

Terrorism (Protection of Premises) Bill

RUNNING LIST OF ALL AMENDMENTS IN COMMITTEE OF THE WHOLE HOUSE

Tabled up to and including

28 January 2025

The amendments are listed in accordance with the following Instruction –

Clauses 1 to 4	Clauses 13 to 34
Schedules 1 and 2	Schedule 4
Clauses 5 to 12	Clauses 35 to 38
Schedule 3	Title

[Amendments marked ★ are new or have been altered]

Before Clause 1

LORD DAVIES OF GOWER

★ Before Clause 1, insert the following new Clause –

“Purpose: protection of premises from terrorism

- (1) The purpose of this Act is to protect premises from terrorism.
- (2) The Secretary of State must, in taking any actions under the provisions of this Act, have regard to this purpose.”

Member's explanatory statement

This amendment would place a duty on the Secretary of State to have regard to the purpose of the Act, namely to protect premises from terrorism.

Clause 2

LORD DAVIES OF GOWER
LORD DE MAULEY

Clause 2, page 2, line 7, leave out from ““building”” to end of line 8 and insert “means “building” as defined in section 121 of the Building Act 1984”

Member's explanatory statement

This amendment brings the definition of a “building” in line with other areas of legislation.

LORD HOPE OF CRAIGHEAD

Clause 2, page 2, line 7, after ““building”” insert “means any permanent or temporary building and”

Member's explanatory statement

This amendment, which is taken from the definition of “building” in section 30 of the Building Safety Act 2022, would make it clear that the public protection requirements extend to buildings of a temporary nature such as those erected solely for events such as a Christmas Market or other temporary event.

LORD SANDHURST

- ★ Clause 2, page 2, line 11, leave out “from time to time” and insert “not less than once a month”

Member's explanatory statement

This amendment and the other in the name of Lord Sandhurst to Clause 2 seek to remove the reference to “from time to time” and provide a benchmark by which the attendance at a premises may be measured.

LORD SANDHURST

- ★ Clause 2, page 2, line 17, leave out “from time to time” and insert “not less than once a month”

Member's explanatory statement

This amendment and the other in the name of Lord Sandhurst to Clause 2 seek to remove the reference to “from time to time” and provide a benchmark by which the attendance at a premises may be measured.

LORD FAULKNER OF WORCESTER
BARONESS RITCHIE OF DOWNPATRICK
LORD PARKINSON OF WHITLEY BAY

Clause 2, page 2, line 21, at end insert –

- “(3A) In determining the number of individuals who may reasonably be expected to be on the premises of a railway station from time to time, no account is to be taken of the capacity of any railway vehicle used or intended to be used for the conveyance of passengers.”

Member's explanatory statement

This amendment would make clear that the capacity of railway vehicles is not included when calculating the number of people who may be present at a railway station.

Schedule 1

LORD FAULKNER OF WORCESTER
BARONESS RITCHIE OF DOWNPATRICK
LORD PARKINSON OF WHITLEY BAY

Schedule 1, page 29, line 38, leave out from “terminal” to “whether” in line 40 and insert “(excluding tracks and trains)”

Member's explanatory statement

This amendment seeks to ensure that the Bill applies to buildings only, not to the entire railway estate.

Schedule 2

LORD MOYNIHAN

Schedule 2, page 36, line 20, leave out sub-paragraph (d)

LORD DE MAULEY

Schedule 2, page 36, line 33, at end insert—

“(4A) Premises are within this paragraph if they are a venue for open air sporting and cultural activities in a rural area.”

Member's explanatory statement

This amendment would specify venues for cultural and sporting activities conducted in rural areas as excluded premises.

LORD MOYNIHAN

Schedule 2, page 36, line 33, at end insert—

“(4A) Premises are within this paragraph if they are a sports ground which is not a designated sports ground.”

LORD FAULKNER OF WORCESTER
 BARONESS RITCHIE OF DOWNPATRICK
 LORD PARKINSON OF WHITLEY BAY

Schedule 2, page 37, line 17, at end insert “or the premises are stations shared by heritage railways operated under a Light Railway Order, or subject to a Transport and Works Act 1992 order, not subject to an instruction under section 119 of the Railways Act 1993.”

Member's explanatory statement

This amendment would clarify the position of joint stations with the national rail network.

LORD FAULKNER OF WORCESTER
 BARONESS RITCHIE OF DOWNPATRICK
 LORD PARKINSON OF WHITLEY BAY

Schedule 2, page 37, line 20, at end insert –

“(ca) the railway is operated under the provisions of the Transport Act (Northern Ireland) 1967 (c. 37 (N.I.)),”

Member's explanatory statement

This amendment would avoid the inclusion of Translink (Northern Ireland Railways).

LORD FAULKNER OF WORCESTER
 BARONESS RITCHIE OF DOWNPATRICK
 LORD PARKINSON OF WHITLEY BAY

Schedule 2, page 37, line 27, at end insert –

“Railway stations

- 4A Premises are within this paragraph if they are railway station or train operated pursuant to a Light Railway Order made under the Railways Act 1993 or an order made under the Transport and Works Act 1992 where –
- (a) stations or halts are wholly in the open air or consist of a partly roofed building with not less than 25% of its supporting walls being open and unobstructed,
 - (b) the station consists of premises designed or used for the operation of a railway or tramway between that station and one or more other railway stations.”

Member's explanatory statement

This amendment would make clear that the Bill applies to buildings, and not to open platforms or those covered by canopies with open sides.

LORD DE MAULEY

★

Schedule 2, page 37, line 32, leave out “or 4” and insert “, 4 or 4A”

Member's explanatory statement

This amendment, connected to another in the name of Lord De Mauley, would specify cultural and sporting activities conducted in rural areas as excluded events.

Clause 5

LORD ANDERSON OF IPSWICH
BARONESS SUTTIE

Clause 5, page 4, line 19, leave out subsections (4) to (6)

Member's explanatory statement

This would remove a Henry VIII Clause which will otherwise give the Minister power by regulation to alter (including by making more onerous) the range of public protection procedures in subsection (3) which were decided upon after full consultation and will after passage of the Bill have been endorsed by Parliament.

After Clause 5

LORD DE MAULEY

After Clause 5, insert the following new Clause –

“Waiving of public protection procedures

- (1) The person responsible for qualifying premises or events may apply to the Secretary of State, or the Security Industry Authority, for a waiver of one or all of the public protection procedures.
- (2) A waiver must be granted if the Secretary of State or the Security Industry Authority are satisfied that the applicant has proven that –
 - (a) the cost of implementing one of the public protection procedures would be unreasonable, or
 - (b) the public protection procedures would not have a benefit in reducing the threat of terrorism.”

Member's explanatory statement

This amendment would oblige the Secretary of State or the Security Industry Authority to waive rules if the applicant can prove that the cost of implementing public protection procedures would be unreasonable or they would not have a benefit in reducing the threat of terrorism.

Clause 6

LORD ANDERSON OF IPSWICH

Clause 6, page 5, line 12, leave out subsections (4) to (6)

Member's explanatory statement

This would remove a Henry VIII Clause which will otherwise give the Minister power by regulation to alter (including by making more onerous) the range of public protection measures in subsection (3) which were decided upon after full consultation and will after passage of the Bill have been endorsed by Parliament.

After Clause 11

LORD FAULKNER OF WORCESTER
BARONESS RITCHIE OF DOWNPATRICK
LORD PARKINSON OF WHITLEY BAY

After Clause 11, insert the following new Clause –

“Training

The Secretary of State may provide resources to support the provision of initial training and advice to support persons with control of relevant premises to establish the skills required to implement the provisions of this Act.”

Member's explanatory statement

This amendment would permit the Secretary of State to make provision for training and advice to support relevant person meet their obligations under the Act.

BARONESS SUTTIE
BARONESS HAMWEE

After Clause 11, insert the following new Clause –

“Developing and implementing training on public protection procedures

- (1) The Secretary of State must take such steps as they consider appropriate to ensure that –
 - (a) adequate training provision is made available for persons responsible for qualifying premises or qualifying events in respect of public protection procedures that includes –
 - (i) the monitoring of premises or events and the immediate vicinity of premises or events,
 - (ii) evacuation procedures and the movement of individuals into, out of and within a premises or event,
 - (iii) physical safety and security of occupants in a premises,
 - (iv) provision of security information to individuals on a premises or at an event, and
 - (v) other measures related to terrorism protection training;
 - (b) a training implementation plan is put in place to ensure all organisations and persons to which the provisions of this Act apply are encouraged to undertake training related to public protection procedures.

- (2) Functions of the Secretary of State under this section may be exercised by any organisation or persons authorised to do so by the Secretary of State.
- (3) The Secretary of State must, within 6 months of the day on which this Act is passed, lay before Parliament a report setting out the steps they have taken in relation to subsection (1).”

Member's explanatory statement

This new clause would require the Secretary of State to develop and implement a training plan in respect of qualifying premises and events.

BARONESS SUTTIE
BARONESS HAMWEE

- ★ After Clause 11, insert the following new Clause –

“Requirements: public awareness

- (1) The Secretary of State must provide, or direct the Security Industry Authority to provide, information and material to assist in the understanding of, and compliance with, requirements under this Act, including by way of a public awareness campaign.
- (2) The Secretary of State must provide such resources as required to implement the duty under subsection (1).”

Member's explanatory statement

This amendment is designed to probe what information, resources and tools will be available to ensure compliance with the Act.

Clause 12

BARONESS SUTTIE
BARONESS HAMWEE

- ★ Clause 12, page 8, line 25, at end insert –

“(2A) In preparing guidance and providing advice under subsections (2)(a) and (b), the Security Industry Authority must, in particular, take account of existing duties, controls or other legal requirements on qualifying premises, including existing licensing requirements.”

Member's explanatory statement

This amendment is intended to probe how the requirements of this Act will complement and enhance existing legal requirements on qualifying premises.

LORD DAVIES OF GOWER

- ★ Clause 12, page 8, line 29, at end insert –

“(ba) must notify all local authorities that the guidance has been published,”

Member's explanatory statement

This amendment introduces a requirement that the Security Industry Authority alert local authorities when the guidance has been published.

Clause 17

LORD DAVIES OF GOWER

- ★ Clause 17, page 13, line 10, leave out “28” and insert “42”

Member's explanatory statement

This amendment amends the grace period, where a person who has received a penalty notice is given a short amount of time to pay, to avoid excessive penalisation.

Clause 20

LORD DAVIES OF GOWER

- ★ Clause 20, page 15, line 19, at end insert –

“(d) the views of the local authority in which the premises are located.”

Member's explanatory statement

This amendment introduces a requirement that the Security Industry Authority must take into account the views of the local authority in which the premises are located, when determining the amount of a penalty to be imposed on a person by a penalty notice.

After Clause 27

LORD DAVIES OF GOWER

After Clause 27, insert the following new Clause –

“Review of the role of the regulator in oversight of public protection requirements

- (1) Within 18 months of the day on which this Act is passed, the Secretary of State must lay before each House of Parliament a report reviewing the role of the Security Industry Authority as the regulator.
- (2) The report must include a cost-benefit analysis comparing the respective situation for each of the matters listed in subsection (3) on how –
 - (a) these have been carried out by the Security Industry Authority, and
 - (b) they might be carried out by local authority teams if the regulatory duties were transferred to them.
- (3) The issues which must be included in the analysis contained in the report laid under subsection (1) are –
 - (a) effectiveness in performing investigation and enforcement functions,
 - (b) relationship with other locally-based enforcement regimes,

- (c) relationship and interaction with existing statutory licensing regimes, and
- (d) effectiveness of provision of guidance as part of oversight, adherence and awareness of the new public protection requirements.”

Member's explanatory statement

This new clause would require a report reviewing the role of the Security Industry Authority, including a comparative cost-benefit analysis of the regulatory functions being carried out by the Security Industry Authority with those functions being provided alternatively at a local authority level.

Clause 28

BARONESS SUTTIE
BARONESS HAMWEE

- ★ Clause 28, page 21, line 2, leave out from “Part” to end of line 3 and insert “do prevail”

Member's explanatory statement

This amendment is intended to probe how information provided to the regulator will be safeguarded.

Clause 32

LORD ANDERSON OF IPSWICH
BARONESS SUTTIE

Clause 32, page 23, line 18, at end insert –

- “(2) Regulations under subsection (1)(a) and (b) may reduce the figures specified in section 2(2)(c), 2(3)(a) or 3(1)(d) only if the Secretary of State is satisfied that the reduction is justified by a change in the threat from terrorism.”

Member's explanatory statement

This amendment would require the Secretary of State to be satisfied that any reduction by regulations of the thresholds for qualifying premises and qualifying events is justified by a change in the terrorist threat.

LORD ANDERSON OF IPSWICH

Clause 32, page 23, line 18, at end insert –

- “(2) Before making regulations under this section the Secretary of State must consult anyone that appears to the Secretary of State to be appropriate.”

Member's explanatory statement

This amendment would require the Secretary of State to consult before making regulations under this section. The wording is adapted from the Fire Safety Act 2021 section 2, which is advanced in the Delegated Powers Memorandum para 46 as a precedent for taking similar powers.

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