

**EXPLANATORY MEMORANDUM TO  
THE PRIVATE SECURITY INDUSTRY ACT 2001 (EXEMPTION) (OLYMPICS  
SECURITY) REGULATIONS 2012**

**2012 No. 145**

1. 1.1 This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

2. **Purpose of the instrument**

2.1 These Regulations provide exemptions from Security Industry Authority (SIA) licensing for certain individuals carrying out security services at the London Olympics. The first exemption applies to individuals who have successfully passed through a project known as Bridging the Gap (“BtG”) or are in full time education and have successfully obtained the specified qualification relevant to the activity that they are performing. The second exemption applies to in-house security staff at football grounds who would ordinarily be exempt from the SIA licensing requirement to enable them to work at the London Olympics football competition. The Regulations apply for the period from 1 March 2012 to 30 September 2012 to cover the preparation, the actual games and the decommissioning period of the London Olympics.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 None.

4. **Legislative Context**

4.1 This instrument provides exemptions for certain individuals providing security at the London Olympics and engaged in licensable conduct from the requirement to have an SIA licence.

4.2 The Private Security Industry Act 2001 (the 2001 Act) empowers the Secretary of State to make regulations that define circumstances where individuals will be exempt from licensing requirements when carrying out licensable activities, on the condition that she is satisfied suitable alternative arrangements are in place which as a consequence make it unnecessary for those individuals to be licensed. Suitable alternative arrangements are defined in section 4(3) of the 2001 Act as “equivalent, for all practical purposes so far as the protection of the public is concerned, to those applying to persons applying for and granted licences.”

4.3 The BtG initiative is a programme led by the London Organising Committee of the Olympic Games (LOCOG) in partnership with the further education sector and the security industry to train students for a variety of security functions. The purpose of the initiative is train individuals to provide a proportion of LOCOG’s security requirement for the Olympic Games.

4.4 The first exemption in these Regulations applies to individuals who have completed a recognised BtG course or are currently in full time higher education and who have successfully obtained one or more of the required qualifications relevant to the activity they are performing as set out below:

- Level 2 Award in Door Supervision;
- Level 2 Award in CCTV Operations.

4.5 In addition the individuals must also satisfy the following criteria:

- Hold a valid Olympic or Paralympic Identity and Accreditation Card produced and issued by LOCOG;
- Be employed for the operation of the London Olympics by a LOCOG official security provider; and
- Be deployed in relation to an officially designated London Olympics venue.

4.6 In these circumstances the Secretary of State is satisfied that there are suitable alternative arrangements for the vetting and training of BtG individuals equivalent to those required by the SIA licensing regime.

4.7 The second exemption in these Regulations provides that individuals will be exempt from the SIA licensing requirement if they would ordinarily be exempt by virtue of section 4(6), (9), (10), (11) and (12) of the 2001 Act and they are working at a certified sports ground or certified sports stand that is an officially designated London Olympics venue being used for the football competition. Section 4(6), (9), (10), (11) and (12) of the 2001 Act exempts in-house staff engaged in licensable conduct carried out in connection with the use of a certified sports ground or stand at their home ground or a ground their team are visiting.

## **5. Territorial Extent and Application**

5.1 This instrument applies to all of the United Kingdom.

## **6. European Convention on Human Rights**

6.1 As the instrument is subject to the negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

- *What is being done and why*

7.1 The 2001 Act was introduced to regulate the private security industry in the UK. Its objectives are to protect the public by preventing unsuitable people from working in the industry, and to improve standards within the industry.

7.2 These Regulations will exempt individuals from requiring an SIA licence who have completed a recognised BtG course and certain in house staff at football grounds who are engaged in licensable conduct at a venue being used for the London Olympics football competition. The Home Secretary, in consultation with Scottish

Ministers, the Department for Justice in Northern Ireland and the Security Industry Authority is satisfied that the requirements provide suitable alternative arrangements that are equivalent for all practical purposes so far as the protection of the public is concerned to those applying to persons applying for and granted an SIA licence.

7.3 The BtG initiative was developed to ensure that there are sufficient numbers of qualified people in place to support the security operation at the London Olympics. These Regulations ensure that there is no unnecessary duplication of vetting and training requirements for BtG individuals.

7.4 These Regulations will come into force on 1 March 2012. It is necessary for these to be in force in advance of the next common commencement date of 6 April 2012 to ensure that LOCOG has sufficient private security arrangements in place well ahead of the start of the Olympic Games so they can adequately plan and prepare for the provision of a safe and secure Games. They will cease to have effect on 30 September 2012.

- ***Consolidation***

7.5 No consolidation is required.

## **8. Consultation outcome**

8.1 No formal consultation has been undertaken as there is no change in policy. These exemptions apply as the Home Secretary is satisfied that there are suitable alternative arrangements in place to those required by the SIA licensing regime. The Home Office has consulted with Scottish Ministers, the Department of Justice Northern Ireland, the SIA and LOCOG in the preparation of these Regulations.

## **9. Guidance**

9.1 The SIA will not provide any specific guidance in respect of these exemptions. However, it will work closely with LOCOG when requested or necessary to ensure that the exemptions are applied correctly.

## **10. Impact**

10.1 There is no impact on business, charities or voluntary bodies. This is because there is no change in policy.

10.2 There is no impact on the public sector.

10.3 An Impact Assessment has not been prepared for this instrument because no impact on the private, voluntary or public sector is foreseen.

## **11. Regulating small business**

11.1 The legislation does not apply to small business. The BtG exemption will only apply to G4S as the only organisation directly recruiting full time students and BtG students in further education colleges for the provision of security at the London

Olympics. Where football grounds are being used as officially designated London Olympics venues they will employ existing staff and suppliers of their ground or in-house staff of other certified sports grounds or sports stands. As these Regulations ensure that in-house staff that are exempt from SIA licensing will be exempt from SIA licensing when working at an officially designated Olympic venue being used for the football competition there should be no impact on them.

11.2 As explained in paragraph 8.1, no consultation has been conducted with small businesses. This is because these Regulations make an exemption in line with the Secretary of State's powers under the 2001 Act. There is, therefore, no change in policy.

## **12. Monitoring & review**

12.1 This instrument will only be in force between 1 March 2012 and 30 September 2012 and therefore there is no formal monitoring and review process in place.

12.2 LOCOG will inform the SIA if there are any future changes required to be made to this Instrument.

## **13. Contact**

Will Grant at the Home Office Tel: 020 7035 8461 or email:  
[William.Grant12@homeoffice.gsi.gov.uk](mailto:William.Grant12@homeoffice.gsi.gov.uk) can answer any queries regarding the instrument.