



# Private Security Industry Act 2001

## 2001 CHAPTER 12

### *Licensing functions of the Authority*

#### **13 Licensing at local authority level**

- (1) The Secretary of State may by order make provision for local authorities to carry out some or all of the Authority's relevant licensing functions in relation to such cases and such areas, and for such purposes, as may be specified or described in the order.
- (2) References in this section to the Authority's relevant licensing functions are references to such of its functions under this Act (other than section 7) as relate to the grant, revocation or modification of licences to engage in any such licensable conduct as will or may involve, or relate to, the carrying out of activities to which paragraph 8 of Schedule 2 (door supervisors etc. for public houses and clubs and comparable venues) applies.
- (3) An order under this section may—
  - (a) impose such conditions and requirements in respect of the carrying out of any of the Authority's relevant licensing functions by a local authority as the Secretary of State thinks fit;
  - (b) provide for any of those conditions or requirements to be framed by reference to directions given by the Secretary of State in accordance with the order;
  - (c) provide for any of the powers exercisable by a local authority by virtue of such an order to be exercisable concurrently in relation to the same case by the Authority and that local authority; and
  - (d) authorise a local authority to retain any fee paid to them by virtue of section 8(7).
- (4) Section 11 shall apply in relation to a decision made by a local authority in accordance with an order under subsection (1) as it applies in relation to a decision of the Authority; and where it so applies it shall have effect as if the references in subsections (2) and (4) of that section to the Authority were a reference to the local authority that made the decision in question.

---

**Changes to legislation:** Private Security Industry Act 2001, Section 13 is up to date with all changes known to be in force on or before 13 June 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) View outstanding changes

---

- (5) The Secretary of State may by order make such provision repealing or modifying the provisions of any local enactment as he considers appropriate in consequence of the coming into force of any of the provisions of this Act or of an order under subsection (1).
- (6) The Secretary of State shall consult the Authority before making an order under this section.
- (7) In this section “local authority” means—
- (a) the council for any county or district in England other than a metropolitan county the districts comprised in which are districts for which there are councils;
  - (b) the council for any London borough;
  - (c) the Common Council of the City of London;
  - (d) the Council of the Isles of Scilly;
  - (e) the council for any county or county borough in Wales.

[<sup>F1</sup>(8) This section does not apply to Scotland [<sup>F2</sup>or Northern Ireland] .]

---

#### Textual Amendments

- F1** S. 13(8) added (6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), s. 178(6)(b), [Sch. 15 para. 7](#); [S.S.I. 2006/381](#), art. 2(b)(i)
- F2** Words in s. 13(8) inserted (8.3.2009) by [Justice and Security \(Northern Ireland\) Act 2007 \(c. 6\)](#), ss. 48(6), [49\(3\)](#); [S.I. 2009/446](#), art. 2(1)(2)(b)
- 

#### Commencement Information

- I1** S. 13(1)-(4) (7) in force at 1.2.2004 [S.I. 2003/2710](#), [art. 3\(h\)](#)
- I2** S. 13(5)(6) in force at 1.4.2003 for certain purposes by [S.I. 2002/3125](#), [art. 4\(e\)](#)
- I3** S. 13(5)(6) in force at 1.2.2004 in so far as not already in force by [S.I. 2003/2710](#), [art. 3\(h\)](#)

**Changes to legislation:**

Private Security Industry Act 2001, Section 13 is up to date with all changes known to be in force on or before 13 June 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. View outstanding changes

**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2005/243, arts. 2(c), 4 by [S.I. 2005/362 art. 2](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A4B and cross-heading inserted by [2010 c. 17 s. 42\(2\)](#)
- s. 4A(9)(a) words substituted by [2020 c. 17 Sch. 24 para. 443\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 4A by 2010 c. 17, s. 42(2) is still prospective.)
- s. 6(1A) inserted by [2010 c. 17 s. 42\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 44 repealed (1.10.2012) without ever being in force by 2012 c. 9, Sch. 10 Pt. 3; S.I. 2012/2075, art. 3(h))
- s. 8(9) inserted by [2010 c. 17 Sch. 1 para. 8](#)
- s. 9(2A)-(2C) inserted by [2010 c. 17 s. 42\(4\)](#)
- s. 14(1A) inserted by [2010 c. 17 s. 43\(3\)\(c\)](#)
- s. 15(1)(1A) substituted for s. 15(1) by [2010 c. 17 s. 43\(4\)](#)
- s. 17(1)(b) and word inserted by [2010 c. 17 s. 43\(8\)\(b\)](#)
- s. 19(1)(b) and word inserted by [2010 c. 17 s. 42\(5\)\(b\)](#)
- s. 19(8)(b)(ba) substituted for s. 19(8)(b) by [2010 c. 17 Sch. 1 para. 9](#)
- s. 22A inserted by [2010 c. 17 s. 44\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 42(3) repealed (1.10.2012) without ever being in force by 2012 c. 9, Sch. 10 Pt. 3; S.I. 2012/2075, art. 3(h))
- s. 22B inserted by 2010 c. 17 s. 44(2) (as substituted) by [S.I. 2012/2595 art. 22\(4\)](#) (2010 c. 17, s. 44 which make's the insertion of s. 22B was never brought into force and was partially repealed 1.10.2012 for E and W by 2012 c. 9, Sch. 10 Pt. 3 Si 2012/2075, art. 3(e)(h))
- s. 23(3) inserted by [2010 c. 17 s. 42\(6\)](#)
- s. 23A inserted by [2010 c. 17 Sch. 1 para. 10](#)
- s. 25(1A) inserted by [2010 c. 17 s. 42\(7\)](#)