

SCHEDULES

SCHEDULE 10

CONTRACTING OUT SECURE COLLEGES

PART 5

FURTHER AMENDMENTS

Prison Act 1952 (c. 52)

- 28 In section 52 of the Prison Act 1952 (exercise of power to make rules etc), after subsection (3) insert—
- “(4) A statutory instrument containing rules under section 47 or 47A is subject to annulment in pursuance of a resolution of either House of Parliament, subject to subsection (5).
 - (5) A statutory instrument containing rules under section 47 that (whether alone or with other provision)—
 - (a) authorise a secure college custody officer performing custodial duties at a secure college to use reasonable force, or
 - (b) otherwise make a substantive change to the circumstances in which such an officer is authorised to do so,may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
 - (6) In subsection (5), “secure college custody officer” has the same meaning as in Schedule 10 to the Criminal Justice and Courts Act 2015.”

Criminal Justice Act 1967 (c. 80)

- 29 Omit section 66(4) of the Criminal Justice Act 1967 (exercise of powers to make rules under sections 47 and 47A of the Prison Act 1952).

Firearms Act 1968 (c. 27)

- 30 (1) Schedule 1 to the Firearms Act 1968 (offences to which section 17(2) of that Act applies) is amended as follows.
- (2) After paragraph 6 insert—
 - “6A An offence under paragraph 14 or 24 of Schedule 10 to the Criminal Justice and Courts Act 2015 (assaulting secure college custody officer).”
 - (3) In paragraph 8, for “6” substitute “6A”.

Status: This is the original version (as it was originally enacted).

Criminal Justice Act 1988 (c. 33)

- 31 In section 40(3) of the Criminal Justice Act 1988 (powers to join in indictment count for certain offences), after paragraph (ab) insert—
- “(ac) an offence under paragraph 14 or 24 of Schedule 10 to the Criminal Justice and Courts Act 2015 (assaulting secure college custody officer);”.

Private Security Industry Act 2001 (c. 12)

- 32 In paragraph 2(7) of Schedule 2 to the Private Security Industry Act 2001 (manned guarding activities not liable to control), after paragraph (c) insert—
- “(cza) activities that are carried out for the purposes of the performance of a contract entered into under, or for the purposes of, paragraph 1 of Schedule 10 to the Criminal Justice and Courts Act 2015 (contracting out of secure colleges) or paragraph 20 of that Schedule (contracted-out functions at directly managed secure colleges);”.

Children Act 2004 (c. 31)

- 33 The Children Act 2004 is amended as follows.
- 34 In section 15(3) (funding of Local Safeguarding Children Boards)—
- (a) in paragraph (c), after “principal of a” insert “directly managed”, and
- (b) in paragraph (d), after “or prison” insert “or the principal of a contracted-out secure college”.
- 35 In section 33(3) (funding of Local Safeguarding Children Boards in Wales)—
- (a) in paragraph (c), after “principal of a” insert “directly managed”, and
- (b) in paragraph (d), after “or prison” insert “or the principal of a contracted-out secure college”.
- 36 (1) Section 65 (interpretation) is amended as follows.
- (2) In subsection (3), at the end insert—
- “(d) references to a directly managed secure college and to a contracted-out secure college, and to the contractor in relation to a contracted-out secure college, have the meanings given by paragraph 27 of Schedule 10 to the Criminal Justice and Courts Act 2015.”
- (3) In subsection (4)—
- (a) in paragraph (a), omit “or”,
- (b) at the end of paragraph (b), insert “or”,
- (c) after paragraph (b) insert—
- “(c) a contract under paragraph 1 of Schedule 10 to the Criminal Justice and Courts Act 2015 is for the time being in force in relation to part of a secure college”, and”
- (d) for “or prison” substitute “, prison or secure college”.

Offender Management Act 2007 (c. 21)

- 37 In section 14(9) of the Offender Management Act 2007 (disclosure)—
- (a) in paragraph (a), after sub-paragraph (ii) insert—

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

- “(iii) a secure college under paragraph 1 of Schedule 10 to the Criminal Justice and Courts Act 2015;”;
- (b) in paragraph (a), for “section in question” substitute “provision in question”;
- (c) in paragraph (b)(ii), omit the words from “for offenders” to the end.