STATUTORY INSTRUMENTS

2006 No. 425

SECURITY INDUSTRY, ENGLAND AND WALES

The Private Security Industry Act 2001 (Approved Contractor Scheme) Regulations 2006

Made - - - -	*15th February 2006*
Laid before Parliament	*27th February 2006*
Coming into force - -	*20th March 2006*

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(**a**).

In accordance with section 24(4)(**b**) of that Act he has consulted 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 2006 and shall come into force on 20th March 2006.

(2) These Regulations extend to England and Wales.

Interpretation

2. In these Regulations—

"the 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;

"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.

(**a**) 2001 c. 12.

(**b**) 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) but the amendment is not yet in force.

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 Security Industry 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, within the meaning of section 3 of the 2001 Act, which involves work with a child or vulnerable adult unless he holds a licence issued by the Security Industry Authority under the 2001 Act.

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

(a) a person who is granted an approval under section 15 of the 2001 Act;

(b) a director of a body corporate which is granted an approval under section 15 of the 2001 Act;

(c) a partner of a firm which is granted an approval under section 15 of the 2001 Act;

(d) an employee of a person specified in sub-paragraph (a); and

(e) a person working under the directions of a person specified in sub-paragraph (a) 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 Security Industry Authority the fee specified in the right-hand column of the Table which corresponds to the number of persons who carry out licensable conduct, within the meaning of section 3 of the 2001 Act, 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

Number of persons who carry out licensable conduct on behalf of or under the direction of a person seeking approval	*Fee payable by person seeking approval*
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 Security Industry Authority an annual fee of £20 in respect of each person who carries out licensable conduct, within the meaning of section 3 of the 2001 Act, on behalf of or under the direction of the approved person.

Home Office
15th February 2006

Paul Goggins
Parliamentary Under-Secretary of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

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 SIA") must be satisfied will be met before granting an approval under section 15 of the Private Security Industry Act 2001 for the purposes of the Approved Contractor Scheme. It will be complemented by a number of other conditions which will be set by the SIA 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, within the meaning of section 3 of the 2001 Act, on behalf of him or under his direction.

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