



Northern Ireland (Emergency Provisions) Act 1991

1991 CHAPTER 24

PART V

REGULATION OF THE PROVISION OF PRIVATE SECURITY SERVICES

38 Duty to notify Secretary of State of changes of personnel

(1) Where—

- (a) an application has been made by any person under section 36 above, and
- (b) that person proposes to employ a person as a security guard as from a relevant time, and
- (c) information concerning the proposed employee was not furnished to the Secretary of State in pursuance of section 36(1)(b)(iii) at the time when the application was made,

the person who made the application shall, not later than fourteen days before that relevant time, notify to the Secretary of State such information concerning the proposed employee as the Secretary of State may specify.

(2) Where an application has been made by any person under section 36 above, that person shall notify to the Secretary of State such information concerning any change to which this subsection applies as the Secretary of State may specify, and shall so notify any such information—

- (a) not later than fourteen days before the change occurs; or
- (b) if that is not reasonably practicable, as soon as is reasonably practicable.

(3) Subsection (2) above applies—

- (a) in relation to an application made by a partnership or by a member of a partnership, to any change occurring at a relevant time in the members of the partnership, and
- (b) in relation to an application made by a body corporate, to any change occurring at a relevant time in the officers of that body,

Status: This is the original version (as it was originally enacted).

unless the change involves a person becoming a partner or officer and information relating to that change was furnished to the Secretary of State in pursuance of section 36(1)(b)(iv) or (v) above at the time when the application was made.

- (4) Any person who contravenes subsection (1) or (2) above is guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale or both.
- (5) In this section “relevant time”, in relation to an application made under section 36 above, means a time when—
- (a) the application has been neither granted nor refused by the Secretary of State; or
 - (b) a certificate issued in pursuance of the application is in force under this Part of this Act;

and subsections (3) and (4) of that section apply also for the purposes of this section.