

PRIVATE SECURITY INDUSTRY ACT 2001

EXPLANATORY NOTES

COMMENTARY

Part II

General

Door supervisors etc for public houses, clubs and comparable venues

Section 24: Orders and regulations

68. This section contains provisions about subordinate legislation to be made under this Act. *Subsection (1)* defines “prescribed” as prescribed by regulations made by the Secretary of State, or determined in such a way and by such people as may be provided for in any such regulations. *Subsection (2)* requires the Secretary of State to make any orders or regulations by means of statutory instrument.
69. *Subsection (3)* specifies the negative resolution procedure for most statutory instruments under the Act. The exceptions are statutory instruments which aim to extend the scope of compulsory licensing of in-house security operatives beyond wheelclampers and door supervisors or which amend the scope of those sectors of the industry providing security services under contract, as defined in Schedule 2. These require affirmative resolution. *Subsection (4)* requires the Secretary of State to consult the Authority before making any orders or regulations. *Subsection (5)* allows the Secretary of State to make orders and regulations reflecting different provisions for different cases and containing any incidental provisions as he thinks fit.