

BULGARIAN ASSOCIATION OF RECYCLING

HANDBOOK ON METAL THEFT PREVENTION

LEGAL BASIS	INFORMATION	INSTRUCTIONS	SIGNALS
INTERACTION	PUBLIC AWARENESS	IDENTIFYING PROBLEMS	CONTACTS

LEGAL BASIS. Waste Management Act, Regulation on the trading with ferrous and nonferrous metals, Penal Code.

Waste Management Act (WMA)

By BAR proposal the current WMA prohibits buying:

- cables;
- traffic signs, traffic barriers,
- metal covers of shafts,
- parts of the street lighting or water sewerage systems and facilities,
- metal containing cultural monuments or parts or components

24 h Video surveillance shall be ensured on each site

License and traders register

Transparent system for all sales – certificates of origin and declarations from individuals, identity cards copies, written contracts, etc.

LEGAL BASIS. Regulation on the trading with ferrous and nonferrous metals - Registers and data

REGULATION ON THE TRADING WITH FERROUS AND NONFERROUS METALS

On the day of receipt or shipment of ferrous and nonferrous metals - subject of a disposition transaction, the licensed dealer shall enter in the register all the circumstances of Annex № 3 with the exception of column 2 thereof and / or the model in Annex № 4 with the exception of columns 2 and 9, which completed the issuance of the relevant accountancy document.

On the day of receipt or shipment of ferrous and nonferrous metals from one site to another, entered in the same license, in columns 3, 5 and 7 from the registers according to Appendixes № 3 and 4, shall be entered the exact address of the site of shipment, receipt, respectively, the type and quantity of waste

For sale from import and / or export the licensed dealer shall enter in column № 2 of the register the number and the date of the customs declaration and the customs office of the import or export.

Upon purchase of ferrous and nonferrous metals from the persons specified in art. 54, para. 2, item 2 of WMA in the register shall be entered: the full name of the person, his permanent address, type of product, its origin and amount, the number of payment document and the number of declaration for the sale of ferrous and non-ferrous metal with household origin according to the model of Annex № 5

When buying waste from copper and aluminum cables and wires in the register shall be entered data from the certificate of origin in compliance with Appendix № 6 and / or certificate of origin in compliance with Appendix № 7.

Each 6 months calendar quarter the licensed dealer shall submit to the Ministry of Economy, Energy and Tourism information for stock purchases and sales of ferrous and nonferrous metals in customs tariff lines in compliance with Appendix № 8, which upon request is sent automatically to the control authorities on the WMA.

The licensed traders who have no disposition transactions for the reporting period, submit the report under with a zero value.

LEGAL BASIS. Regulation on the trading with ferrous and nonferrous metals.



REGULATION ON THE TRADING WITH FERROUS AND NONFERROUS METALS

Trade of waste copper and aluminum cables and wires of all kinds and quantities shall be subject to:

1. certificate of origin of art. 10, para. 5;
2. declaration for the sale of ferrous and non-ferrous metal nature of art. 10, part. 4

When trading with waste under par. 1 the seller necessarily issues and hands over to the buyer its certificate of origin of art. 10, para. 5 with attached copy of certificate of origin and received a copy of its (document) certificate of origin.

LEGAL BASIS. Penal Code

PENAL CODE

Art. 195. (1) (Suppl., SG 28/82; amend., SG 10/93) The punishment for larceny shall be imprisonment of one to ten years:

1. if committed at the time of fire, flooding, ship wreck, catastrophe, war or other social calamity;
2. if the stolen chattel is not under permanent supervision;
3. if it has been committed through destruction, damaging or undermining barriers solidly erected for protection of persons or property;
4. if a vehicle, a technical device or special means have been used for the larceny;
5. if it has been committed by two or more persons who have agreed in advance for its fulfilment, when it does not represent a minor case;
6. if the larceny has been committed by an official who has taken advantage of his official status, and
7. in non-minor cases if committed for a second time;
8. if the larceny has been committed from a deceased grave;
9. (New, SG 62/97) if the larceny has been committed by a person under art. 142, para 2, item 6 and 8.
10. (new, SG 26/04; amend. - SG 33/11, in force from 27.05.2011) if subject of the theft are explosives, pyrotechnic devices, weapons or ammunition for firearms.

(2) (Amend., SG 28/82; SG 10/93, amend. SG 103/04) The punishment for a grand larceny shall be imprisonment of three to fifteen years, and the court can rule confiscation of up to one second of the property of the culprit.

(3) (in force from 27.05.2011) The punishment under para 2 shall also be imposed for theft of explosives, firearms or ammunition for firearms from the structural units of the Ministry of Interior, from the Ministry of Defence, from the Bulgarian army, from the structures subordinated to the Minister of Defence and from State Agency "State reserve and war-time reserves" from the State Agency for National Security, from Directorate General "Security" and Chief Directorate "Execution of Judgement" at the Ministry of Justice, from the National Intelligence Service and the National Security Office.

(4) (Amend., SG 28/82; SG 10/93; amend., SG 92/02; prev. para 3 – SG 26/04) In minor cases according to item 2 and 6 of para 1 the punishment shall be imprisonment of up to one year or corrective labour, or a fine of one hundred to three hundred levs.

(5) (prev. para 4 – amend., SG 26/04) The punishment for preparation for larceny under para 1, item 3 and 4 shall be imprisonment of up to three years or corrective labour.

LEGAL BASIS. Penal Code

PENAL CODE

Art. 216a. (in force from 27.05.2011) Who, himself or through another, illegally breaks the integrity of facilities or sites of electric transfer or electric distribution network, of gas transport or heat transfer system, of a system for transfer of liquid fuel, or of a water supply or sewage system, thus creating conditions for diverting electric power, natural gas, liquid fuel, heating power or water, or discharge of sewage water, shall be punished by imprisonment of up to three years and a fine of up to twenty thousand levs.

(2) (amend. - SG 33/11, in force from 27.05.2011) If the act under para 1 is repeated the punishment shall be imprisonment of one to ten years and a fine of up to thirty thousand levs.

Art. 234b. (in force from 27.05.2011) Who buys or carries out trading activity with waste of ferrous or non-ferrous metals without license required by a normative act, or in its violation, shall be punished by imprisonment of up to five years and a fine of two thousand to fifty thousand levs, as well as by deprivation of rights pursuant to Art. 37, para 1, item 7.

(2) The waste, subject of the act under para 1 shall be seized in favour of the state, and if it is missing or expropriated its equivalence shall

Art. 234c. (new, SG 26/04) (1) (amend. - SG 33/11, in force from 27.05.2011) Who, himself or through another, implements an illegal joining to an electric transfer or electric distribution network, or to a gas transport, heat transfer, water supply or sewage system, a system for transfer of liquid fuel, or illegal interference with the devices for commercial measuring of electric power, natural gas, liquid fuel, heating power or water, or discharged sewage water, thus creating conditions for incorrect reading of the consumed electric power, natural gas, liquid fuel, heating power or water, or of discharged sewage water shall be punished by imprisonment of up to five years and a fine of up to fifteen thousand levs.

(2) (amend. - SG 33/11, in force from 27.05.2011) If the act under para 1 is repeated the punishment shall be imprisonment of one to eight years and a fine of up to twenty thousand levs.

INFORMATION. BASIC INFORMATION FOR METAL THEFT

Every object that has value is a subject to theft

The owner of any property has the right and duty to defend, protect and insure it.

Metal thefts that have high value and relatively easy access are no exception to the general trend

The more expensive metals, the more criminal activities

INFORMATION. SOURCES OF THEFT.

SOURCES OF THEFT

poorly secured property and out-of-town buildings

public works of art

homes

the supply of waste at the sites (economic crimes);

employees of telecommunications companies and energy transfer

wagons and trucks carrying scrap metal to recycling businesses

house robberies in companies dealing scrap



INFORMATION. MOST SERIOUS IMPACTS.

thefts from vehicles and wagons carrying scrap

thefts from energy and communications companies

thefts of household possessions

INFORMATION.

Scheme for illegal trade of stolen metal



Thief

Illegal
Site

Foundry

INSTRUCTIONS. Description.

DESCRIPTION

- **describing the potential dangers of metal theft on the sites** – risk for life and health; reputation problems; property risk; law risk
- **recognition of suspicious material** – lack of all or part of documentation; lack of tracing back the origin of the material, etc.
- **actions to be taken when suspicious material is found and taking action to mitigate the risk** – see measures for preventing metal thefts at the source.
- **preventing metal thefts:**
 - ✓ Physical protection – measures that will make it difficult for thieves to break into property (locks and bolts, razor wire and anti-climb paint).
 - ✓ Electronic detection – for unoccupied buildings, temporary intruder alarms that are linked to a professional manned guarding company– they can attend a site within a few minutes of an alarm being sounded and head off further trouble.
 - ✓ Removing or reducing the attraction for stealing;
 - ✓ Replacing cables or other metal parts with a substitute;
 - ✓ Insuring property;
 - ✓ Video surveillance;
 - ✓ Carefully looking the documentation;
 - ✓ Synergies between companies;
 - ✓ Gathering of information;
 - ✓ Conduct risk assessments to determine the most sensitive sites and secure them accordingly;
 - ✓ Report any suspicious material, vehicle or person to authorities
 - ✓ Regular checks on site, personnel, etc.

INSTRUCTIONS . Objective, methodology.

OBJECTIVE

The main objective of the instructions is to give knowledge to companies how to act in order to help in prevention of thefts and to minimize the impact from thefts

METHODOLOGY

- By phone
- In writing
- Seminars
- Round tables
- General meetings

RESULTS

Data for increased signals sent to police and authorities



INSTRUCTIONS. Preventing metal theft at the source. Measures.

Install a security camera with video recorder and keep recordings

Secure all equipment in locked buildings, or in areas secured by fencing.

Post “No Trespassing” placards around the property or signs indicating the presence of a surveillance or security system to deter thieves. These signs tend to discourage some instances of metal theft.

Remove access to buildings and roofs. Eliminate items that allow for easy entry to buildings, such as trees, ladders, scaffolding, dumpsters and accumulated materials such as pallet piles.

Secure your building access with deadbolts, and door and window locks.

Trim or remove shrubbery or other landscaping that allows criminals to hide from view on your property.

Make sure someone is present when supplies such as copper wiring or pipe are delivered at a job site so the materials can be immediately secured.

Efficient management of metal supplies—minimizing the time between delivery to the construction site and installation reduces opportunities for theft. Deliveries should be scheduled so that there are never large amounts of valuable materials, like copper, on-site

Develop a relationship with local law enforcement. Ask for their guidance in preventing metal theft at your business and what to do in the event a theft occurs.

Increase lighting outside.

Check if you have **adequate insurance to cover metal theft.**

SIGNALS

DESCRIPTION	<ul style="list-style-type: none">•Signalizing by phone or a written signal the competent authorities for a metal theft;•Signalizing for illegal scrap sites•Project for a web site – scrap theft alert
OBJECTIVE	<p>To create a faster way of reaction in order to prevent the potential effects from the theft; Lowering the potential adverse effects from thefts; Taking an active part in the problem of society</p>
METHODOLOGY	<ul style="list-style-type: none">•by phone;•in writing;•by e-mail;•a web site project
RESULTS	<p>January 2012- May 2012 – 16 signals to competent authorities for illegal sites and suspicious material</p>

INTERACTION

DESCRIPTION

Interaction and joint working of key stakeholders involved in metal theft investigation and prevention – operators, police, environmental authorities, local community and authorities, etc.

OBJECTIVE

Building a common strategy and interaction between all stakeholders in order to enable a powerful enemy to illegal traders and metal thieves

METHODOLOGY

- ✓ Information sharing- sharing information between the police, local authorities, construction and scrap metal recycling industries helps to uncover crime trends and patterns that can assist in the efficient deployment of policing and security resources. Information sharing will be part of the website for metal alerts project
- ✓ Helping authorities with regulatory checks
- ✓ Signaling for suspicious material or persons

RESULTS

For 2012 – 2 joint regular checks with RIEW, police and BAR. The first check showed that authorities have no powers to enter the site because it was closed and it is a private property.
The second check is still in process of imposing a penalty (fine).

PUBLIC AWARENESS

DESCRIPTION

Actions on improving the understanding of the metal theft problem to community and interaction in preventing thefts through different activities

OBJECTIVE

To provide useful information on preventing mechanisms and involving all stakeholders in the process of theft prevention

METHODOLOGY

- ✓ Conduct meetings with employees and local community
- ✓ Spread information regarding metal theft to employees and local community
- ✓ Work with police and investigators
- ✓ Create brochures revealing the problem

IDENTIFYING PROBLEMS

Powers of authorities to check, enter and close down illegal sites;

Penal Code amendments;

Interaction between stakeholders;

Conviction of criminals;

Recognizing stolen material



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