

**THE PRIVATE SECURITY INDUSTRY ACT 2001
(AMENDMENT) (NORTHERN IRELAND) ORDER 2009**

S.I. 2009 No. 3017 (N.I. 2)

EXPLANATORY MEMORANDUM

**ANNEX C: SUMMARY OF A REPORT OF THE NORTHERN IRELAND ASSEMBLY
ON THE PRIVATE SECURITY INDUSTRY ACT 2001 (AMENDMENT)(NI) ORDER
2009**

1. A document containing a draft of the Private Security Industry Act 2001 (Amendment) (NI) Order 2009 (“the draft Order”) was laid with Parliament and referred to the Northern Ireland Assembly on 12 May 2009 as required by section 85(4). This is a summary of a report on the draft Order produced by an ad hoc committee of the Northern Ireland Assembly¹ (“the committee”) which has been prepared in accordance with section 85(6)(a) of the Northern Ireland Act 1998.

SUMMARY OF REPRESENTATIONS

2. The committee made its formal report to be submitted to the Secretary of State on 29 June 2009 which the Northern Ireland Assembly approved by a resolution of the Assembly on that same day.
3. The committee did not propose that any changes be made to the drafting of the order. Their main recommendations were as follows:
 - The process (of extending the licensing regime under the Private Security Industry Act 2001 to Northern Ireland) should be slowed down to allow for further and fuller debate.
 - As a general recommendation there should be earlier consultation with the Assembly on legislative proposals. The NIO should in future ensure that the Assembly is in a position to avail itself of the full sixty day statutory consultation period provided for orders under section 85 of the Northern Ireland Act 1998.
 - In light of a recent National Audit Office report on the SIA the NIO should satisfy itself that the SIA has the capacity to cope with any extra workload that would result from the extension of its remit to Northern Ireland.
 - Applicants should be told in advance if they are going to be turned down on security grounds.
 - Where the training and licensing of company directors is required by the Private Security Industry Act 2001 consideration should be given to limiting this requirement to a single nominated director.
 - There appears to be some dispute over the costs of the various schemes that could potentially be put in place to regulate the private security industry. The NIO should look again at this issue in the light of all the evidence in this report.
 - The NIO should consider a formal appraisal of the available options for licensing the private security industry.

The Minister of State for Northern Ireland, Rt. Hon. Paul Goggins MP considered the recommendations made by the report; however no changes have been made to the Order as a result of the Assembly’s representations.

¹ The full name of the committee was the *Ad Hoc Committee on the Private Security Industry Order 2009*: the committee was set up on 18th May 2009.