

*Status: Point in time view as at 13/04/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, PART 5. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 10

#### CONTRACTING OUT SECURE COLLEGES

#### PART 5

##### FURTHER AMENDMENTS

##### *Prison Act 1952 (c. 52)*

28 In section 52 of the Prison Act 1952 (exercise of power to make rules etc), after subsection (3) insert—

“(4) A statutory instrument containing rules under section 47 or 47A is subject to annulment in pursuance of a resolution of either House of Parliament, subject to subsection (5).

(5) A statutory instrument containing rules under section 47 that (whether alone or with other provision)—

(a) authorise a secure college custody officer performing custodial duties at a secure college to use reasonable force, or

(b) otherwise make a substantive change to the circumstances in which such an officer is authorised to do so,

may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

(6) In subsection (5), “secure college custody officer” has the same meaning as in Schedule 10 to the Criminal Justice and Courts Act 2015.”

#### Commencement Information

**I1** Sch. 10 para. 28 in force at 20.3.2015 by S.I. 2015/778, art. 2(1)(d)

##### *Criminal Justice Act 1967 (c. 80)*

29 Omit section 66(4) of the Criminal Justice Act 1967 (exercise of powers to make rules under sections 47 and 47A of the Prison Act 1952).

#### Commencement Information

**I2** Sch. 10 para. 29 in force at 20.3.2015 by S.I. 2015/778, art. 2(1)(d)

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*Firearms Act 1968 (c. 27)*

- 30 (1) Schedule 1 to the Firearms Act 1968 (offences to which section 17(2) of that Act applies) is amended as follows.
- (2) After paragraph 6 insert—
- “6A An offence under paragraph 14 or 24 of Schedule 10 to the Criminal Justice and Courts Act 2015 (assaulting secure college custody officer).”
- (3) In paragraph 8, for “6” substitute “ 6A ”.

**Commencement Information**

**I3** Sch. 10 para. 30 in force at 20.3.2015 by S.I. 2015/778, art. 2(1)(d)

*Criminal Justice Act 1988 (c. 33)*

- 31 In section 40(3) of the Criminal Justice Act 1988 (powers to join in indictment count for certain offences), after paragraph (ab) insert—
- “(ac) an offence under paragraph 14 or 24 of Schedule 10 to the Criminal Justice and Courts Act 2015 (assaulting secure college custody officer);”.

**Commencement Information**

**I4** Sch. 10 para. 31 in force at 20.3.2015 by S.I. 2015/778, art. 2(1)(d)

*Private Security Industry Act 2001 (c. 12)*

- 32 In paragraph 2(7) of Schedule 2 to the Private Security Industry Act 2001 (manned guarding activities not liable to control), after paragraph (c) insert—
- “(cza) activities that are carried out for the purposes of the performance of a contract entered into under, or for the purposes of, paragraph 1 of Schedule 10 to the Criminal Justice and Courts Act 2015 (contracting out of secure colleges) or paragraph 20 of that Schedule (contracted-out functions at directly managed secure colleges);”.

**Commencement Information**

**I5** Sch. 10 para. 32 in force at 20.3.2015 by S.I. 2015/778, art. 2(1)(d)

*Children Act 2004 (c. 31)*

- 33 The Children Act 2004 is amended as follows.

**Commencement Information**

**I6** Sch. 10 para. 33 in force at 20.3.2015 by S.I. 2015/778, art. 2(1)(d)

- 34 In section 15(3) (funding of Local Safeguarding Children Boards)—

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- (a) in paragraph (c), after “principal of a” insert “ directly managed ”, and
- (b) in paragraph (d), after “or prison” insert “ or the principal of a contracted-out secure college ”.

**Commencement Information**

**I7** Sch. 10 para. 34 in force at 20.3.2015 by S.I. 2015/778, art. 2(1)(d)

- 35 In section 33(3) (funding of Local Safeguarding Children Boards in Wales)—
- (a) in paragraph (c), after “principal of a” insert “ directly managed ”, and
  - (b) in paragraph (d), after “or prison” insert “ or the principal of a contracted-out secure college ”.

**Commencement Information**

**I8** Sch. 10 para. 35 in force at 20.3.2015 by S.I. 2015/778, art. 2(1)(d)

- 36 (1) Section 65 (interpretation) is amended as follows.
- (2) In subsection (3), at the end insert—
- “(d) references to a directly managed secure college and to a contracted-out secure college, and to the contractor in relation to a contracted-out secure college, have the meanings given by paragraph 27 of Schedule 10 to the Criminal Justice and Courts Act 2015.”
- (3) In subsection (4)—
- (a) in paragraph (a), omit “or”,
  - (b) at the end of paragraph (b), insert “ or ”,
  - (c) after paragraph (b) insert—
    - “(c) a contract under paragraph 1 of Schedule 10 to the Criminal Justice and Courts Act 2015 is for the time being in force in relation to part of a secure college”, and”
  - (d) for “or prison” substitute “ , prison or secure college ”.

**Commencement Information**

**I9** Sch. 10 para. 36 in force at 20.3.2015 by S.I. 2015/778, art. 2(1)(d)

*Offender Management Act 2007 (c. 21)*

- 37 In section 14(9) of the Offender Management Act 2007 (disclosure)—
- (a) in paragraph (a), after sub-paragraph (ii) insert—
    - “(iii) a secure college under paragraph 1 of Schedule 10 to the Criminal Justice and Courts Act 2015;”;
  - (b) in paragraph (a), for “section in question” substitute “ provision in question ”,
  - (c) in paragraph (b)(ii), omit the words from “for offenders” to the end.

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**Commencement Information**

**I10** Sch. 10 para. 37 in force at 20.3.2015 by S.I. 2015/778, art. 2(1)(d)

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