

## **LEGAL AND REGULATORY SUPPORT**

### **CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

#### **SCHEDULE OF CONDITIONS – INTINERANT METAL DEALERS**

##### **General Conditions**

- 1.** The Licence Holder shall while trading always have with them their licence which they shall keep at all times clean and legible and shall exhibit on demand to any Trading Standards Officer, any authorised Officer of the Council or any Police Officer, on production by that person of his badge of office or written evidence of their appointment to that office and shall allow such person to note the particulars on the Licence.
- 2.** The Licence Holder shall at all times comply with the terms and requirements of all legislation applying to his/her business and in particular the Civic Government (Scotland) Act 1982 and the Weights and Measures Act 1985 and any amending legislation.
- 3.** The Licence Holder shall comply in all respects and at all times with the requirements of Sections 33A-E of the Civic Government (Scotland) Act 1982 and the requirements of the Civic Government (Scotland) Act 1982 (Metal Dealers and Itinerant Metal Dealers) (Verification of Name and Address) Regulations 2016.
- 4.** The Licence Holder shall ensure that there is no storage of any scrap metal or other such materials on any residential property or its curtilage, owned, leased or occupied by the Licence Holder.
- 5.** The Licence Holder shall ensure that no metal shall be acquired from or disposed of to a person under the age of 16.

##### **Records and Reciepts**

- 6.** The Licence Holder shall provide to each person who buys metal from them a receipt showing:
  - (a) the weight and description of the metal
  - (b) the name and address of the buyer
  - (c) the price paid for the metal
- 7.** The Licence Holder shall keep a record in permanent ink in respect of each sale to him of metal showing:

- (a) the weight and description of the metal
  - (b) the name and address of the seller
  - (c) the price paid for the metal
8. The Licence Holder shall ensure that all records and receipts shall be kept for a period of 6 months from the date of the sale.
9. The Licence Holder shall ensure that all receipts and records must be produced on request to an authorised officer of the Council or to a Constable for inspection.

#### **Change of Circumstances**

10. Where there is a material change in circumstances affecting the information which the Licence Holder supplied to the Council on their application form for a licence, the Licence Holder shall notify the Licensing Authority of such change as soon as reasonably practicable after it has taken place, as required by paragraph 9(1) of Schedule 1 to the Civic Government (Scotland) Act 1982. In particular, a change of the Licence Holder's permanent address must be intimated within 7 working days of the change.
11. All notifications to the Licensing Authority should be addressed to Head of Legal and Regulatory Support, Argyll and Bute Council, Kilmory, Lochgilphead, PA31 8RT. Any Licence Holder in doubt as to what constitutes a change in circumstances should contact the office of the Head of Legal and Regulatory Support for guidance.
12. When the holder of an itinerant metal dealer's licence has given up the activity of an itinerant metal dealer, he/she shall deliver the Licence to the Licensing Authority as required by paragraph 13(2)(b) to Schedule 1 of the Civic Government (Scotland) Act 1982.