
STATUTORY INSTRUMENTS

2007 No. 808

SECURITY INDUSTRY

**The Private Security Industry Act 2001
(Approved Contractor Scheme) Regulations 2007**

<i>Made</i>	- - - -	<i>12th March 2007</i>
<i>Laid before Parliament</i>		<i>16th March 2007</i>
<i>Coming into force</i>	- -	<i>6th April 2007</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 15(3)(a) and (8) of the Private Security Industry Act 2001⁽¹⁾, having regard to the definition of “prescribed” in section 24(1) of that Act.

In accordance with section 24(4)⁽²⁾ 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 Act 2001 (Approved Contractor Scheme) Regulations 2007 and shall come into force on 6th April 2007.

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

Interpretation

2. In these Regulations—

“2001 Act” means the Private Security Industry Act 2001;

“child” means a person under the age of eighteen;

“vulnerable adult” means a person aged eighteen or over who has a condition of the following type—

- (i) a substantial learning or physical disability;
- (ii) a physical or mental illness or mental disorder, chronic or otherwise, including an addiction to alcohol or drugs; or
- (iii) a significant reduction in physical or mental capacity; and

⁽¹⁾ 2001 c. 12.

⁽²⁾ Section 24(4) of the 2001 Act has been amended by paragraph 11(e) of Schedule 15 to the Serious Organised Crime and Police Act 2005 (c. 15).

“work with a child or vulnerable adult” means work where the normal duties involve or are likely to involve being in sole charge of such persons.

Prescribed requirements for the purposes of granting approvals

3.—(1) The requirement specified in paragraph (2) is prescribed for the purposes of section 15(3) (a) of the 2001 Act as a requirement that the Authority must, before an approval is granted to a person under section 15, be satisfied will be complied with by that person.

(2) The requirement specified for the purposes of paragraph (1) is that any person who is granted an approval under section 15 of the 2001 Act shall, in providing the services in respect of which he is approved, ensure that any of the persons specified in paragraph (3) does not undertake licensable conduct which involves work with a child or vulnerable adult unless he holds a licence issued by the Authority under the 2001 Act.

(3) The persons specified for the purposes of this paragraph are—

- (a) a director of a body corporate which is granted an approval under section 15 of the 2001 Act;
- (b) a partner of a firm which is granted an approval under section 15 of the 2001 Act;
- (c) an employee of a person who is granted an approval under section 15 of the 2001 Act; and
- (d) an individual working—
 - (i) whether directly or indirectly, under the directions of a person who is granted an approval under section 15 of the 2001 Act; and
 - (ii) in pursuance of a contract for the supply of services.

Fees

4. A person who seeks an approval under section 15 of the 2001 Act shall pay to the Authority the fee specified in the right-hand column of the Table which corresponds to the number of persons who carry out licensable conduct on behalf of or under the direction of the person seeking approval, listed in the corresponding entry in the left-hand column of that Table.

Table

<i>Number of persons who carry out licensable conduct on behalf of or under the direction of a person seeking approval</i>	<i>Fee payable by person seeking approval</i>
Less than 10	£400
10 to 25	£800
26 to 250	£1,600
Over 250	£2,400

5. A person who is for the time being approved under section 15 of the 2001 Act shall pay to the Authority an annual fee of £20 in respect of each person who carries out licensable conduct on behalf of or under the direction of the approved person.

Revocation

6. The Private Security Industry Act 2001 (Approved Contractor Scheme) Regulations 2006⁽³⁾ are revoked.

Home Office
12th March 2007

Vernon Coaker
Parliamentary Under-Secretary of State

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate with amendments the Private Security Industry Act 2001 (Approved Contractor Scheme) Regulations 2006 (“the 2006 Regulations”) which are revoked by regulation 6 of these Regulations. These Regulations extend the scope of the 2006 Regulations to Scotland. Regulation 3 of these Regulations prescribes a requirement under section 15(3)(a) of the Private Security Industry Act 2001 (“the 2001 Act”) which the Security Industry Authority (“the Authority”) must be satisfied will be met before granting an approval under section 15 of the 2001 Act for the purposes of the Approved Contractor Scheme. The requirement has been amended so that a person who is granted an approval under section 15 of the 2001 Act need only ensure that those persons in regulation 3(3) hold a licence before undertaking licensable conduct, within the meaning of section 3 of the 2001 Act, which involves work with a child or vulnerable adult. It is complemented by a number of other conditions which are set by the Authority and imposed under section 15(3)(c) of the 2001 Act. Regulation 4 of these Regulations prescribes the fee that must be paid by a person on application for approval under section 15 of the 2001 Act and regulation 5 prescribes the annual fee which must be paid by an approved person in respect of each person undertaking licensable conduct on behalf of him or under his direction. Regulation 6 revokes the 2006 Regulations.