

Status: Point in time view as at 01/04/2008.

Changes to legislation: Private Security Industry Act 2001 is up to date with all changes known to be in force on or before 11 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 1

THE SECURITY INDUSTRY AUTHORITY

Membership and chairman

- 1 (1) The Authority shall consist of such number of members as the Secretary of State may determine.
- (2) The appointment of a person to be a member shall be made by the Secretary of State.
- (3) The Secretary of State shall appoint one of the members of the Authority to be its chairman.
- [^{F1}(4) Before appointing the chairman, the Secretary of State shall consult the Scottish Ministers.]

Textual Amendments

- F1** Sch. 1 para. 1(4) added (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(6)(b), [Sch. 15 para. 13\(a\)](#); S.S.I. 2006/381, art. 2(a)(i)(b)(i)

Commencement Information

- I1** Sch. 1 para. 1 in force at 6.7.2006 for S. by [S.S.I. 2006/382](#), [art. 3\(a\)](#)

Tenure of office

- 2 (1) Subject to the provisions of this Schedule, a member shall hold and vacate office in accordance with the terms of his appointment.
- (2) A person shall not be appointed as a member for more than five years.
- (3) A person may at any time resign his office as a member by notice in writing to the Secretary of State.
- (4) A person appointed as chairman of the Authority—
 - (a) shall hold and vacate that office in accordance with the terms of his appointment;
 - (b) may resign that office by notice in writing to the Secretary of State; and
 - (c) shall cease to hold that office if he ceases to be a member.

Commencement Information

- I2** Sch. 1 para. 2 in force at 6.7.2006 for S. by [S.S.I. 2006/382](#), [art. 3\(a\)](#)

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- 3 ^[F2](1) The Secretary of State may remove a person from office as a member or as chairman of the Authority if satisfied that—
- (a) he has without reasonable excuse failed, for a continuous period of three months, to carry out his functions as a member or (as the case may be) as chairman;
 - (b) he has without reasonable excuse been absent from three consecutive meetings of the Authority;
 - (c) he has been convicted (whether before or after his appointment) of a criminal offence;
 - (d) he is an undischarged bankrupt or his estate has been sequestrated and he has not been discharged, or he has made an arrangement with, or granted a trust deed for, his creditors;
 - (e) he has failed to comply with the terms of his appointment; or
 - (f) he is otherwise unable or unfit to carry out his functions as a member or (as the case may be) as chairman.
- ^[F3](2) Before removing a person from office as chairman of the Authority, the Secretary of State shall consult the Scottish Ministers.]

Textual Amendments

- F2** Sch. 1 para. 3 renumbered as Sch. 1 para. 3(1) (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\), s. 178\(6\)\(b\), Sch. 15 para. 13\(b\)](#); S.S.I. 2006/381, art. 2(a)(i)(b)(i)
- F3** Sch. 1 para. 3(2) inserted (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\), s. 178\(6\)\(b\), Sch. 15 para. 13\(b\)](#); S.S.I. 2006/381, art. 2(a)(i)(b)(i)

Commencement Information

- I3** Sch. 1 para. 3 in force at 6.7.2006 for S. by [S.S.I. 2006/382, art. 3\(a\)](#)

- 4 A person who ceases (otherwise than by virtue of paragraph 3) to be a member or to be the chairman of the Authority shall be eligible for re-appointment.

Commencement Information

- I4** [Sch. 1 para. 4](#) in force at 6.7.2006 for S. by [S.S.I. 2006/382, art. 3\(a\)](#)

Remuneration, pensions etc. of members

- 5 (1) The Authority shall pay to its members such remuneration and allowances as the Secretary of State may determine.
- (2) The Authority shall, as regards any of its members or former members in whose case the Secretary of State may so determine, pay or make payments in respect of such pension or gratuity as the Secretary of State may determine.
- (3) If—
- (a) a person ceases to be a member or ceases to be the chairman of the Authority, and
 - (b) it appears to the Secretary of State that there are special circumstances which make it right that he should receive compensation,

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the Secretary of State may direct the Authority to make a payment of such amount as he may determine.

Commencement Information

I5 Sch. 1 para. 5 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

Staff etc.

- 6 (1) The Authority shall have—
- (a) a chief executive, with responsibility to the Authority for the carrying out of its functions and the management of its employees; and
 - (b) subject to the approval of the Secretary of State as to numbers and terms and conditions of service, such other employees as the Authority may appoint.
- (2) The first appointment of a chief executive shall be made by the Secretary of State; but, subject to obtaining the Secretary of State's consent to the appointment, every subsequent appointment of a chief executive shall be made by the Authority itself.
- [^{F4}(2A) Before giving consent under sub-paragraph (2), the Secretary of State shall consult the Scottish Ministers.]
- (3) References in this Schedule to the employees of the Authority include references to its chief executive (whether appointed by the Secretary of State or by the Authority).

Textual Amendments

F4 Sch. 1 para. 6(2A) inserted (30.6.2006 for S., 6.7.2006 for E.W.) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(6)(b), Sch. 15 para. 13(c); S.S.I. 2006/381, art. 2(a)(i)(b)(i)

Commencement Information

I6 Sch. 1 para. 6 wholly in force; Sch. 1 para. 6 not in force at Royal Assent, see s. 26(2); Sch. 1 para. 6(1)(a)(2) in force at 1.1.2003 by S.I. 2002/3125, art. 2(d); Sch. 1 para. 6 in force at 1.4.2003 in so far as not already in force by S.I. 2002/3125, art. 3(d)

I7 Sch. 1 para. 6 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

- 7 (1) The Authority shall pay to its employees such remuneration and allowances as it may, with the consent of the Secretary of State, determine.
- (2) The Authority shall—
- (a) pay, or make payments in respect of, such pensions or gratuities to or in respect of its employees or former employees as it may, with the consent of the Secretary of State, determine; and
 - (b) provide and maintain such schemes (whether contributory or not) as it may determine, with the consent of the Secretary of State, for the payment of pensions or gratuities in respect of its employees or former employees.
- (3) References in this paragraph to pensions and gratuities include references to pensions or gratuities by way of compensation to or in respect of employees who suffer loss of employment or loss or diminution of emoluments.
- (4) If any person—

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- (a) on ceasing to be employed by the Authority becomes or continues to be one of its members, and
- (b) was, by reference to his employment, a participant in a pension scheme maintained by the Authority,

the Authority may, with the consent of the Secretary of State, make provision for that person to continue to participate in that scheme, on such terms and conditions as it may with the consent of the Secretary of State determine, as if his service as a member were service as an employee.

- (5) Any provision made by virtue of sub-paragraph (4) is without prejudice to paragraph 5.

Commencement Information

I8 Sch. 1 para. 7 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

Committees

- 8 (1) The Authority may establish committees.
- (2) Any committee established under sub-paragraph (1) may establish one or more sub-committees.
- (3) A person who is not a member of the Authority may be appointed to a committee or sub-committee of the Authority.
- (4) The Authority may pay to members of its committees or sub-committees who are neither members nor employees of the Authority such remuneration and allowances as the Secretary of State may determine.

Commencement Information

I9 Sch. 1 para. 8 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

Delegation to committees and staff

- 9 (1) The Authority may, to such extent as it may determine, delegate any of its functions to any committee of the Authority or to any employee of the Authority.
- (2) Any such committee may, to such extent as it may determine, delegate any function conferred on it to any of its sub-committees or to any employee of the Authority.
- (3) Any sub-committee of the Authority may, to such extent as the sub-committee may determine, delegate any functions conferred on the sub-committee to any employee of the Authority.

Commencement Information

I10 Sch. 1 para. 9 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

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Proceedings

- 10 (1) Subject to the following provisions of this paragraph, the Authority may regulate—
- (a) its own procedure (including quorum); and
 - (b) the procedure (including quorum) of its committees and sub-committees.
- (2) The quorum for meetings of the Authority shall in the first instance be determined by a meeting of the Authority that is attended by at least five of its members.
- (3) The Authority shall make provision for a quorum for meetings of its committees or sub-committees to include at least one member or employee of the Authority.

Commencement Information

I11 Sch. 1 para. 10 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

- 11 The validity of any proceedings of the Authority, or of any of its committees or sub-committees, shall not be affected by—
- (a) any vacancy among the members of the Authority or of members of the committee or sub-committee;
 - (b) any vacancy in the office of the chairman of the Authority; or
 - (c) any defect in the appointment of any one or more members or of the chairman of the Authority.

Commencement Information

I12 Sch. 1 para. 11 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

Application of seal and evidence

- 12 The application of the seal of the Authority shall be authenticated by the signature—
- (a) of any member; or
 - (b) of any other person who has been authorised by the Authority (whether generally or specially) for that purpose.

Commencement Information

I13 Sch. 1 para. 12 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

- 13 A document purporting to be—
- (a) duly executed by the Authority under its seal, or
 - (b) signed on its behalf,
- shall be received in evidence and shall, unless the contrary is proved, be taken to be so executed or signed.

Commencement Information

I14 Sch. 1 para. 13 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

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Money

- 14 (1) The Secretary of State may make payments to the Authority out of money provided by Parliament.
- [^{F5}(1A) The Scottish Ministers may make payments to the Authority out of the Scottish Consolidated Fund in relation to the exercise by the Authority of its functions in or as regards Scotland.]
- (2) The Authority shall not borrow money except with the consent of the Secretary of State.

Textual Amendments

F5 Sch. 1 para. 14(1A) inserted (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(6)(b), [Sch. 15 para. 13\(d\)](#); S.S.I. 2006/381, art. 2(a)(i)(b)(i)

Commencement Information

I15 Sch. 1 para. 14 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

- 15 (1) The Authority may impose such charges as it considers appropriate in connection with the carrying out of any of its functions.
- (2) The Authority shall pay to the Secretary of State all sums received by it (otherwise than under paragraph 14) in the course of, or in connection with, the carrying out of its functions.
- (3) Sub-paragraph (2) shall not apply where the Secretary of State so directs.
- (4) Any sums received by the Secretary of State under sub-paragraph (2) shall be paid into the Consolidated Fund.

Commencement Information

I16 Sch. 1 para. 15 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

- 16 (1) The Authority shall—
- (a) keep proper accounts and proper records in relation to the accounts; and
 - (b) prepare a statement of accounts in respect of each financial year.
- (2) The statement of accounts shall be in such form, and shall contain such information, as the Secretary of State may direct.
- (3) The Authority shall, within such period after the end of each financial year as the Secretary of State may direct, send copies of the statement of accounts relating to that year to the Secretary of State [^{F6}, to the Scottish Ministers] and to the Comptroller and Auditor General.
- [^{F7}(3A) The Scottish Ministers shall present documents received by them under sub-paragraph (3) to the Scottish Parliament.]
- (4) The Comptroller and Auditor General shall—
- (a) examine, certify and report on every statement of accounts sent to him by the Authority under this paragraph; and

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- (b) lay copies of each such statement and of his report on it before each House of Parliament.

Textual Amendments

- F6** Words in [Sch. 1 para. 16\(3\)](#) inserted (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(6)(b), [Sch. 15 para. 13\(e\)\(i\)](#); S.S.I. 2006/381, art. 2(a)(i)(b)(i)
- F7** [Sch. 1 para. 16\(3A\)](#) inserted (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(6)(b), [Sch. 15 para. 13\(e\)\(ii\)](#); S.S.I. 2006/381, art. 2(a)(i)(b)(i)

Commencement Information

- I17** [Sch. 1 para. 16](#) in force at 6.7.2006 for S. by [S.S.I. 2006/382](#), [art. 3\(a\)](#)

Annual report

- 17 (1) As soon as practicable after the end of each financial year, the Authority shall send to the Secretary of State [^{F8}and to the Scottish Ministers] a report on the carrying out of its functions during that year.
- (2) The Secretary of State shall lay a copy of each such report before each House of Parliament.
- [^{F9}(3) The Scottish Ministers shall lay a copy of each such report before the Scottish Parliament.]

Textual Amendments

- F8** Words in [Sch. 1 para. 17\(1\)](#) inserted (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(6)(b), [Sch. 15 para. 13\(f\)\(i\)](#); S.S.I. 2006/381, art. 2(a)(i)(b)(i)
- F9** [Sch. 1 para. 17\(3\)](#) added (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(6)(b), [Sch. 15 para. 13\(f\)\(ii\)](#); S.S.I. 2006/381, art. 2(a)(i)(b)(i)

Commencement Information

- I18** [Sch. 1 para. 17](#) in force at 6.7.2006 for S. by [S.S.I. 2006/382](#), [art. 3\(a\)](#)

The Public Records Act 1958 (c. 51)

- 18 In Schedule 1 to the Public Records Act 1958 (definition of public records), in Part 2 of the Table at the end of paragraph 3 there shall be inserted, at the appropriate place—
- “Security Industry Authority”.

Commencement Information

- I19** [Sch. 1 para. 18](#) in force at 6.7.2006 for S. by [S.S.I. 2006/382](#), [art. 3\(a\)](#)

The Parliamentary Commissioner Act 1967 (c. 13)

- 19 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc. subject to investigation), there shall be inserted, at the appropriate place—

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“Security Industry Authority”.

Commencement Information

I20 Sch. 1 para. 19 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

The Superannuation Act 1972 (c. 11)

20 In Schedule 1 to the Superannuation Act 1972 (kinds of employment to which that Act applies), in the entries under the heading “Other bodies”, there shall be inserted, at the appropriate place—

“The Security Industry Authority”.

Commencement Information

I21 Sch. 1 para. 20 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

The House of Commons Disqualification Act 1975 (c. 24)

21 In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies whose members are disqualified) there shall be inserted, at the appropriate place—

“The Security Industry Authority”.

Commencement Information

I22 Sch. 1 para. 21 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

The Northern Ireland Assembly Disqualification Act 1975 (c. 25)

22 In Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies whose members are disqualified) there shall be inserted (at the appropriate place)—

“The Security Industry Authority”.

Commencement Information

I23 Sch. 1 para. 22 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

The Freedom of Information Act 2000 (c. 36)

23 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (bodies etc. which are public authorities for the purposes of the Act) there shall be inserted (at the appropriate place)—

“The Security Industry Authority”.

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Commencement Information

I24 Sch. 1 para. 23 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

Interpretation

- 24 In this Schedule—
- “delegate” includes further delegate;
 - “financial year” means—
 - (a) the period beginning with the day appointed for the coming into force of section 1 and ending with the next 31st March; and
 - (b) any subsequent period of twelve months ending with 31st March; and
 - “member”, except in so far as the context otherwise requires, means a member of the Authority.

Commencement Information

I25 Sch. 1 para. 24 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

SCHEDULE 2

Section 3

ACTIVITIES LIABLE TO CONTROL UNDER THE ACT

PART 1

ACTIVITIES OF SECURITY OPERATIVES

General

- 1 (1) Subject to sub-paragraph (2), the activities which are referred to in this Act as the activities of a security operative are those to which any one or more of the following paragraphs of this Part of this Schedule applies.
- (2) The Secretary of State may by order amend this Part of this Schedule for the purpose of adding or excluding any such activities as he thinks fit to or from those that fall to be regarded for the purposes of this Act as the activities of a security operative.
- (3) The Secretary of State shall not make an order containing (with or without any other provision) any provision authorised by sub-paragraph (2) unless a draft of the order has been laid before Parliament and approved by a resolution of each House.

Commencement Information

I26 Sch. 2 para. 1 in force at 1.4.2003 for certain purposes by S.I. 2002/3125, art. 4(h)

I27 Sch. 2 para. 1 in force at 1.2.2004 in so far as not already in force by S.I. 2003/2710, art. 3(l)

I28 Sch. 2 para. 1 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

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Manned guarding

- 2 (1) This paragraph applies (subject to the following provisions of this paragraph) to any of the following activities—
- (a) guarding premises against unauthorised access or occupation, against outbreaks of disorder or against damage;
 - (b) guarding property against destruction or damage, against being stolen or against being otherwise dishonestly taken or obtained;
 - (c) guarding one or more individuals against assault or against injuries that might be suffered in consequence of the unlawful conduct of others.
- (2) In this paragraph references to guarding premises against unauthorised access include references to being wholly or partly responsible for determining the suitability for admission to the premises of persons applying for admission.
- (3) In this paragraph references to guarding against something happening include references to so providing a physical presence, or carrying out any form of patrol or surveillance, as—
- (a) to deter or otherwise discourage it from happening; or
 - (b) to provide information, if it happens, about what has happened.
- (4) This paragraph does not apply to the activities of an individual who exercises control over the persons allowed access to any premises to the extent only of securing, or checking, that persons allowed access—
- (a) have paid for admission; or
 - (b) have invitations or passes allowing admission.
- (5) This paragraph does not apply to the activities of a person who, incidentally to the carrying out of any activities in relation to a group of individuals which (disregarding this sub-paragraph) are neither—
- (a) the activities of a security operative, nor
 - (b) activities comprising the exercise of any such control as is mentioned in sub-paragraph (4),
- maintains order or discipline amongst those individuals.
- (6) This paragraph does not apply to the activities of a person who, incidentally to the carrying out of activities which (disregarding this sub-paragraph) are not wholly or mainly the activities of a security operative, responds to a sudden or unexpected occurrence.
- [^{F10}(7) This paragraph does not apply to—
- (a) activities that are carried out by virtue of an arrangement made by the Secretary of State under section 80 of the Criminal Justice Act 1991 (arrangements for the provision of prisoner escorts) or section 12(1) of, and Schedule 1 to, the Criminal Justice and Public Order Act 1994 (escort arrangements for offenders: England and Wales);
 - [^{F11}(aa) activities that are carried out by virtue of an arrangement made by the Scottish Ministers under section 102 of the Criminal Justice and Public Order Act 1994 (arrangements for the provision of prisoner escorts: Scotland);]
 - (b) activities that are carried out for the purposes of the performance of a contract entered into under, or for the purposes of, section 84 (contracting out prisons etc.) of the Criminal Justice Act 1991 or section 88A (contracted out functions at directly managed prisons) of that Act;

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- (c) activities that are carried out for the purposes of the performance of a contract entered into under, or for the purposes of, section 7 (contracting out of secure training centres) of the Criminal Justice and Public Order Act 1994 or section 11 (contracted out functions at directly managed secure training centres) of that Act;
- ^{F12}(ca) [activities that are carried out for the purposes of the performance of a contract entered into under, or for the purposes of, section 106 of the Criminal Justice and Public Order Act 1994 (contracting out of prisons in Scotland) or section 112 (contracted out functions at directly managed prisons in Scotland) of that Act;]
- (d) activities carried out by a detainee custody officer (within the meaning of Part 8 of the Immigration and Asylum Act 1999 (removal centres and detained persons))—
 - (i) in the performance of escort functions or custodial functions or both (in each case within the meaning of that Part of that Act) which he is authorised to perform under section 154 of that Act (detainee custody officers);
 - (ii) in the performance of a function for the purposes of a contract entered into by the Secretary of State under section 150(1) of that Act (contracted out functions at directly managed removal centres);
- (e) activities carried out by a prisoner custody officer (within the meaning of Part 8 of the Immigration and Asylum Act 1999 (removal centres and detained persons))—
 - (i) in the performance of a function conferred on him by the Secretary of State under section 154(5) of that Act (functions of detainee custody officers); or
 - (ii) in the performance of a function for the purposes of a contract entered into by the Secretary of State under section 150(1) of that Act (contracted out functions at directly managed removal centres);
- (f) activities of a person employed by a police authority who is designated by a chief officer of a police force under section 38 of the Police Reform Act 2002 (police powers for police authority employees) which are carried out in the course of that employment;
- ^{F13}(fa) [activities of a person employed or appointed in accordance with section 9(1) of the Police (Scotland) Act 1967 (civilian employees) and certified in accordance with section 9(1A) of that Act as a police custody and security officer, which are carried out in the course of that employment or appointment;]
- (g) activities of a person who is designated by a chief officer of police under section 39(2) of the Police Reform Act 2002 (police powers for contracted-out staff) which are carried out for the purposes of the performance of a contract entered into under section 39(1) of that Act by that person's employer;
- (h) activities of a person who is appointed under section 24 (constables), 25 (special constables) or 26 (cadets) of the Railways and Transport Safety Act 2003 which are carried out in the course of his employment by the British Transport Police Authority;
- (i) activities of a person who is employed by the British Transport Police Authority under section 27 of the Railways and Transport Safety Act 2003 (civilian employees) and who is designated by the chief constable of the British Transport Police Force under section 38 of the Police Reform Act

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- 2002 (police powers for police authority employees) where those activities are carried out in the course of that employment;
- (j) activities of a person who is employed by the Civil Nuclear Police Authority under section 55 of the Energy Act 2004 (members of the constabulary) which are carried out in the course of that employment;
- (k) activities of a person who is employed as a constable by a harbour authority, within the meaning of section 57 of the Harbours Act 1964 (interpretation), which are carried out in the course of that employment;
- (l) activities of a person who is not a constable or an officer of Her Majesty's Revenue and Customs but is authorised for the purposes of section 40 of the Immigration, Asylum and Nationality Act 2006 (searches: contracting out) which are carried out for the purposes of arrangements made under section 40(6)(c) of that Act.]
- [^{F14}(m) activities of a person who is acting as a manager of any approved premises (within the meaning of section 13 of the Offender Management Act 2007).]

Textual Amendments

- F10** Sch. 2 para. 2(7) inserted (11.7.2006) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2006 \(S.I. 2006/1831\)](#), arts. 1(1), **2**
- F11** Sch. 2 para. 2(7)(aa) inserted (1.10.2007) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2007 \(S.I. 2007/2201\)](#), arts. 1(3), **2(2)**
- F12** Sch. 2 para. 2(7)(ca) inserted (1.10.2007) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2007 \(S.I. 2007/2201\)](#), arts. 1(3), **2(3)**
- F13** Sch. 2 para. 2(7)(fa) inserted (1.10.2007) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2007 \(S.I. 2007/2201\)](#), arts. 1(3), **2(4)**
- F14** Sch. 2 para. 2(7)(m) inserted (1.4.2008) by [Offender Management Act 2007 \(c. 21\)](#), ss. **13(7)**, 41(1); [S.I. 2008/504](#), art. 3(e)

Commencement Information

- I29** Sch. 2 para. 2 in force at 1.2.2004 by [S.I. 2003/2710](#), art. **3(l)**
- I30** Sch. 2 para. 2 in force at 6.7.2006 for S. by [S.S.I. 2006/382](#), art. **3(a)**

Immobilisation of vehicles

- 3 [^{F15}(1) This paragraph applies (subject to the following provisions of this paragraph) to any of the following activities—
- (a) the immobilisation of a motor vehicle by the attachment to the vehicle, or to a part of it, of an immobilising device;
- (b) the removal of an immobilising device from a motor vehicle; and
- (c) the demanding or collection of a charge as a condition of the removal of an immobilising device from a motor vehicle.]
- (2) This paragraph applies only to—
- [^{F16}(a)] activities carried out for the purpose of preventing or inhibiting the removal of a vehicle by a person otherwise entitled to remove it.
- [^{F17}(b)] activities carried out in connection with activities mentioned in paragraph (a)]
- [^{F18}(2A) The activities in sub-paragraph (1)(a) only fall within this paragraph where—

Status: Point in time view as at 01/04/2008.

Changes to legislation: Private Security Industry Act 2001 is up to date with all changes known to be in force on or before 11 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) they are carried out in circumstances in which it is proposed to impose a charge for the release of the vehicle; and
 - (b) they are carried out in relation to a vehicle while it is elsewhere than on a road within the meaning of the Road Traffic Act 1988 (c. 52).
- (2B) The activities in sub-paragraph (1)(b) only fall within this paragraph where—
- (a) they are carried out in circumstances where it is either proposed to impose a charge for the release of the vehicle or where such a charge has been imposed; and
 - (b) they are carried out in relation to a vehicle which was immobilised while it was elsewhere than on a road within the meaning of the Road Traffic Act 1988.
- (3) The activities in sub-paragraph (1)(c) only fall within this paragraph where they are carried out in relation to a vehicle which was immobilised while it was elsewhere than on a road within the meaning of the Road Traffic Act 1988.]

[^{F19}(3A) This paragraph does not apply to—

- (a) activities carried out [^{F20}for the purposes of, or in connection with,] a contract entered into by the Lord Chancellor under section 2(4) of the Courts Act 2003 (court officers, staff and services);
- (b) activities of a person who is appointed under section 24 (constables), 25 (special constables) or 26 (cadets) of the Railways and Transport Safety Act 2003 which are carried out in the course of his employment by the British Transport Police Authority;
- (c) activities of a person who is employed by the British Transport Police Authority under section 27 of the Railways and Transport Safety Act 2003 (civilian employees) and who is designated by the chief constable of the British Transport Police Force under section 38 of the Police Reform Act 2002 (police powers for police authority employees) where those activities are carried out in the course of that employment;
- (d) activities of a person who is employed as a constable by a harbour authority, within the meaning of section 57 of the Harbours Act 1964 (interpretation), which are carried out in the course of that employment.]

[^{F21}(4) This paragraph does not apply to any activities carried out in Scotland.]

Textual Amendments

- F15** Sch. 2 para. 3(1) substituted (11.7.2006) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2006 \(S.I. 2006/1831\)](#), arts. 1(1), **3(2)**
- F16** Word in Sch. 2 para. 3(2) inserted (11.7.2006) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2006 \(S.I. 2006/1831\)](#), arts. 1(1), **3(3)(a)**
- F17** Sch. 2 para. 3(2)(b) inserted (11.7.2006) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2006 \(S.I. 2006/1831\)](#), arts. 1(1), **3(3)(b)**
- F18** Sch. 2 para. 3(2A)-(3) substituted for Sch. 2 para. 3(2A)(3) (11.7.2006) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2006 \(S.I. 2006/1831\)](#), arts. 1(1), **3(4)**
- F19** Sch. 2 para. 3(3A) inserted (11.7.2006) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2006 \(S.I. 2006/1831\)](#), arts. 1(1), **3(5)**
- F20** Words in Sch. 2 para. 3(3A)(a) substituted (1.10.2007) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2007 \(S.I. 2007/2201\)](#), arts. 1(3), **3**

Status: Point in time view as at 01/04/2008.

Changes to legislation: Private Security Industry Act 2001 is up to date with all changes known to be in force on or before 11 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

F21 Sch. 2 para. 3(4) added (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(6)(b), [Sch. 15 para. 14\(a\)](#); S.S.I. 2006/381, art. 2(a)(i)(b)(i)

Commencement Information

I31 Sch. 2 para. 3 in force at 1.2.2004 by [S.I. 2003/2710](#), [art. 3\(1\)](#)

I32 Sch. 2 para. 3 in force at 6.7.2006 for S. by [S.S.I. 2006/382](#), [art. 3\(a\)](#)

Restriction and removal of vehicles

[^{F22}3A.(1) This paragraph applies (subject to the following provisions of this paragraph) to—

- (a) the moving of a vehicle by any means; ^{F23} ...
- (b) the restriction of the movement of a vehicle by any means.
- [the release of a vehicle which has been so moved or restricted, where release
- ^{F24}(c) is effected by returning the vehicle to the control of the person who was otherwise entitled to remove it, by removing any restriction on the movement of the vehicle or by any other means; and
- (d) the demanding or collection of a charge as a condition of any such release of a vehicle.]

(2) This paragraph applies only to—

- [activities carried out for the purpose of preventing or inhibiting the removal
- ^{F25}(a)] of a vehicle by a person otherwise entitled to remove it.
- [activities carried out in connection with activities carried mentioned in
- ^{F26}(b)] paragraph (a)]

[^{F27}(2A) The activities in sub-paragraph (1)(a) and (b) only fall within this paragraph where—

- (a) they are carried out in circumstances in which it is proposed to impose a charge for the release of the vehicle; and
- (b) they are carried out in relation to a vehicle while it is elsewhere than on a road within the meaning of the Road Traffic Act 1988 (c. 52).

(2B) The activities in sub-paragraph (1)(c) only fall within this paragraph where—

- (a) they are carried out in circumstances where it is either proposed to impose a charge for the release of the vehicle or where such a charge has been imposed; and
- (b) they are carried out in relation to a vehicle which was moved or restricted while it was elsewhere than on a road within the meaning of the Road Traffic Act 1988.

(3) The activities in sub-paragraph (1)(d) only fall within this paragraph where they are carried out in relation to a vehicle which was moved or restricted while it was elsewhere than on a road within the meaning of the Road Traffic Act 1988.]

(4) This paragraph does not apply to any activities carried out in relation to a vehicle while it is on a road within the meaning of the Road Traffic Act 1988.

(5) This paragraph does not apply to restricting the movement of a vehicle by a fixed barrier which was present when that vehicle was parked and which is reasonably understood to be for the purpose of ensuring payment which has been accepted as a condition of parking.]

[^{F28}(6) This paragraph does not apply to—

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- (a) activities carried out [^{F29}for the purposes of, or in connection with,] a contract entered into by the Lord Chancellor under section 2(4) of the Courts Act 2003 (court officers, staff and services);
- (b) activities carried out by a person for the purposes of, or in connection with, a contract entered into by a local authority with a view to removing a vehicle pursuant to section 3 of the Refuse Disposal (Amenity) Act 1978 (removal of abandoned vehicles) or pursuant to regulations made under section 99 of the Road Traffic Regulation Act 1984 (removal of vehicles illegally, obstructively or dangerously parked, or abandoned or broken down);
- (c) activities carried out by a person for the purposes of, or in connection with, a contract entered into by a police authority or another authority which maintains a body of constables with a view to removing a vehicle pursuant to regulations made under section 99 of the Road Traffic Regulation Act 1984 (removal of vehicles illegally, obstructively or dangerously parked, or abandoned or broken down);
- (d) activities of a person who is appointed under section 24 (constables), 25 (special constables) or 26 (cadets) of the Railways and Transport Safety Act 2003 which are carried out in the course of his employment by the British Transport Police Authority;
- (e) activities of a person who is employed by the British Transport Police Authority under section 27 of the Railways and Transport Safety Act 2003 (civilian employees), and who is designated by the chief constable of the British Transport Police Force under section 38 of the Police Reform Act 2002 (police powers for police authority employees) where those activities are carried out in the course of that employment;
- (f) activities of a person who is employed as a constable by a harbour authority, within the meaning of section 57 of the Harbours Act 1964 (interpretation) which are carried out in the course of that employment.]

[^{F28}(7) For the purposes of sub-paragraph (6)(b) “local authority” means—

- (a) in relation to England, a district council, a London borough council or the Common Council of the City of London;
- (b) in relation to Wales, a county council or a county borough council.]

[^{F30}(8) This paragraph does not apply to any activities carried out in Scotland.]

Textual Amendments

- F22** Sch. 2 para. 3A inserted (28.2.2005) by The Private Security Industry Act 2001 (Amendments to Schedule 2) Order 2005 (S.I. 2005/224), arts. 1(1), **3**
- F23** Word in Sch. 2 para. 3A(1)(a) omitted (11.7.2006) by virtue of The Private Security Industry Act 2001 (Amendments to Schedule 2) Order 2006 (S.I. 2006/1831), arts. 1(1), **4(2)(a)**
- F24** Sch. 2 para. 3A(1)(c)(d) inserted (11.7.2006) by The Private Security Industry Act 2001 (Amendments to Schedule 2) Order 2006 (S.I. 2006/1831), arts. 1(1), **4(2)(b)**
- F25** Word in Sch. 2 para. 3A(2) inserted (11.7.2006) by The Private Security Industry Act 2001 (Amendments to Schedule 2) Order 2006 (S.I. 2006/1831), arts. 1(1), **4(3)(a)**
- F26** Sch. 2 para. 3A(2)(b) inserted (11.7.2006) by The Private Security Industry Act 2001 (Amendments to Schedule 2) Order 2006 (S.I. 2006/1831), arts. 1(1), **4(3)(b)**
- F27** Sch. 2 paras. 3A(2A)-(3) substituted for Sch. 2 para. 3A(2A)(3) (11.7.2006) by virtue of The Private Security Industry Act 2001 (Amendments to Schedule 2) Order 2006 (S.I. 2006/1831), arts. 1(1), **4(4)**
- F28** Sch. 2 para. 3A(6)(7) inserted (11.7.2006) by The Private Security Industry Act 2001 (Amendments to Schedule 2) Order 2006 (S.I. 2006/1831), arts. 1(1), **4(5)**

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- F29** Words in Sch. 2 para. 3A(6)(a) substituted (1.10.2007) by The Private Security Industry Act 2001 (Amendments to Schedule 2) Order 2007 (S.I. 2007/2201), arts. 1(3), 3
- F30** Sch. 2 para. 3A(8) inserted (1.10.2007) by The Private Security Industry Act 2001 (Amendments to Schedule 2) Order 2007 (S.I. 2007/2201), arts. 1(3), 4

Private investigations

- 4 (1) This paragraph applies (subject to the following provisions of this paragraph) to any surveillance, inquiries or investigations that are carried out for the purpose of—
- (a) obtaining information about a particular person or about the activities or whereabouts of a particular person; or
 - (b) obtaining information about the circumstances in which or means by which property has been lost or damaged.
- (2) This paragraph does not apply to activities carried out exclusively for the purposes of market research.
- (3) This paragraph does not apply to activities carried out exclusively for the purpose of determining whether a particular person is credit-worthy.
- (4) This paragraph does not apply to any activities of a person with a general qualification within the meaning of section 71 of the Courts and Legal Services Act 1990 (c. 41) which are carried out by him for the purposes of any legal practice carried on—
- (a) by him;
 - (b) by any firm of which he is a partner or by which he is employed;
 - (c) by any body corporate of which he is a director or member or by which he is employed.
- [^{F31}(4A) This paragraph does not apply to any activities of a person who is an advocate or solicitor in Scotland in the provision of legal services—
- (a) by him;
 - (b) by any firm of which he is a partner or by which he is employed;
 - (c) by any body corporate of which he is a director or member or by which he is employed.]
- (5) This paragraph does not apply to any activities of a member of a relevant accountancy body which are carried out by him as such and for the purposes of any accountancy practice carried on—
- (a) by him;
 - (b) by any firm of which he is a partner or by which he is employed;
 - (c) by any body corporate of which he is a director or member or by which he is employed.
- (6) This paragraph does not apply to activities carried out for the purpose of obtaining information exclusively with a view to its use, or the use of information to which it relates, for the purposes of or in connection with the publication to the public or to a section of the public of any journalistic, literary or artistic material or of any work of reference.
- (7) This paragraph does not apply to activities carried out exclusively by means of references to one or more of the following—

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- (a) registers or other records that are open (whether or not on the payment of a fee) to public inspection;
 - (b) registers or other records which are kept by the person by whom or on whose behalf the activities are carried out or to which that person has a right of access;
 - (c) published works.
- (8) This paragraph does not apply to activities carried out with the knowledge or consent of—
- (a) the person about whom, or about whose activities or whereabouts, information is sought; or
 - (b) every person whose interest in any property has been affected by the loss or damage about which information is sought.
- (9) This paragraph does not apply to the activities of any person who carries out any inquiries or investigation merely incidentally to the carrying out of any activities which (disregarding this sub-paragraph) are not the activities of a security operative.
- (10) In this paragraph “market research” includes—
- (a) discovering whether a person is a potential customer for any goods or services or the extent of his satisfaction with goods or services supplied to him; and
 - (b) obtaining information from any person for the purpose of analysing public opinion on any matter (whether or not relating to the market for any goods or services).

Textual Amendments

F31 Sch. 2 para. 4(4A) inserted (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(6)(b), **Sch. 15 para. 14(b)**; S.S.I. 2006/381, art. 2(a)(i)(b)(i)

Commencement Information

I33 Sch. 2 para. 4 in force at 1.2.2004 by [S.I. 2003/2710](#), **art. 3(1)**

I34 Sch. 2 para. 4 in force at 6.7.2006 for S. by [S.S.I. 2006/382](#), **art. 3(a)**

Taking precognitions

- [^{F32}4A (1) This paragraph applies (subject to sub-paragraph (2)) to the taking, other than on behalf of the Crown, of a precognition for the purposes of, or in anticipation of—
- (a) criminal or civil proceedings in Scotland; or
 - (b) proceedings on an application under section 65(7) or (9) of the Children (Scotland) Act 1995.
- (2) This paragraph does not apply to any activities of a person who is an advocate or solicitor in Scotland.]

Textual Amendments

F32 Sch. 2 para. 4A and cross-heading inserted (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(6)(b), **Sch. 15 para. 14(c)**; S.S.I. 2006/381, art. 2(a)(i)(b)(i)

Status: Point in time view as at 01/04/2008.

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Security consultants

- 5 (1) This paragraph applies (subject to the following provisions of this paragraph) to the giving of advice about—
- (a) the taking of security precautions in relation to any risk to property or to the person; or
 - (b) the acquisition of any services involving the activities of a security operative.
- (2) This paragraph does not apply to the giving of legal or financial advice or to the giving of any advice about the conduct of any business involving the provision of any such services as are mentioned in sub-paragraph (1)(b).
- (3) This paragraph does not apply to any activities of a member of a relevant accountancy body which are carried out by him as such and for the purposes of any accountancy practice carried on—
- (a) by him;
 - (b) by any firm of which he is a partner or by which he is employed;
 - (c) by any body corporate of which he is a director or member or by which he is employed.
- (4) This paragraph does not apply to the provision of training to persons for the purpose of giving them qualifications, knowledge or skill for use in the carrying out of the activities of a security operative for others.

Commencement Information

I35 Sch. 2 para. 5 in force at 1.2.2004 by [S.I. 2003/2710](#), [art. 3\(1\)](#)

I36 [Sch. 2 para. 5](#) in force at 6.7.2006 for S. by [S.I. 2006/382](#), [art. 3\(a\)](#)

Keyholders

- 6 (1) This paragraph applies (subject to the following provisions of this paragraph) to keeping custody of, or controlling access to, any key or similar device for operating (whether mechanically, electronically or otherwise) any lock.
- (2) This paragraph does not apply to activities carried out merely incidentally to the provision of any services in connection with a proposal for the sale of any premises or other property to which the key or similar device gives access.
- (3) This paragraph does not apply to the activities of a person who holds a key or other device for obtaining access to any premises for purposes incidental to the provision in relation to those premises, or in relation to an individual present on those premises, of any services that do not consist in or include the carrying out of any of the activities of a security operative.
- (4) In this paragraph “lock” means a lock or similar device (whether operated mechanically, electronically or otherwise) that is designed or adapted—
- (a) for protecting any premises against unauthorised entry; or
 - (b) for securing any safe or other container specifically designed or adapted to hold valuables.

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Commencement Information

- I37** Sch. 2 para. 6 in force at 1.2.2004 by S.I. 2003/2710, art. 3(l)
I38 Sch. 2 para. 6 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

PART 2

ACTIVITIES SUBJECT TO ADDITIONAL CONTROLS

General

- 7 (1) Subject to sub-paragraph (2), the activities which are referred to in this Act as activities subject to additional controls are any activities which, so far as they are designated activities, are activities to which any one or more of the following paragraphs of this Part of this Schedule applies.
- (2) The Secretary of State may by order amend this Part of this Schedule for the purpose of adding or excluding any such activities as he thinks fit to or from those that fall to be regarded for the purposes of this Act as activities subject to additional controls.
- (3) The Secretary of State shall not make an order containing (with or without any other provision) any provision authorised by sub-paragraph (2) unless a draft of the order has been laid before Parliament and approved by a resolution of each House.

Commencement Information

- I39** Sch. 2 para. 7 in force at 1.4.2003 for certain purposes by S.I. 2002/3125, art. 4(i)
I40 Sch. 2 para. 7 in force at 1.2.2004 in so far as not already in force by S.I. 2003/2710, art. 3(l)
I41 Sch. 2 para. 7 in force at 6.7.2006 for S. by S.S.I. 2006/382, art. 3(a)

Door supervisors etc for public houses, clubs and comparable venues

- 8 (1) This paragraph applies [^{F33}(subject to the following provisions of this paragraph)] to any activities which are activities of a security operative by virtue of paragraph 2 of this Schedule and are carried out—
- (a) in relation to licensed premises; and
- (b) at or in relation to times when those premises are open to the public.

[^{F34}(1A) This paragraph applies to activities carried out in relation to premises referred to in sub-paragraph (2)(a) only if they are carried out at or in relation to times when alcohol is being supplied (within the meaning of section 14 of the Licensing Act 2003 (meaning of “supply of alcohol”)) for consumption on the premises.

(1B) This paragraph applies to activities carried out in relation to premises referred to in sub-paragraph (2)(b) only if they are carried out at or in relation to times when regulated entertainment is being provided on the premises.

[This paragraph applies to activities carried out in relation to premises referred to in ^{F35}(1BA) paragraphs (f) to (j) of sub-paragraph (2) only if they are carried out at or in relation to times when alcoholic liquor (within the meaning of the Licensing (Scotland) Act 1976) is being sold or supplied for consumption on the premises.

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- (1BB) This paragraph applies to activities carried out in relation to premises referred to in sub-paragraph (2)(k) only if they are carried out at or in relation to times when the premises are being used as a place of public entertainment (within the meaning given in section 41(2) of the Civic Government (Scotland) Act 1982).
- (1BC) This paragraph applies to activities carried out in relation to premises referred to in sub-paragraph (2)(l) only if they are carried out at or in relation to times when an activity designated as mentioned in that sub-paragraph is being carried on in the premises.]
- (1C) This paragraph does not apply to—
- [activities which only involve the use of closed circuit television equipment.]
 - ^{F36}(a) [activities referred to in paragraph 2(1)(b) of this Schedule and which involve the secure transportation of property in vehicles specially manufactured or adapted so as to have secure transportation as their primary function; or
 - (c) activities referred to in paragraph 2(1)(c) of this Schedule.]
- (2) In this paragraph “licensed premises” means (subject to sub-paragraph (3))—
- ^{F38}(a) any premises in respect of which a premises licence or temporary event notice has effect under the Licensing Act 2003 to authorise the supply of alcohol (within the meaning of section 14 of that Act) for consumption on the premises;
 - (b) any premises in respect of which a premises licence or temporary event notice has effect under that Act to authorise the provision of regulated entertainment;]
 - ^{F38}(c)
 - ^{F38}(d)
 - (e) any premises in respect of which a licence of a prescribed description under any prescribed local statutory provision is for the time being in force;
 - ^{F39}(f) any premises specified in a public house licence (within the meaning of the Licensing (Scotland) Act 1976) which is for the time being in force;
 - (g) any premises specified in an hotel licence (within the meaning of that Act) which is for the time being in force;
 - (h) any premises specified in an entertainment licence (within the meaning of that Act) which is for the time being in force if they comprise a dance hall;
 - (i) any premises comprised in a place to which an occasional licence granted under section 33(1) of that Act (occasional licence for premises other than licensed premises or clubs) to the holder of a public house licence or hotel licence extends;
 - (j) any premises comprised in a place to which an occasional permission granted under section 34(1) of that Act (occasional permission for sale of alcohol in the course of catering for events arising from or related to the activities of a voluntary organisation) extends;
 - (k) any premises comprised in a place or class of place for the time being specified by resolution under section 9(5)(b) of the Civic Government (Scotland) Act 1982 (resolution specifying place or class of place falling to be licensed if to be used as place of public entertainment);
 - (l) any premises comprised in a place where an activity for the time being designated under section 44(1) of that Act (additional activities for which

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a licence is required) is carried on provided that, in the case of an activity designated under paragraph (a) of that section, the requisite resolution under section 9 of that Act has been obtained.]

- [^{F40}(3) For the purposes of this paragraph, premises are not licensed premises—
- (a) if there is in force in respect of the premises a premises licence which authorises regulated entertainment within paragraph 2(1)(a) or (b) of Schedule 1 to the Licensing Act 2003 (plays and films);
 - (b) in relation to any occasion on which the premises are being used—
 - (i) exclusively for the purposes of a club which holds a club premises certificate in respect of the premises, or
 - (ii) for regulated entertainment of the kind mentioned in paragraph (a), in circumstances where that use is a permitted temporary activity by virtue of Part 5 of that Act;
 - (c) [^{F41}in relation to any occasion on which a casino premises licence or a bingo premises licence is in force in respect of the premises under the Gambling Act 2005 and the premises are being used wholly or mainly for the purposes for which such a licence is required;]
- [^{F42}(ca) in relation to any occasion on which a licence is in force in respect of the premises under the Theatres Act 1968 and the premises are being used wholly or mainly for the purposes for which the licence is required;
- (cb) in relation to any occasion on which a licence is in force in respect of the premises under the Cinemas Act 1985 and the premises are being used wholly or mainly for the purposes for which such a licence is required; or]
 - (d) in relation to any such other occasion as may be prescribed for the purposes of this sub-paragraph.]
- (4) For the purposes of this paragraph the times when premises are open to the public shall be taken to include any time when they are open to a section of the public comprising the individuals who qualify for admission to the premises as the members of a particular club, association or group or otherwise as being persons to whom a particular description applies or in relation to whom particular conditions are satisfied.
- (5) References in this paragraph to the occasion on which any premises are being used for a particular purpose include references to any time on that occasion when the premises are about to be used for that purpose, or have just been used for that purpose.
- [^{F43}(6) Sub-paragraphs [^{F44}(1A), (1B),] (2)(a) and (b) and (3)(a) and (b) are to be construed in accordance with the Licensing Act 2003.]

Textual Amendments

- F33** Words in Sch. 2 para. 8(1) inserted (11.7.2006) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2006 \(S.I. 2006/1831\)](#), arts. 1(1), **5(2)**
- F34** Sch. 2 para. 8(1A)-(1C) inserted (11.7.2006) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2006 \(S.I. 2006/1831\)](#), arts. 1(1), **5(3)**
- F35** Sch. 2 para. 8(1BA)-(1BC) inserted (1.10.2007) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2007 \(S.I. 2007/2201\)](#), arts. 1(3), **5(2)**
- F36** Word in Sch. 2 para. 8(1C) inserted (1.10.2007) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2007 \(S.I. 2007/2201\)](#), arts. 1(3), **5(3)(a)**

Status: Point in time view as at 01/04/2008.

Changes to legislation: Private Security Industry Act 2001 is up to date with all changes known to be in force on or before 11 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F37** Sch. 2 para. 8(1C)(b)(c) inserted (1.10.2007) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2007 \(S.I. 2007/2201\)](#), arts. 1(3), **5(3)(b)**
- F38** Sch. 2 para. 8(2)(a)(b) substituted for Sch. 2 para. 8(2)(a)-(d) (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), **Sch. 6 para. 118(2)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)
- F39** Sch. 2 para. 8(2)(f)-(l) added (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(6)(b), **Sch. 15 para. 14(d)**; S.S.I. 2006/381, art. 2(a)(i)(b)(i)
- F40** Sch. 2 para. 8(3) substituted (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), **Sch. 6 para. 118(3)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)
- F41** Sch. 2 para. 8(3)(c) substituted (1.9.2007) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2007 \(S.I. 2007/2201\)](#), arts. 1(2), **5(4)**
- F42** Sch. 2 para. 8(3)(ca)(cb) inserted (1.10.2007) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2007 \(S.I. 2007/2201\)](#), arts. 1(3), **5(5)**
- F43** Sch. 2 para. 8(6) inserted (24.11.2005) by [Licensing Act 2003 \(c. 17\)](#), s. 201(2), **Sch. 6 para. 118(4)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)
- F44** Words in Sch. 2 para. 8(6) inserted (11.7.2006) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2006 \(S.I. 2006/1831\)](#), arts. 1(1), **5(4)**

Commencement Information

- I42** Sch. 2 para. 8 in force at 1.2.2004 by [S.I. 2003/2710](#), **art. 3(l)**
- I43** Sch. 2 para. 8 in force at 6.7.2006 for S. by [S.S.I. 2006/382](#), **art. 3(a)**

Immobilisation of vehicles

- 9 This paragraph applies to any activities which are activities of a security operative by virtue of paragraph 3 of this Schedule.

Commencement Information

- I44** Sch. 2 para. 9 in force at 1.2.2004 by [S.I. 2003/2710](#), **art. 3(l)**
- I45** [Sch. 2 para. 9](#) in force at 6.7.2006 for S. by [S.S.I. 2006/382](#), **art. 3(a)**

Restriction and removal of vehicles

- [^{F45}9A. This paragraph applies to any activities which are activities of a security operative by virtue of paragraph 3A of this Schedule.]

Textual Amendments

- F45** Sch. 2 para. 9A inserted (28.2.2005) by [The Private Security Industry Act 2001 \(Amendments to Schedule 2\) Order 2005 \(S.I. 2005/224\)](#), arts. 1(1), **4**

Taking precognitions

- [^{F46}10 This paragraph applies to any activities which are activities of a security operative by virtue of paragraph 4A of this Schedule.]

Textual Amendments

- F46** Sch. 2 para. 10 and cross-heading added (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(6)(b), **Sch. 15 para. 14(e)**; S.S.I. 2006/381, art. 2(a)(i)(b)(i)

Status:

Point in time view as at 01/04/2008.

Changes to legislation:

Private Security Industry Act 2001 is up to date with all changes known to be in force on or before 11 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.