

2005 No. 248

SECURITY INDUSTRY, ENGLAND AND WALES

**The Private Security Industry Act 2001 (Repeal and Revocation)
Order 2005**

<i>Made</i>	- - - -	<i>7th February 2005</i>
<i>Laid before Parliament</i>		<i>9th February 2005</i>
<i>Coming into force</i>		<i>11th April 2005</i>

The Secretary of State, in exercise of the powers conferred upon him by section 13(5) of the Private Security Industry Act 2001(a), having consulted the Security Industry Authority in accordance with sections 13(6) and 24(4) of that Act, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Private Security Industry Act 2001 (Repeal and Revocation) Order 2005 and shall come into force on 11th April 2005.

London Local Authorities Act 1995

2. Subject to article 4, Part 5 (sections 29-43) (Registration of Door Supervisors) of the London Local Authorities Act 1995(b) is hereby repealed.

Revocation

3. Subject to article 4, the Private Security Industry Act 2001 (Modification of Local Enactments) (No. 2) Order 2004(c) is hereby revoked.

Saving

4. Notwithstanding the repeals effected by articles 2 and 3 of this Order, Part V of the London Local Authorities Act 1995 shall continue to have effect in respect of any offence committed under that Part in respect of which criminal proceedings have been commenced before 11th April 2005.

Home Office
7th February 2005

Hazel Blears
Minister of State

(a) 2001 c 12.

(b) 1995 c. x; section 39 was modified by the Private Security Industry Act 2001 (Modification of Local Enactments) (No. 2) Order 2004 (S.I. 2004/1268).

(c) S.I. 2004/1268; article 2 of that Order was revoked by the Private Security Industry Act 2001 (Repeal and Revocation) Order 2004 (S.I. 2004/3145).

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order repeals Part V of the London Local Authorities Act 1995 (“the 1995 Act”) on 11th April 2005 in consequence of the coming into force on that day of section 3(1) and (2)(a) to (i) of the Private Security Industry Act 2001 (“the 2001 Act”) in the metropolitan police district and the City of London police area.

Part 5 of the 1995 Act sets up a registration scheme for door supervisors, which is operated by the Common Council of the City of London and the councils of London boroughs. The 2001 Act establishes a nation-wide scheme to regulate, inter alia, door supervisors and this scheme will supersede local schemes. Section 13 of the 2001 Act enables local enactments to be modified or repealed in consequence of the coming into force of any of the provisions of the 2001 Act.

Article 3 of this Order revokes the Private Security Industry 2001 (Modification of Local Enactments) (No. 2) Order 2004 which provided a defence to prosecutions under section 39 (which is comprised in Part V) of the 1995 Act in certain defined circumstances.

Article 4 of this Order provides a saving, whereby Part V of the 1995 Act, as modified by the Private Security Industry 2001 (Modification of Local Enactments) (No. 2) Order 2004, shall continue to have effect in respect of any offence committed under that Part for which criminal proceedings have been commenced before 11th April 2005.

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