

The Irish Farmers' Association Submission

to the Public Consultation on the proposed
Waste Management (Facility Permit and Registration)
(Amendment) Regulations 2012

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The Irish Farmers' Association

The Irish Farmers' Association (IFA) is a national organisation representing the interests and views of farmers and rural dwellers in Ireland, and the majority of farmers are members of the IFA.

The Association welcomes the decision by Mr. Phil Hogan, Minister for Environment, Community & Local Government to introduce legislation to track and trace the movement of scrap metal in an effort to curb the increased incidence of metal theft in rural Ireland.

IFA Proposals

Having reviewed the draft legislation IFA makes the following additional proposals to ensure the legislation is robust and effective.

Record Keeping

Sub article (1) (h) (i) (c) proposes that records are to be kept of the name, identity, registration number and waste collection permit number of the delivery vehicle.

IFA propose that scrap metal dealers should be obliged to keep the records in place for a minimum of five years. This is to facilitate the availability of information, to support local authorities and An Garda Síochána, if thefts are subsequently reported and require investigation.

In addition scrap metal dealers should be required to have all records completed and available for inspection within 24hours of the transaction taking place (i.e. the scrap metal being purchased from a member of the public).

This sub article should be strengthened to compel scrap metal dealers to make these records available for inspection to An Garda Síochána, local authorities or any other state agencies with enforcement powers.

Prohibition of Receipt of Metals that have been damaged by Fire

Sub article (1) (h) (i) (g) proposes that metals which have been damaged by fire would not be accepted by scrap metal dealers.

The Association understands that the intent here is to discourage the illegal practice of burning plastic coating off cables in order to extract metal.

However IFA is of the view that if the record keeping, proof of identity and current address of the person supplying of the material and a description and weight of the materials are provided to the scrap metal dealer, then the prohibition on the receipt of metals that have been damaged by fire should be removed.

Regrettably fire damage to buildings, including agricultural buildings and machinery occurs and this reality should be recognised. If the current clause remains in place then a farmer will have no other option but to landfill such materials. This should be avoided by allowing such materials to be accepted by scrap metal dealers, where all other sub articles are fulfilled (name, address, etc).

Scrap Metal Fund-Raising Events

It is not uncommon for schools and organisations such as Gaelic Athletic Association clubs to collect scrap metal in the local community and sell these materials to scrap metal dealers, in an effort to raise funds for school repairs, club-house maintenance, purchasing of jerseys etc.

Schools and voluntary organisations such as the GAA make an invaluable contribution to social development in rural Ireland. It is essential that the measures proposed in these regulations do not prohibit fundraising efforts by schools and voluntary organisations.

Proposal that Cash Payments should be Prohibited

IFA question the necessity to prohibit cash payments by scrap metal dealers. Instead all scrap metal dealers should be compelled to issue a receipt, setting out the detail (value, weight etc) of the transaction.

It is essential that all scrap metal dealers pay for the materials received on the day. It is unacceptable that the proposed prohibition on the payment of cash would lead to a delay in payment.