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**Changes to legislation:** There are currently no known outstanding effects for the Justice and Security (Northern Ireland) Act 2007, Cross Heading: Application for licence. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 6

#### PRIVATE SECURITY INDUSTRY: INTERIM ARRANGEMENTS

##### *Application for licence*

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- [<sup>F1</sup>(1) An application for a licence shall be made to the Secretary of State—
- (a) in such manner and form as he may specify, and
  - (b) accompanied by such information as he may specify.
- (2) The Secretary of State may specify information only if it concerns—
- (a) the applicant,
  - (b) a business involving the provision of security services for reward which is, was or is proposed to be carried on by the applicant,
  - (c) a person whom the applicant employs or proposes to employ as a security guard,
  - (d) a partner or proposed partner of the applicant (where the applicant is an individual),
  - (e) a member or proposed member of the applicant (where the applicant is a partnership),
  - (f) an officer or proposed officer of the applicant (where the applicant is a body corporate).
- (3) A person commits an offence if in connection with an application for a licence he—
- (a) makes a statement which he knows to be false or misleading in a material particular, or
  - (b) recklessly makes a statement which is false or misleading in a material particular.
- (4) A person guilty of an offence under sub-paragraph (3) shall be liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding two years, to a fine or to both, or
  - (b) on summary conviction, to imprisonment for a term not exceeding six months, to a fine not exceeding the statutory maximum or to both.
- (5) For the purposes of this paragraph—
- (a) a reference to employment or proposed employment by an applicant for a licence shall, where the applicant is a partnership or a member of a partnership, be construed as a reference to employment or proposed employment by the partnership or by any of its partners,
  - (b) “officer” includes a director, manager or secretary,
  - (c) a person in accordance with whose directions or instructions the directors of a body corporate are accustomed to act shall be treated as an officer of that body, and

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- (d) the reference to directions or instructions in paragraph (c) does not include a reference to advice given in a professional capacity.<sup>F1</sup>

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**Textual Amendments**

- F1** Sch. 6 repealed (N.I) (1.12.2009) by The Private Security Industry Act 2001 (Designated Activities) (Northern Ireland) Order 2009 (S.I. 2009/3048), **art. 4**

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