



# Private Security Industry Act 2001

## 2001 CHAPTER 12

### *Entry, inspection and information*

#### **19 Powers of entry and inspection**

- (1) Subject to subsections (3) and (4), a person authorised in writing for the purpose by the Authority may enter any premises owned or occupied by any person appearing to him to be a regulated person other than premises occupied exclusively for residential purposes as a private dwelling.
- (2) A person authorised in writing for the purpose by the Authority may require any person appearing to him to be a regulated person to produce to him any documents or other information relating to any matter connected with—
  - (a) any licensable conduct which has been or may be engaged in by the person so appearing;
  - (b) the provision by the person so appearing of any security industry services;
  - (c) any matters in respect of which conditions are imposed on the person so appearing by virtue of a licence or of an approval granted in accordance with arrangements under section 15.
- (3) A person exercising the power conferred by subsection (1) shall do so only at a reasonable hour.
- (4) A person exercising such a power shall—
  - (a) comply with any reasonable request made (whether before or after entry is gained to the premises) by any person present on the premises to do any one or more of the following—
    - (i) state the purpose for which the power is being exercised;
    - (ii) show the authorisation by the Authority for his exercise of the power;
    - (iii) produce evidence of his identity;
  - (b) make a record of the date and time of his entry, the period for which he remained there and his conduct while there; and
  - (c) if requested to do so by any person present on the premises at the time of the entry, provide that person with a copy of that record.

- (5) A person is guilty of an offence if—
- (a) he intentionally obstructs any person in the exercise of any power conferred by subsection (1);
  - (b) he fails, without reasonable excuse, to comply with any requirement imposed by subsection (2); or
  - (c) he makes an unauthorised disclosure of any information obtained by him in the exercise of any power conferred by this section, or as a consequence of the exercise of any such power by another.
- (6) For the purposes of this section a disclosure of information obtained by any person as mentioned in subsection (5)(c) is authorised if, and only if, it is made—
- (a) for the purposes of the carrying out by the Authority of any of its functions under this Act; or
  - (b) for the purposes of any criminal proceedings.
- (7) A person guilty of an offence under this section shall be liable, on summary conviction, to a term of imprisonment not exceeding six months or to a fine not exceeding level 5 on the standard scale, or to both.
- (8) In this section “regulated person” means—
- (a) the holder of any licence granted under this Act;
  - (b) any person who engages in licensable conduct without being the holder of a licence under this Act;
  - (c) any person who is for the time being approved in accordance with arrangements under section 15 in respect of any services which regulations under section 17 prohibit him from providing unless so approved; or
  - (d) any person who is not so approved but provides security industry services which he is prohibited by any such regulations from providing.

## **20 Guidance as to exercise of power of entry**

- (1) It shall be the duty of the Authority to prepare and publish a document containing its guidance as to the manner in which persons authorised to enter premises under subsection (1) of section 19 should—
- (a) exercise the power conferred by that subsection; and
  - (b) conduct themselves after entering premises in exercise of that power.
- (2) The Authority may from time to time revise the guidance published under this section; and, if it does so, it shall publish the revised guidance.
- (3) A requirement under this section for the Authority to publish guidance or revised guidance shall be a requirement to publish it in such manner as appears to the Authority appropriate for bringing it to the attention of persons likely to be affected by it.

## **21 Access to enhanced criminal records certificates**

In section 115(5) of the Police Act 1997 (c. 50) (matters in respect of which an enhanced criminal record certificate may be required), after paragraph (g) there shall be inserted—

- “(ga) a licence under the Private Security Industry Act 2001 to engage in any such licensable conduct (within the meaning of that Act) as will or may

involve, or relate to, activities to which paragraph 8 of Schedule 2 to that Act applies (door supervisors etc. for public houses and clubs and comparable venues).”

## **22 False information**

- (1) A person is guilty of an offence if for any purposes connected with the carrying out by the Authority of any of its functions under this Act—
  - (a) he makes any statement to the Authority which he knows to be false in a material particular; or
  - (b) he recklessly makes any statement to the Authority which is false in a material particular.
- (2) A person guilty of an offence under this section shall be liable, on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or to both.