

Draft Order laid before Parliament under paragraphs 1(3) and 7(3) of Schedule 2 to the Private Security Industry Act 2001, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2009 No.

SECURITY INDUSTRY

**The Private Security Industry Act 2001
(Amendments to Schedule 2) Order 2009**

<i>Made</i>	-	-	-	-	2009
<i>Coming into force</i>	-	-			2009

The Secretary of State, in exercise of the powers conferred by paragraphs 1(2) and 7(2) of Schedule 2 to the Private Security Industry Act 2001⁽¹⁾, makes the following Order.

In accordance with paragraphs 1(3) and 7(3) of Schedule 2 to that Act a draft of this Order has been laid before Parliament and approved by a resolution of each House of Parliament.

In accordance with section 24(4)(2) of that Act the Secretary of State has consulted the Scottish Ministers and the Security Industry Authority before laying a draft of this Order before Parliament.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Private Security Industry Act 2001 (Amendments to Schedule 2) Order 2009 and shall come into force on the day after the day on which it is made.

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

Amendments to Part 1 of Schedule 2 to the 2001 Act

2.—(1) Paragraph 2(7) of Schedule 2 to the 2001 Act (Manned guarding) is amended as follows.

(2) After paragraph (aa)⁽³⁾, insert—

“(ab) activities that are carried out by virtue of an arrangement made under section 118 of the Criminal Justice and Public Order Act 1994⁽⁴⁾ (arrangements for the provision of prisoner escorts: Northern Ireland);”.

(1) [2001 \(c.12\)](#). This Act was extended to Northern Ireland by section 48(3) of the Justice and Security (Northern Ireland) Act 2007 [c.6](#).
(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 [\(c.15\)](#).
(3) Paragraph 2(7)(aa) of Schedule 2 to the 2001 Act was inserted by [S.I. 2007/2201](#).
(4) [1994 c.33](#).

(3) After paragraph (ca)(5), insert—

“(cb) activities that are carried out by virtue of an arrangement made under Article 50(2) of the Criminal Justice (Children) (Northern Ireland) Order 1998(6)(attendance centres) or Article 51(2) of that Order (juvenile justice centres);”.

(4) After paragraph (fa)(7), insert—

“(fb) activities of a person designated by the Chief Constable of the Police Service of Northern Ireland under section 30 of the Police (Northern Ireland) Act 2003(8) (police powers for designated police support staff) which are carried out in the course of that person’s employment as a member of the police support staff;

(fc) activities of a person designated by the Chief Constable of the Police Service of Northern Ireland under section 30A of the Police (Northern Ireland) Act 2003(9) (community support officers) which are carried out in the course of that person’s employment as a member of the police support staff;”.

(5) After paragraph (g), insert—

“(ga) activities of a person designated by the Chief Constable of the Police Service of Northern Ireland under section 31(2) of the Police (Northern Ireland) Act 2003 (police powers for designated contracted-out staff) which are carried out for the purposes of the performance of a contract entered into under section 31(1) of that Act by that person’s employer;”.

(6) After paragraph (k), insert—

“(ka) activities of a person appointed as a special constable in Northern Ireland by virtue of provision incorporating section 79 of the Harbours, Docks, and Piers Clauses Act 1847(10) (harbour and dock police) which are carried out in the execution of that office;”.

3.—(1) Paragraph 3 of Schedule 2 to the 2001 Act (Immobilisation of vehicles) is amended as follows.

(2) In sub-paragraph (3A)(11) after paragraph (a), insert—

“(aa) activities of a person carried out for the purposes of, or in connection with, arrangements made with that person’s employer by the Northern Ireland Court Service under section 69 of the Judicature (Northern Ireland) Act 1978(12);”.

(3) In sub-paragraph (3A) after paragraph (d), insert—

“(e) activities of a person appointed as a special constable in Northern Ireland by virtue of provision incorporating section 79 of the Harbours, Docks, and Piers Clauses Act 1847 (harbour and dock police) which are carried out in the execution of that office.”.

(4) After sub-paragraph (4), insert—

“(5) In the application of this paragraph to Northern Ireland any reference to a road within the meaning of the Road Traffic Act 1988(13) shall be read as if it were a reference to a road within the meaning of the Road Traffic Regulation (Northern Ireland) Order 1997(14)

(5) Paragraph 2(7)(ca) of Schedule 2 to the 2001 Act was inserted by [S.I. 2007/2201](#).

(6) [S.I. 1998/1504 \(N.I. 9\)](#), to which there are amendments not relevant to this Order.

(7) Paragraph 2(7)(fa) of Schedule 2 to the 2001 Act was inserted by [S.I. 2007/2201](#).

(8) [2003 c.6](#).

(9) Section 30A of the Police (Northern Ireland) Act 2003 was inserted by Article 7 of the Policing (Miscellaneous Provisions) Order 2007 ([S.I. 2007/912 \(N.I. 6\)](#)).

(10) [1847 c.27](#).

(11) Paragraph 3(3A) of Schedule 2 to the 2001 Act was inserted by [S.I. 2006/1831](#).

(12) [1978 c.23](#).

(13) [1988 c.52](#).

(14) [S.I. 1997/276 \(N.I. 2\)](#), to which there are amendments not relevant to this Order.