED OR SHREDDED)?

There is no need to record a unique identifier in these circumstances. Simply record a general description of the quantity and/or weight and indicate that the vehicle has been cubed, crushed or shredded (example: 4 x cubed motor vehicles).

It will always be the responsibility of the scrap metal dealer who received the motor vehicle in a pre-processed state to record its unique identifier.

DO I NEED TO VERIFY THE DETAILS OF THE PERSON I AM BUYING THE SCRAP METAL FROM?

Yes.

If the purchase is from an individual, you will need to ensure the details match the person’s photo identification that they have provided.

If the purchase is from a corporation, you need to ensure the person delivering the scrap metal has a written authority from an executive officer of the corporation who has given consent for its sale.

DO I NEED TO RECORD DETAILS OF CHILDREN OR OTHER PERSONS WHO SELL ALUMINIUM CANS?

No. They are exempt from the requirements of the Act.
WHERE CAN I FIND MORE INFORMATION?

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Motor Vehicles as Scrap Metal

This Fact Sheet provides information relating to motor vehicles as scrap metal arising from the commencement of the Scrap Metal Industry Act 2016 on 1 March 2017.

WILL I BE ALLOWED TO ACCEPT MOTOR VEHICLES AS SCRAP METAL?
Yes. If you intend to purchase a motor vehicle for scrap, you MUST ensure that it has an identifier such as a VIN, chassis or engine number. These details must be recorded so that police can verify details when required.

WHAT IS CONSIDERED TO BE A MOTOR VEHICLE?
A motor vehicle is a motor vehicle (other than a light rail vehicle) or trailer within the meaning of the Road Transport Act 2013 and includes the body, engine or chassis of a motor vehicle.

WHAT SHOULD I DO IF SOMEONE TRIES TO SELL A MOTOR VEHICLE THAT DOES NOT HAVE AN IDENTIFIER OR IT HAS BEEN REMOVED, OBILITERATED, DEFACED OR ALTERED?
You CANNOT receive the item unless you have been provided with a written authority for disposal of that motor vehicle issued by the NSW Police Force. The written authority authorises you to purchase the item. If you suspect someone is trying to sell a stolen motor vehicle, you MUST inform police.

HOW CAN I GET AN AUTHORITY FOR DISPOSAL OF A MOTOR VEHICLE?
Only police can issue an authority for disposal. Contact your nearest police station for assistance.

WHAT SHOULD I RECORD IF THE MOTOR VEHICLE HAS BEEN PROCESSED (CUBED, CRUSHED OR SHREDDED) PRIOR TO ME PURCHASING IT?
There is no need to record a unique identifier in these circumstances. Simply record a general description of the quantity and/or weight and indicate that the vehicle has been cubed, crushed or shredded (example: 4 x cubed motor vehicles).

It will always be the responsibility of the scrap metal dealer who received the motor vehicle in a pre-processed state to record its unique identifier.

SECURITY LICENSING & ENFORCEMENT DIRECTORATE
Locked Bag 5099
Parramatta NSW 2124
Telephone: 1300 362 001
Fax: 1300 362 066
Email: sled@police.nsw.gov.au
Website: http://www.police.nsw.gov.au

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Frequently Asked Questions

This Fact Sheet provides information relating to frequently asked questions arising from the commencement of the Scrap Metal Industry Act 2016 on 1 March 2017.

WHO WILL REGULATE SCRAP METAL INDUSTRY LEGISLATION?

Police will regulate the Scrap Metal Industry Act 2016. They will be authorised to enter scrap metal business premises at a reasonable time without a warrant and investigate contraventions of the Act. They will be empowered to: search; take photographs and recordings; seize and copy records; and take other regulatory measures.

WILL THERE BE FINES FOR BREACHES OF SCRAP METAL INDUSTRY LEGISLATION?

Yes. There will be significant penalties for a variety of infringements including:

- operating an unregistered scrap metal business
- failing to maintain appropriate records
- taking possession of motor vehicles without authority from police that have had identifiers removed, obliterated, defaced or altered
- hindering or obstructing police
- paying cash for scrap metal (except for aluminium cans which are exempt)
- carrying on a business of dealing in scrap metal while a closure order is in force.

WHAT ARE CLOSURE ORDERS UNDER THE SCRAP METAL INDUSTRY ACT 2016?

Where police are satisfied a scrap metal business is not registered or there have been or there is likely to be serious criminal offences committed at or in connection with the premises, they can:

- enforce an interim closure order for 72 hours
- apply to the courts for a long-term closure order

WHAT IF I THINK SCRAP METAL THAT IS BEING PRESENTED FOR SALE IS STOLEN OR UNLAWFULLY OBTAINED?

Scrap metal dealers are required to report suspicious transactions to police.

WILL I BE ALLOWED TO PAY CASH FOR SCRAP METAL THAT I PURCHASE?

No. The Act prohibits paying cash for scrap metal. You must ONLY pay by cheque or electronically transfer funds to an account provided by the seller.

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