



Private Security Industry Act 2001

2001 CHAPTER 12

Licence requirement

6 Offence of using unlicensed wheel-clampers

- (1) A person who is an occupier of any premises is guilty of an offence if—
 - (a) any individual carries out, in relation to vehicles on those premises, any designated activities consisting in activities to which paragraph 3 of Schedule 2 (immobilisation of vehicles) applies;
 - (b) the carrying out of those activities involves that individual's engaging in licensable conduct in respect of which he is not the holder of a licence; and
 - (c) those activities are carried out with the permission of that occupier or for the purposes of, or in connection with, any contract for the supply of services to him.
- (2) In proceedings against any person for an offence under this section it shall be a defence for that person to show either—
 - (a) that he did not know, and had no reasonable grounds for suspecting, at the time when the activities were carried out, that the individual in question was not the holder of a licence in respect of those activities; or
 - (b) that he took all reasonable steps, in relation to the carrying out of those activities, for securing that that individual would not engage in any licensable conduct in respect of which he was not the holder of a licence.
- (3) A person shall not be guilty of an offence under this section in respect of the carrying out of activities which are comprised in any conduct of an individual in which he is entitled to engage by virtue of section 4.
- (4) A person guilty of an offence under this section shall be liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum, or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding five years or to a fine, or to both.