

# Registration of businesses dealing in scrap metal



## DO I NEED TO REGISTER MY BUSINESS DEALING IN SCRAP METAL?

Yes. A person must not carry on a business of dealing in scrap metal unless the business is registered under the *Scrap Metal Industry Act 2016* (the Act).

There is a presumption under law that a person who deals in scrap metal on more than six days in a 12-month period is carrying on a business of dealing in scrap metal and must be registered.

The maximum penalty for carrying on a business of dealing in scrap metal without that business being registered is 500 penalty units (\$55,000 fine).

## WHAT IS A SCRAP METAL DEALER?

A scrap metal dealer is a person who carries on a business of dealing in scrap metal.

If the business is carried on by an individual (i.e. a sole trader), the individual is a scrap metal dealer. If the business is carried on in partnership, each partner is a scrap metal dealer. If the business is carried on by a corporation, the corporation is a scrap metal dealer.

Dealing in scrap metal includes buying, receiving, and obtaining scrap metal.

Buy includes to:

- buy under an agreement to sell
- receive under an agreement to sell
- accept under an agreement to sell
- offer to receive or accept under an agreement to sell
- cause or allow to be received or accepted under an agreement to sell.

## WHAT IS SCRAP METAL?

Scrap metal is any object of commercial value that is:

- made from or contains metal, and
- sold or obtained as scrap for recycling or reprocessing of the metal.

Aluminium cans are scrap metal.

## HOW DO I REGISTER MY SCRAP METAL BUSINESS?

The Security Licensing & Enforcement Directorate (SLED) within the NSW Police Force is responsible for registering businesses dealing in scrap metal. The scrap metal dealer must:

1. Download the P1159 Registration as a Business Dealing

in Scrap Metal form available from the NSW Police Force website at [www.police.nsw.gov.au/online\\_services/scrap\\_metal\\_industry](http://www.police.nsw.gov.au/online_services/scrap_metal_industry)

2. Complete the form, including payment details (credit card only)
3. Require each of the following persons to provide you a completed P1263 Additional Registration Information and Consent form with certified copies of two acceptable identification documents for each person:
  - the manager of each scrap metal yard used by the business
  - if the business is to be carried on by a corporation, each officer of the corporation
  - if the business is to be carried on in partnership, each partner.

*Note: Persons carrying on the business as an individual must provide with the P1159 form certified copies of two acceptable identification documents.*

4. Mail the P1159 Registration as a Business Dealing in Scrap Metal form and each P1263 Additional Registration Information and Consent form with certified copies of two acceptable identification documents for each person to:

Security Licensing & Enforcement Directorate  
NSW Police Force  
Locked Bag 5099  
PARRAMATTA NSW 2124

## HOW MUCH DOES REGISTRATION COST?

Registration costs **\$260**. The registration fee is payable every three years.

SLED will send a fee payment reminder notice to the registered business every three years. If the three yearly fee is not paid by the due date, the business will no longer be registered and cannot continue to carry on a business of dealing in scrap metal.

## WHAT INFORMATION DO I NEED TO PROVIDE TO REGISTER A SCRAP METAL BUSINESS?

The scrap metal dealer must provide all registration information requested in the P1159 Registration as a Business Dealing in Scrap Metal form including:

- the ABN number for the scrap metal business and the ABN holder's name (the scrap metal dealer/s)
- each registered business name for the scrap metal business
- locations where the scrap metal business is carried on,

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- including each scrap metal yard and other premises
- the registration details of each motor vehicle used to carry on the business
- whether the scrap metal dealer holds a licence within the meaning of the *Motor Dealers and Repairers Act 2013* or the *Tow Truck Industry Act 1998*.

The scrap metal dealer must also provide with the P1159 form, separate P1263 Additional Registration Information and Consent forms completed by each of the following persons, and certified copies of two acceptable identification documents for each of the persons:

- the manager of each scrap metal yard used by the business
- if the business is to be carried on by a corporation, each officer of the corporation
- if the business is to be carried on in partnership, each partner.

Persons carrying on the business as an individual must provide with the application form certified copies of two acceptable identification documents.

## DO I NEED TO NOTIFY CHANGES TO MY REGISTERED SCRAP METAL BUSINESS?

Yes. Scrap metal dealers **MUST** notify SLED within 14 days of any change to the registration information of the business using the P1173 Notification of Changes to Registration Information / Replace Certificate of Registration form. This includes changes to:

- registered business names and/or the ABN holder's name (only permitted if the ABN for the registered scrap metal business does not change)
- a corporation's business addresses and officers of the corporation
- locations where the scrap metal business is carried on, including each scrap metal yard and other premises
- the registration details of each motor vehicle used to carry on the business
- managers of scrap metal yards
- whether licences are, or remain to be, held under the *Motor Dealers and Repairers Act 2013* or the *Tow Truck Industry Act 1998*.

If notifying a change to a partner of a partnership, an officer of a corporation or a manager of a scrap metal yard, the scrap metal dealer must provide with the P1173 Notification of Changes to Registration Information / Replace Certificate of Registration form, a separate P1263 Additional Registration Information and Consent form completed by the person with certified copies of two

acceptable identification documents for that person.

A \$65 fee is payable if a new a certificate of registration is required to be issued.

## CAN REGISTRATION OF A SCRAP METAL BUSINESS BE TRANSFERRED TO ANOTHER INDIVIDUAL, PARTNERSHIP OR CORPORATION?

No. Registration of a scrap metal business cannot be transferred to another person.

If a registered scrap metal business is sold to an individual, partnership or corporation that holds a different ABN, the scrap metal dealer carrying on the new business must apply for registration of that business under the *Scrap Metal Industry Act 2016*.

A change to a registered business name or the ABN holder's name is only permitted if the ABN for the registered scrap metal business does not change.

## HOW WILL I KNOW IF MY SCRAP METAL BUSINESS IS REGISTERED?

The business will receive a certificate of registration from SLED that includes its registration information and number. The information will also be recorded in the Public Register of Scrap Metal Businesses published on the NSW Police Force website.

## CAN REGISTRATION OF A SCRAP METAL BUSINESS BE REFUSED, SUSPENDED OR REVOKED?

Yes. Registration may be refused, suspended or revoked if a scrap metal dealer or an officer of the corporation (if applicable) has committed an offence against the Act or the Regulation.

Registration may also be refused, suspended or revoked if a delegate of the Commissioner of Police believes on reasonable grounds that a scrap metal dealer or an officer of the corporation (if applicable) is likely to commit an offence against the Act or the Regulation.

## WHERE CAN I FIND MORE INFORMATION?

The information provided in this Fact Sheet is for general guidance only. Applicants and scrap metal dealers should familiarise themselves with the *Scrap Metal Industry Act 2016* and *Scrap Metal Industry Regulation 2024*, which are available on the NSW Legislation website ([www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)).