

2004 No. 3141 (C.135)

SECURITY INDUSTRY, ENGLAND AND WALES

**The Private Security Industry Act 2001 (Commencement No. 6)
Order 2004**

Made - - - - *28th November 2004*

The Secretary of State, in exercise of the powers conferred upon him by section 26(2) of the Private Security Industry Act 2001(a), having consulted the Security Industry Authority in accordance with section 24(4) of that Act, hereby makes the following Order:

1.—(1) This Order may be cited as the Private Security Industry Act 2001 (Commencement No. 6) Order 2004.

(2) In this Order “the 2001 Act” means the Private Security Industry Act 2001.

2. Section 5 of the 2001 Act (offence of using unlicensed security operative) shall come into force on 1st December 2004 in the police areas(b) of—

- (a) Avon and Somerset;
- (b) Cheshire;
- (c) Cumbria;
- (d) Devon and Cornwall;
- (e) Dorset;
- (f) Dyfed Powys;
- (g) Gloucestershire;
- (h) Greater Manchester;
- (i) Gwent;
- (j) Hampshire;
- (k) Lancashire;
- (l) Leicestershire;
- (m) Merseyside;
- (n) North Wales;
- (o) South Wales;
- (p) Staffordshire;
- (q) Warwickshire;
- (r) West Mercia;

(a) 2001 c. 12.

(b) The term “police area” has the meaning ascribed to it in section 101(1) of the Police Act 1996 (c. 16) by virtue of Schedule 1 to the Interpretation Act 1978 (c. 30).

- (s) West Midlands; and
- (t) Wiltshire.

3.—(1) The following provisions of the 2001 Act shall come into force in the police areas specified in paragraph (2) below on 13th December 2004—

- (a) section 3(1) and (2)(a) to (i) (conduct prohibited without a licence); and
- (b) section 5 (offence of using unlicensed security operative).

(2) The following police areas are specified for the purposes of paragraph (1) above—

- (a) Cleveland;
- (b) Durham;
- (c) Humberside;
- (d) Northumbria;
- (e) North Yorkshire;
- (f) South Yorkshire; and
- (g) West Yorkshire.

4.—(1) The following provisions of the 2001 Act shall come into force in the police areas specified in paragraph (2) below on 3rd January 2005—

- (a) section 3(1) and (2)(a) to (i) (conduct prohibited without a licence); and
- (b) section 5 (offence of using unlicensed security operative).

(2) The following police areas are specified for the purposes of paragraph (1) above—

- (a) Cambridgeshire;
- (b) Derbyshire;
- (c) Lincolnshire;
- (d) Norfolk;
- (e) Nottinghamshire; and
- (f) Suffolk.

Home Office
28th November 2004

Hazel Blears
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings section 5 of the Private Security Industry Act 2001 into force on 1st December 2004 in the police areas specified in article 2. It also brings section 3(1) and (2)(a) to (i) and 5 of the Act into force on 13th December 2004 in the Cleveland, Durham, Humberside, Northumbria, North Yorkshire, South Yorkshire and West Yorkshire police areas and on 3rd January 2005 in the Cambridgeshire, Derbyshire, Lincolnshire, Norfolk, Nottinghamshire and Suffolk police areas. Section 3(1) creates an offence of engaging in any licensable conduct except under and in accordance with a licence and section 3(2)(a) to (i) identifies certain forms of licensable conduct for the purposes of the Act. Section 5 creates the offence of using an unlicensed security operative.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (partially)	1 st January 2003	2002/3125
Section 1 (to the extent not already in force)	1 st April 2003	2002/3125
Section 2	1 st April 2003	2002/3125
Section 3 (partially)	1 st April 2003	2002/3125
Section 3 (partially)	1 st February 2004	2003/2710
Section 3 (partially)	24 th May 2004	2004/1431
Section 3 (partially)	1 st June 2004	2004/1431
Section 3 (partially)	4 th June 2004	2004/1431
Section 3 (partially)	13 th September 2004	2004/2191
Section 3 (partially)	27 th September 2004	2004/2191
Section 3 (partially)	18 th October 2004	2004/2591
Section 3 (partially)	15 th November 2004	2004/2591
Section 4 (partially)	1 st April 2003	2002/3125
Section 4 (to the extent not already in force)	1 st February 2004	2003/2710
Section 7	1 st November 2003	2003/2710
Section 8 (partially)	1 st April 2003	2002/3125
Section 8 (partially)	1 st November 2003	2003/2710
Section 8 (to the extent not already in force)	1 st February 2004	2003/2710
Section 9 (partially)	1 st April 2003	2002/3125
Section 9 (to the extent not already in force)	1 st February 2004	2003/2710
Sections 10 to 12	1 st February 2004	2003/2710
Section 13 (partially)	1 st April 2003	2002/3125
Section 13 (to the extent not already in force)	1 st February 2004	2003/2710
Section 15 (partially)	1 st April 2003	2002/3125
Section 17 (partially)	1 st April 2003	2002/3125
Section 19	1 st February 2004	2003/2710
Section 20	1 st November 2003	2003/2710
Sections 22 and 23	1 st February 2004	2003/2710
Section 24	1 st April 2003	2002/3125
Section 25	1 st January 2003	2002/3125
Schedule 1 (partially)	1 st January 2003	2002/3125
Schedule 1 (to the extent not already in force)	1 st April 2003	2002/3125
Schedule 2 (partially)	1 st April 2003	2002/3125
Schedule 2 (to the extent not already in force)	1 st February 2004	2003/2710

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