

Changes to legislation: *Serious Organised Crime and Police Act 2005, Paragraph 14 is up to date with all changes known to be in force on or before 20 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 15

PRIVATE SECURITY INDUSTRY ACT 2001: SCOTTISH EXTENT

14 In Schedule 2 (activities liable to control under the Private Security Industry Act 2001 (c. 12))—

- (a) [F¹in paragraph 3 (immobilisation of vehicles), at the end add—
- “(4) This paragraph does not apply to any activities carried out in Scotland.”;]
- (b) in paragraph 4 (private investigations), after sub-paragraph (4) insert—
- “(4A) This paragraph does not apply to any activities of a person who is an advocate or solicitor in Scotland in the provision of legal services—
- (a) by him;
- (b) by any firm of which he is a partner or by which he is employed;
- (c) by any body corporate of which he is a director or member or by which he is employed.”;
- (c) after paragraph 4 insert—

“Taking precognitions

- 4A (1) This paragraph applies (subject to sub-paragraph (2)) to the taking, other than on behalf of the Crown, of a precognition for the purposes of, or in anticipation of—
- (a) criminal or civil proceedings in Scotland; or
- (b) proceedings on an application under section 65(7) or (9) of the Children (Scotland) Act 1995.
- (2) This paragraph does not apply to any activities of a person who is an advocate or solicitor in Scotland.”;
- (d) in paragraph 8(2) (door supervisors etc. for public houses, clubs and comparable venues) after paragraph (e) add—
- “(f) any premises specified in a public house licence (within the meaning of the Licensing (Scotland) Act 1976) which is for the time being in force;
- (g) any premises specified in an hotel licence (within the meaning of that Act) which is for the time being in force;
- (h) any premises specified in an entertainment licence (within the meaning of that Act) which is for the time being in force if they comprise a dance hall;
- (i) any premises comprised in a place to which an occasional licence granted under section 33(1) of that Act (occasional

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- licence for premises other than licensed premises or clubs) to the holder of a public house licence or hotel licence extends;
- (j) any premises comprised in a place to which an occasional permission granted under section 34(1) of that Act (occasional permission for sale of alcohol in the course of catering for events arising from or related to the activities of a voluntary organisation) extends;
 - (k) any premises comprised in a place or class of place for the time being specified by resolution under section 9(5)(b) of the Civic Government (Scotland) Act 1982 (resolution specifying place or class of place falling to be licensed if to be used as place of public entertainment);
 - (l) any premises comprised in a place where an activity for the time being designated under section 44(1) of that Act (additional activities for which a licence is required) is carried on provided that, in the case of an activity designated under paragraph (a) of that section, the requisite resolution under section 9 of that Act has been obtained;” and
- (e) after paragraph 9 add—

“Taking precognitions

- 10 This paragraph applies to any activities which are activities of a security operative by virtue of paragraph 4A of this Schedule.”

Textual Amendments

- F1** Sch. 15 para. 14(a) repealed (E.W.) (1.10.2012) by [Protection of Freedoms Act 2012 \(c. 9\)](#), s. 120, [Sch. 10 Pt. 3](#) (with s. 97); S.I. 2012/2075, art. 3(h)

Commencement Information

- I1** Sch. 15 para. 14 in force at 30.6.2006 for S. by [S.S.I. 2006/381](#), [art. 2\(a\)\(i\)](#)
I2 Sch. 15 para. 14 in force at 6.7.2006 for E.W. by [S.S.I. 2006/381](#), [art. 2\(b\)\(i\)](#)

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Commencement Orders yet to be applied to the Serious Organised Crime and Police Act 2005

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2006/2182 art. 3](#) amendment to earlier commencing SI 2006/1871