

Record keeping by scrap metal dealers



DO SCRAP METAL DEALERS NEED TO KEEP RECORDS OF BUYING SCRAP METAL?

Yes. A scrap metal dealer **MUST** keep a record of the following details of each transaction entered into when buying scrap metal:

- date of transaction
- if the scrap metal is sold by an individual (including an individual acting as an agent for the seller), the name, residential address and date of birth of the individual as recorded on acceptable photo identification documents
- if the scrap metal is sold by a corporation, the name, business address and ABN of the corporation, and a statement signed by an executive officer of the corporation, or an employee authorised in writing by an executive officer of the corporation, consenting to the sale
- a description of the scrap metal and its quantity or weight (or both if applicable)
- if the scrap metal consists of a motor vehicle, the unique identifier of the vehicle
- the method of payment (including bank account details such as BSB and account number).

Note: A record of a sale consent is not required in respect of a sale conducted by a corporation if:

- the terms of the sale are within the terms of a statement signed by an executive officer of the corporation, or an employee authorised in writing by an executive officer of the corporation, authorising the corporation to sell scrap metal to the scrap metal dealer, and
- the statement was signed no more than 12 months before the date of the sale and has not been withdrawn, and
- the scrap metal dealer keeps a record of the statement.

HOW MUST THE SCRAP METAL DEALER KEEP RECORDS OF BUYING SCRAP METAL?

The details of each transaction must be kept in the approved form and manner for three years on the premises at which the dealer carries on a business of dealing in scrap metal, or, if the business is carried on from a motor vehicle, in the vehicle.

It is an offence for a scrap metal dealer, in any record required to be kept, to make a statement that the dealer knows is false or misleading. Heavy penalties apply.

HOW MUST RECORDS OF BUYING SCRAP METAL BE KEPT?

The transaction details may be kept by the scrap metal dealer in a hardcopy or electronic format.

Records kept in an electronic format must be easily accessible to a police officer. They must be subject to regular back-up and stored so that they do not become lost, corrupt or unlawfully changed.

WHAT DETAILS SHOULD BE RECORDED IF A MOTOR VEHICLE HAS BEEN PROCESSED (CUBED, CRUSHED OR SHREDDED)?

It is the responsibility of the scrap metal dealer who received the motor vehicle in a pre-processed state to record its unique identifier. The scrap metal dealer is not required to record a unique identifier for each motor vehicle that is processed (cubed, crushed or shredded). The dealer may record a general description of the quantity and/or weight of the vehicle(s) and indicate that the vehicle(s) have been cubed, crushed or shredded (example: 4 x cubed motor vehicles).

DO SCRAP METAL DEALERS NEED TO CHECK AND RECORD THE IDENTITY OF THE PERSON SELLING THE SCRAP METAL?

Yes. If the person selling the scrap metal is an individual (including an individual acting as an agent for the seller), the scrap metal dealer must sight and record the following details as recorded on the individual's acceptable photo identification documents:

- the full name of the seller
- the residential address of the seller
- the date of birth of the seller.

If the seller is a corporation, the scrap metal dealer must 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.

Record keeping by scrap metal dealers



WHAT ARE ACCEPTABLE PHOTO IDENTIFICATION DOCUMENTS?

Acceptable photo identification documents prescribed under the scrap metal legislation that must be sighted and recorded when buying scrap metal are:

- an Australian driver licence
- a foreign driver licence that is written in English or accompanied by an English translation, and contains the individual's date of birth, address and photograph
- a Photo Card
- a proof of age card, however described, issued by a public authority of the Commonwealth or another State or Territory for the purpose of attesting to an individual's identity and age.

The photo identification document must not be expired or have been cancelled.

It is an offence for a scrap metal dealer, in any record required to be kept, to make a statement that the dealer knows is false or misleading. Heavy penalties apply.

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 the *Scrap Metal Industry Regulation 2024*, which are available on the NSW Legislation website (www.legislation.nsw.gov.au).