

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, PART 2. (See end of Document for details)

SCHEDULES

SCHEDULE 10

CONTRACTING OUT SECURE COLLEGES

PART 2

CERTIFICATION OF SECURE COLLEGE CUSTODY OFFICERS

Meaning of “secure college custody officer”

- 16 In this Schedule, “secure college custody officer” means a person in respect of whom a certificate under this Part of this Schedule is for the time being in force certifying that the person has been approved by the Secretary of State for the purposes of performing custodial duties at secure colleges.

Commencement Information

- II** Sch. 10 para. 16 in force at 20.3.2015 by [S.I. 2015/778](#), [art. 2\(1\)\(d\)](#)

Issue of certificate

- 17 (1) The Secretary of State may, on an application by a person, issue a certificate in respect of the person if satisfied that the person—
- (a) is a fit and proper person to perform custodial duties at secure colleges, and
 - (b) has received training to such standard as the Secretary of State considers appropriate for the performance of those functions.
- (2) The certificate must state that it is to cease to be in force on a date or on the occurrence of an event.
- (3) Once issued, the certificate continues in force until that date or event, subject to any previous suspension or revocation under paragraph 18 or 19.

Commencement Information

- I2** Sch. 10 para. 17 in force at 20.3.2015 by [S.I. 2015/778](#), [art. 2\(1\)\(d\)](#)

Suspension of certificate

- 18 (1) This paragraph applies where—
- (a) in the case of a secure college custody officer performing custodial duties at a contracted-out secure college, it appears to the monitor of the college

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that the officer is not a fit and proper person to perform such duties at secure colleges, or

- (b) in the case of a secure college custody officer performing contracted-out functions at a directly managed secure college, it appears to the principal of the college that the officer is not a fit and proper person to perform custodial duties at secure colleges.

(2) The monitor or principal may—

- (a) refer the matter to the Secretary of State for a decision under paragraph 19, and
- (b) in circumstances prescribed by regulations made by the Secretary of State, suspend the officer's certificate pending that decision.

(3) Regulations under this paragraph may—

- (a) prescribe different circumstances for different cases;
- (b) include transitional, transitory or saving provision.

(4) Regulations under this paragraph are to be made by statutory instrument.

(5) A statutory instrument containing regulations under this paragraph is subject to annulment in pursuance of a resolution of either House of Parliament.

Commencement Information

I3 Sch. 10 para. 18 in force at 20.3.2015 by [S.I. 2015/778](#), [art. 2\(1\)\(d\)](#)

Revocation of certificate

19 Where it appears to the Secretary of State that a secure college custody officer is not a fit and proper person to perform custodial duties at secure colleges, the Secretary of State may revoke the officer's certificate.

Commencement Information

I4 Sch. 10 para. 19 in force at 20.3.2015 by [S.I. 2015/778](#), [art. 2\(1\)\(d\)](#)

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