

2013 No. 73

POLICE

**The Scottish Police Authority (Provision of Goods and Services)
Order 2013**

Made - - - - - *26th February 2013*

Laid before the Scottish Parliament *28th February 2013*

Coming into force - - - *1st April 2013*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 87(1)(b) and (3)(b) of the Police and Fire Reform (Scotland) Act 2012^(a) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Scottish Police Authority (Provision of Goods and Services) Order 2013 and comes into force on 1st April 2013.

(2) In this Order—

“the 2012 Act” means the Police and Fire Reform (Scotland) Act 2012; and

“security service activities” means services relating or analogous to—

- (a) the guarding of, or controlling entry to, premises or property;
- (b) guarding persons, including natural persons;
- (c) immobilisation of vehicles;
- (d) private investigation involving surveillance, inquiries or investigation for the purpose of obtaining information; or
- (e) providing advice as to the taking of safety precautions in relation to risk to property or persons including natural persons or the keeping of custody of keys or locks.

Provision of Goods and Services

2. For the purposes of section 87(1)(b) of the 2012 Act—

- (a) the types of goods and services mentioned in column 1 of the Table in Schedule 1; and
- (b) the types of person mentioned in the corresponding entry in column 2 of the Table in Schedule 1,

are specified.

3. For the purposes of section 87(3)(b) of the 2012 Act—
- (a) the types of goods and services (other than police services) mentioned in column 1 of the Table in Schedule 2; and
 - (b) the types of person mentioned in the corresponding entry in column 2 of the Table in Schedule 2,
- are specified.

St Andrew's House,
Edinburgh
26th February 2013

KENNY MACASKILL
A member of the Scottish Government

SCHEDULE 1

Article 2

<i>Goods and Services</i> <i>Column 1</i>	<i>Types of Person</i> <i>Column 2</i>
1. Training services, including the analysis of training needs; the design, delivery and evaluation of training; the production and licensing of training material.	<p>1.(a) Persons licensed under the Private Security Industry Act 2001(a).</p> <p>1.(b) Persons carrying out security service activities which are regulated, licensed or authorised by a public authority established by law otherwise than in the United Kingdom.</p> <p>1.(c) Persons carrying on regulated activity within the meaning of section 22 of the Financial Services and Markets Act 2000(b).</p> <p>1.(d) Persons carrying out activities relating to investments (including assets, rights and interests) which are regulated, licensed or authorised by a public authority established by law otherwise than in the United Kingdom.</p> <p>1.(e) Persons engaged in the provision of transportation services.</p> <p>1.(f) Persons carrying out civil enforcement, regulatory or criminal reporting functions.</p> <p>1.(g) The board of management of a college of further education (within the meaning of section 36(1) of the Further and Higher Education (Scotland) Act 1992)(c) which is a fundable body (within the meaning of section 6(2) of the Further and Higher Education (Scotland) Act 2005)(d).</p> <p>In the case of such a college of further education not under the management of a board of management, the board of governors of the college or any person responsible for the management of the college, whether or not formally constituted as a governing body or board of governors.</p>

(a) 2001 c.12.

(b) 2000 c.8; section 22 was amended by section 7 of the Financial Services Act 2012 c.21.

(c) 1992 c.37.

(d) 2005 asp 6.

Goods and Services
Column 1

Types of Person
Column 2

The governing body of an institution within the higher education sector (within the meaning of Part 2 of the Further and Higher Education (Scotland) Act 1992)^(a) which is a fundable body (within the meaning of section 6(2) of the Further and Higher Education (Scotland) Act 2005).

1.(h) Any educational institution outwith Scotland that provides services analogous to those provided by any of the bodies mentioned in paragraph 1.(g).

1.(i) Natural persons.

2. Conference services, including the provision of conference, catering and recreational facilities.

2.(a) Persons licensed under the Private Security Industry Act 2001.

2.(b) Persons carrying out security service activities which are regulated, licensed or authorised by a public authority established by law otherwise than in the United Kingdom.

2.(c) Persons carrying on regulated activity within the meaning of section 22 of the Financial Services and Markets Act 2000.

2.(d) Persons carrying out activities relating to investments (including assets, rights and interests) which are regulated, licensed or authorised by a public authority established by law otherwise than in the United Kingdom.

2.(e) Persons engaged in the provision of transportation services.

2.(f) Persons carrying out civil enforcement, regulatory or criminal reporting functions.

2.(g) The board of management of a college of further education (within the meaning of section 36(1) of the Further and Higher Education (Scotland) Act 1992) which is a fundable body (within the meaning of section 6(2) of the Further and Higher Education (Scotland) Act 2005).

In the case of such a college of further education not under the management of a board of management, the board of governors of the college or any person responsible for the management of the college, whether or not formally constituted as a governing body or board of governors.

(a) 1992 c.37.

<i>Goods and Services</i> <i>Column 1</i>	<i>Types of Person</i> <i>Column 2</i>
	<p>The governing body of an institution within the higher education sector (within the meaning of Part 2 of the Further and Higher Education (Scotland) Act 1992) which is a fundable body (within the meaning of section 6(2) of the Further and Higher Education (Scotland) Act 2005).</p> <p>2.(h) Any educational institution outwith Scotland that provides services analogous to those provided by any of the bodies mentioned in paragraph 2.(g).</p> <p>2.(i) Natural persons.</p>
<p>3. Accommodation services, including the leasing, sub-leasing and licensing of heritable property.</p>	<p>3.(a) Persons engaged in the provision of telecommunication or broadcasting services, whether directly or ancillary to an undertaking whose object is not the provision of such services.</p> <p>3.(b) Natural persons.</p>
<p>4. Forensic services</p>	<p>4.(a) Persons licensed under the Private Security Industry Act 2001.</p> <p>4.(b) Persons carrying out security service activities which are regulated, licensed or authorised by a public authority established by law otherwise than in the United Kingdom.</p> <p>4.(c) Persons carrying on regulated activity within the meaning of section 22 of the Financial Services and Markets Act 2000.</p> <p>4.(d) Persons carrying out activities relating to investments (including assets, rights and interests) which are regulated, licensed or authorised by a public authority established by law otherwise than in the United Kingdom.</p> <p>4.(e) Persons carrying out civil enforcement, regulatory or criminal reporting functions.</p> <p>4.(f) The board of management of a college of further education (within the meaning of section 36(1) of the Further and Higher Education (Scotland) Act 1992) which is a fundable body (within the meaning of section 6(2) of the Further and Higher Education (Scotland) Act 2005).</p>

Goods and Services
Column 1

Types of Person
Column 2

In the case of such a college of further education not under the management of a board of management, the board of governors of the college or any person responsible for the management of the college, whether or not formally constituted as a governing body or board of governors.

The governing body of an institution within the higher education sector (within the meaning of Part 2 of the Further and Higher Education (Scotland) Act 1992) which is a fundable body (within the meaning of section 6(2) of the Further and Higher Education (Scotland) Act 2005).

4.(g) Any educational institution outwith Scotland that provides services analogous to those provided by any of the bodies mentioned in paragraph 4.(f).

4.(h) Persons involved in scientific research and development.

SCHEDULE 2

Article 3

<i>Goods and Services</i> <i>Column 1</i>	<i>Types of Person</i> <i>Column 2</i>
1. Services involving the facilitation of transportation of abnormal loads on roads.	1. Persons engaged in transportation services.
2. Consultation services connected with the use of security and alarm technology system and equipment.	2. Persons or natural persons engaged in undertakings.
3. Services connected with the removal and sale of abandoned vehicles or property including the salvaging or scraping of vehicles or property.	3. Persons engaged in asset recovery, salvage and scrap metal.
4. Services involving inspection, testing, maintenance or repair of vehicles under warranty.	4. Persons engaged in vehicle maintenance and repair.
5. Training services concerned with data protection.	5. Persons engaged in information technology recycling and data destruction.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies the types of goods and services that the Scottish Police Authority and the Police Service of Scotland (as arranged by the Scottish Police Authority) can provide and the types of persons to whom they can provide these goods and services.

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