

2006 No. 3410

SECURITY INDUSTRY

**The Private Security Industry (Licences) (Amendment)
Regulations 2006**

<i>Made - - - - -</i>	<i>18th December 2006</i>
<i>Laid before Parliament</i>	<i>21st December 2006</i>
<i>Coming into force - -</i>	<i>1st February 2007</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 8, 9 and 24(1) and (5) of the Private Security Industry Act 2001^(a).

In accordance with section 24(4)^(b) of that Act he has consulted with the Scottish Ministers and the Security Industry Authority.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Private Security Industry (Licences) (Amendment) Regulations 2006 and shall come into force on 1st February 2007.

(2) These Regulations extend to England and Wales and Scotland.

Amendment of the Private Security Industry (Licences) Regulations 2004

2.—(1) The Private Security Industry (Licences) Regulations 2004^(c) are amended as follows.

(2) After regulation 1(1) (citation and commencement) insert—

“(1A) Subject to paragraph (1B), these Regulations extend to England and Wales and Scotland.

(1B) Nothing in these Regulations which relates to a licence in respect of activities to which either paragraph 3^(d) or 3A^(e) of Schedule 2 to the Act (immobilisation, restriction and removal of vehicles) applies shall have effect in respect of activities of a security operative undertaken in Scotland.”.

(a) 2001 c. 12. Section 24(5) of the Act has been amended by paragraph 11(f) of Schedule 15 to the Serious Organised Crime and Police Act 2005 (c. 15).

(b) Section 24(4) of the Act has been amended by paragraph 11(e) of Schedule 15 to the Serious Organised Crime and Police Act 2005.

(c) S.I. 2004/255, which has been amended by S.I. 2005/237 and S.I. 2005/2118.

(d) Paragraph 3 of Schedule 2 to the Act has been amended by paragraphs 1 and 14 of Schedule 15 to the Serious Organised Crime and Police Act 2005, S.I. 2005/224 and S.I. 2006/1831.

(e) Paragraph 3A of Schedule 2 to the Act was inserted by S.I. 2005/224 and has been amended by S.I. 2006/1831.

- (3) For regulation 1(3) (definition of category of licensable activity) substitute—
- “(3) In these Regulations “category of licensable activity” means any one of the following—
- (a) activity to which paragraph 2(1)(b)(a) of Schedule 2 to the Act applies and which involves the secure transportation of property in vehicles specially manufactured or adapted so as to have secure transportation as their primary function (“Cash and Valuables in Transit”);
 - (b) activity to which paragraph 2(1)(c) of Schedule 2 to the Act applies (“Close Protection”);
 - (c) activity to which paragraphs 2 and 8(b) of Schedule 2 to the Act apply and which does not fall within sub-paragraph (a) or (b) (“Door Supervisor”);
 - (d) activity to which paragraph 2 of Schedule 2 to the Act applies, to which paragraph 8 of that Schedule may apply, which is carried out by a person who does not fall under section 3(2)(g), (h) or (i) of the Act and which involves the use of closed circuit television (“CCTV”) equipment to—
 - (i) monitor the activities of a member of the public in a public or private place; or
 - (ii) identify a particular person, including the use of CCTV in these cases to record images that are viewed on non-CCTV equipment, for purposes other than identifying a trespasser or protecting property (“Public Space Surveillance (CCTV)”);
 - (e) activity to which paragraph 2 of Schedule 2 to the Act applies, to which paragraph 8 of that Schedule does not apply, which may be carried out in relation to any premises including licensed premises within the meaning of paragraph 8 of that Schedule and which does not fall within sub-paragraphs (a) to (d) (“Security Guard”);
 - (f) activity to which paragraph 3 or 3A of Schedule 2 to the Act applies (“Vehicle Immobiliser”); or
 - (g) activity to which paragraph 6 of Schedule 2 to the Act applies (“Keyholder”).”
- (4) In regulation 4(1) (licence conditions) omit “, 6”.
- (5) In regulation 4B (scope of licence)—
- (a) in paragraph (2) before “listed in the corresponding entry” insert “, or activities of a particular description falling within a category of licensable activity,”;
 - (b) for paragraph (3) substitute—

“(3) A licensee who holds a licence in respect of conduct under section 3(2)(d), (e), (f), (g) or (i) of the Act (person carrying out licensable conduct) relating to any category of licensable activity may also under that same licence undertake conduct under section 3(2)(d), (e), (f), (g) or (i) of the Act in relation to any other category of licensable activity.”;
 - (c) in Table 1, in column 1, after the entry “close protection” insert the entry “Public Space Surveillance (CCTV)”;
 - (d) in Table 1, in column 2, after the entry “security guard or door supervisor” insert the entry “activities involving the use of CCTV equipment which fall within the security guard category of licensable activity”.
- (6) For Schedule 3 (non front line licence) substitute the Schedule set out in the Schedule to these Regulations.

Home Office

18th December 2006

Vernon Coaker
Parliamentary Under-Secretary of State

(a) Paragraph 2 of Schedule 2 to the Act has been amended by S.I. 2006/1831.
(b) Paragraph 8 of Schedule 2 to the Act has been amended by paragraph 118 of Schedule 6 to the Licensing Act 2003 (c. 17), paragraph 14(d) of Schedule 15 to the Serious Organised Crime and Police Act 2005 and S.I. 2006/1831.

“SCHEDULE 3

LICENCE TO ACT AS MANAGER, DIRECTOR, EMPLOYER OR
PARTNER AND, IN THE CASE OF KEYHOLDING TO
UNDERTAKE ANY LICENSABLE CONDUCT

< Name >
 < Address Line 1 >
 < Address Line 2 >
 < Town/City >
 < County >
 < Postcode >
 < Country >
 < Date >

Application reference number < number >

Dear < Name >

This letter confirms that your licence application has been successful. This entitles you to work as the following:

- A non front line manager, supervisor or employer of a licensed security operative;
- The director or partner of a company or partnership providing licensable services;
- A keyholder.

This licence does not entitle you to act as a front line operative except where you act as a keyholder.

Your licence number is < number > and expires on < date >

Please keep this letter safe. You will not receive a licence card or certificate.

The conditions of this licence are:

< conditions here >

We reserve the right to add to or amend these conditions.

The following details about your licence will be available to the general public on our website and through the SIA contact centre.

< name > < licence number > < role > < sector >

If you wish to make any enquiries please contact us on 08702 430 100 between 8am–6pm Monday to Friday, quoting your licence number.

Yours sincerely

SIA Contact Centre
 08702 430 100
 www.the-sia.org.uk”

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Private Security Industry (Licences) Regulations 2004 (“the 2004 Regulations”). Regulation 2(2) extends the 2004 Regulations to Scotland except that provision made for licences in respect of activities under paragraph 3 or 3A of Schedule 2 to the Private Security Industry Act 2001 (“the Act”) (immobilisation, restriction and removal of vehicles) will not have effect in respect of activities undertaken in Scotland. Regulation 2(3) substitutes the definition of “category of licensable activity”. The new definition clarifies the relationship between the categories of Door Supervisor, Cash and Valuables in Transit and Close Protection, amends the Public Space Surveillance (CCTV) category to ensure it applies to contractors on licensed premises and amends the Security Guard category to clarify that it will apply to contractors on licensed premises where their activity does not also fall under paragraph 8 of Schedule 2 to the Act. Regulation 2(4) amends regulation 4(1) to ensure that it does not apply to keyholding activities. Regulation 2(5)(a), (c) and (d) amends regulation 4B of the 2004 Regulations to enable a front line licence issued in respect of the “Public Space Surveillance (CCTV)” category of licensable activities to cover the use of CCTV equipment which would otherwise fall under, and require a licence for, the “Security Guard” category of licensable activities. Regulation 2(5)(b) enables a non-front line licence in respect of any category of licensable activity to cover non-front line conduct in respect of any other category of licensable activities. Regulation 2(6) substitutes a new Schedule 3 (form of licence to act as manager etc).

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