

SCHEDULES

SCHEDULE 10

CONTRACTING OUT SECURE COLLEGES

PART 1

CONTRACTING OUT PROVISION AND RUNNING OF SECURE COLLEGES

Intervention by Secretary of State

- 12 (1) This paragraph applies where it appears to the Secretary of State that—
- (a) the principal of a contracted-out secure college has lost effective control of the secure college or a part of it or is likely to do so, and
 - (b) it is necessary for the Secretary of State to exercise the power under sub-paragraph (2) in the interests of preserving a person’s safety or preventing serious damage to property.
- (2) The Secretary of State may appoint a Crown servant (the “appointed person”) to act as principal of the secure college for the period—
- (a) beginning at the time specified in the appointment, and
 - (b) ending at the time specified in the notice of termination under sub-paragraph (4).
- (3) During that period—
- (a) all of the functions of the principal or monitor are to be carried out by the appointed person,
 - (b) the contractor and any sub-contractor must take all reasonable steps to facilitate the carrying out by the appointed person of those functions, and
 - (c) the officers of the secure college must comply with any directions given by the appointed person in carrying out those functions.
- (4) The Secretary of State must, by notice to the appointed person, terminate the person’s appointment if satisfied that—
- (a) the person has secured effective control of the secure college or, as the case may be, the relevant part of it, and
 - (b) the person’s appointment is no longer necessary as mentioned in sub-paragraph (1)(b).
- (5) The Secretary of State must—
- (a) give notice of an appointment under this paragraph to the persons listed in sub-paragraph (6) as soon as practicable after making the appointment, and
 - (b) give a copy of a notice of termination of such an appointment to those persons as soon as practicable after terminating it.
- (6) Those persons are—

Status: This is the original version (as it was originally enacted).

- (a) the contractor,
- (b) any sub-contractor,
- (c) the principal, and
- (d) the monitor.