

O.C. 229/2020

JUL 23 2020



Province of Alberta
Order in Council

ORDER IN COUNCIL

Approved and ordered:

Lieutenant Governor
or
Administrator

The Lieutenant Governor in Council makes the Scrap Metal Dealers and Recyclers Regulation set out in the attached Appendix.

CHAIR

FILED UNDER
THE REGULATIONS ACT
ALBERTA REGULATION 124/2020
ON July 23 20 20
James Chant
DEPUTY REGISTRAR OF REGULATIONS

For Information only

Recommended by: Minister of Justice and Solicitor General

Authority: Scrap Metal Dealers and Recyclers Identification Act
(section 10)

APPENDIX

Scrap Metal Dealers and Recyclers Identification Act

SCRAP METAL DEALERS AND RECYCLERS REGULATION

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Definitions

1 For the purposes of the Act,

- (a) “scrap metal” includes the following other metal or materials:
 - (i) copper cables and wires, including power lines, telecommunications cables and cable reels;
 - (ii) metal traffic control lights, signals and signs;
 - (iii) street lighting poles, wiring and fixtures;
 - (iv) sewer grates and manhole covers;
 - (v) metal guard rails and handrails;
 - (vi) metal grave markers, funeral vases, memorial plaques and monuments;
 - (vii) catalytic converters;
 - (viii) lead acid batteries;
 - (ix) restricted metal as defined in clause (b);
- (b) “restricted metal” means
 - (i) materials containing copper, in any form,
 - (ii) materials containing bronze, in any form,

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- (iii) metal that bears distinguishing or identifying marks indicating ownership,
- (iv) metallic wire that appears to have had insulation or casing removed from it, and
- (v) the other metal or materials referred to in clause (a)(ii) to (viii).

Identification

2(1) A scrap metal dealer or recycler who purchases or receives scrap metal from a person must require the person to provide at the time of the transaction one piece of valid government-issued identification to the scrap metal dealer or recycler.

(2) The identification in subsection (1) must

- (a) have a photo,
- (b) have a name,
- (c) have a signature,
- (d) include the person's date of birth,
- (e) have a unique identification number, and
- (f) be the original identification document.

Information

3(1) A scrap metal dealer or recycler who purchases or receives scrap metal from a person must obtain and record at the time of the transaction the following information respecting the transaction:

- (a) the person's identifying information, including
 - (i) the person's first name and surname,
 - (ii) the person's current address,
 - (iii) the unique identification number on the government-issued identification provided by the person, and
 - (iv) the name of the person's business, if applicable;
- (b) the identifying information for the transaction, including

- (i) the date and time of the day the scrap metal was acquired,
- (ii) a brief description of the scrap metal,
- (iii) the weight of the scrap metal, and
- (iv) the specific make, model, colour and licence plate number of any vehicle in which the scrap metal was delivered.

(2) If a scrap metal dealer or recycler is purchasing or receiving restricted metal, the scrap metal dealer or recycler must provide the information recorded under subsection (1) electronically to a peace officer or law enforcement agency by entering the information into a database maintained on behalf of the Minister for the purposes of the Act.

(3) The Minister may require that peace officers and law enforcement agencies are granted access to the database referred to in subsection (2), provided that the disclosure of information in the database pertains to the discharge of the peace officer's or law enforcement agency's powers, duties or obligations under the Act.

Age eligibility requirement

4 No scrap metal dealer or recycler shall purchase or receive scrap metal from a person who fails to provide proof that the person is 18 years of age or older.

Mandatory use of traceable currency

5 For the purposes of section 3.1 of the Act, a scrap metal dealer or recycler must use traceable currency if the total value of a transaction is \$0.01 or more.

Stolen property

6 For the purposes of section 4(2) of the Act, a peace officer or a law enforcement agency may require a scrap metal dealer or recycler to hold metal that a scrap metal dealer or recycler, peace officer or law enforcement agency suspects is stolen property for a period of 30 days.

Exemption

7 For the purposes of section 10(g) of the Act, the following entities are exempt from the application of the Act:

- (a) a landfill as defined in the *Waste Control Regulation* (AR 192/96);
- (b) a society as defined in the *Societies Act*;
- (c) an association registered as a charitable association under Part 9 of the *Companies Act*;
- (d) an entity incorporated as a not-for-profit corporation under the *Canada Not-for-profit Corporations Act* (Canada);
- (e) an entity registered as a charity with the Canada Revenue Agency and that has a charitable registration number.

Expiry

8 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on April 30, 2025.

Coming into force

9(1) Subject to subsection (2), this Regulation has effect on September 1, 2020.

(2) Sections 3(2) and (3), 5 and 6 have effect on November 1, 2020.