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STATUTORY INSTRUMENTS

2004 No. 1268

SECURITY INDUSTRY, ENGLAND AND WALES

The Private Security Industry Act 2001 (Modification of Local Enactments) (No. 2) Order 2004

<i>Made</i> - - - -	<i>5th May 2004</i>
<i>Laid before Parliament</i>	<i>7th May 2004</i>
<i>Coming into force</i> - -	<i>10th May 2004</i>

The Secretary of State, in exercise of the powers conferred upon him by section 13(5) of the Private Security Industry Act 2001(a), having consulted the Security Industry Authority in accordance with sections 13(6) and 24(4) of that Act, hereby makes the following Order:

Citation and commencement

1.—This Order may be cited as the Private Security Industry Act 2001 (Modification of Local Enactments) (No. 2) Order 2004 and shall come into force on 10th May 2004.

City of Newcastle upon Tyne Act 2000

2.—(1) Section 15 of the City of Newcastle upon Tyne Act 2000(b) shall be modified as follows.

(2) After subsection (3) there is inserted—

“(4) In proceedings for an offence under this section it is a defence for the accused to show that he holds a licence issued by the Security Industry Authority under section 8 of the Private Security Industry Act 2001 (c. 12) entitling him to act as a door supervisor or that the person he employed as a door supervisor holds such a licence and, in either case, that any conditions applicable to the licence were observed.”

London Local Authorities Act 1995

3.—(1) Section 39 of the London Local Authorities Act 1995(c) shall be modified as follows.

(2) After subsection (3) there is inserted—

“(4) In proceedings for an offence under this section it is a defence for the accused to show that he holds a licence issued by the Security Industry Authority under section 8 of

(a) 2001 c. 12.
(b) 2000 c. viii.
(c) 1995 c. x.

the Private Security Industry Act 2001 (c. 12) entitling him to act as a door supervisor or that the person he employed as a door supervisor holds such a licence and, in either case, that any conditions applicable to the licence were observed.”

Revocation

4. The Private Security Industry Act 2001 (Modification of Local Enactments) Order 2004(a) is hereby revoked.

Home Office
5th May 2004

Hazel Blears
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

The City of Newcastle upon Tyne Act 2000 and the London Local Authorities Act 1995 both make provision for the setting up of a register of door supervisors and make it an offence to act as, or employ, an unregistered door supervisor. This Order modifies those enactments to provide that it is a defence to any prosecution to show that the person acting as, or employed as, a door supervisor was licensed to engage in that activity by the Security Industry Authority and was complying with the terms of his licence.

Article 4 of this Order revokes the Private Security Industry Act 2001 (Modification of Local Enactments) Order 2004 which contained a defect.

(a) S.I. 2004/916.

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