

Terrorism (Protection of Premises) Bill

THIRD MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

The amendments have been marshalled in accordance with the Instruction of 7th January 2025, as follows –

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]

**Amendment
No.**

Clause 5

LORD ANDERSON OF IPSWICH
BARONESS SUTTIE
LORD SANDHURST
BARONESS FOX OF BUCKLEY

21 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.

LORD DAVIES OF GOWER
LORD SANDHURST

21A Clause 5, page 4, line 25, at end insert “, and are reasonably proportionate”

Member's explanatory statement

This amendment seeks to ensure the Secretary of State considers whether implementing further procedures by regulations would be reasonably proportionate.

After Clause 5

LORD DE MAULEY

22 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
LORD SANDHURST
BARONESS FOX OF BUCKLEY

23 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.

Clause 7

LORD DAVIES OF GOWER
LORD SANDHURST

23A Clause 7, page 5, line 41, leave out from beginning to “prepared” and insert “within six months of it being”

Member's explanatory statement

This probing amendment seeks to understand the Government's expectations of organisations under this section so they have clarity on how long they will have to provide the document to the Security Industry Authority.

Clause 8

BARONESS HAMWEE
BARONESS SUTTIE

24 Clause 8, page 6, line 14, leave out subsections (5) and (6)

Member's explanatory statement

This amendment is intended to probe the impact of Clause 8 in relation to commercial agreements, as highlighted by the Independent Reviewer of Terrorism Legislation's Note on the Bill, published on 9th December 2024.

Clause 10

LORD SANDHURST

24A Clause 10, page 7, line 25, leave out “who is” and insert “, or individuals who are”

Member's explanatory statement

This probing amendment seeks to understand why an enhanced duty premises or qualifying event should not be permitted to designate more than one senior individual under clause 10.

Clause 11

LORD SANDHURST

24B Clause 11, page 7, line 40, at end insert –

“(1A) The Tribunal must issue their determinations within a “reasonable time”

(1B) The Secretary of State may define the length of a “reasonable time” by regulations.”

Member's explanatory statement

This amendment would establish a reasonable timeframe in which the Tribunal would be required to issue its determinations.

After Clause 11

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

25 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

26 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

27 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.

LORD MURRAY OF BLIDWORTH

28 After Clause 11, insert the following new Clause—

“Private sector engagement in counter-terrorism measures

- (1) The responsible person for any qualifying premises may fulfil their duties under sections 5 or 6 by contracting with an accredited private security provider to conduct risk assessments and provide ongoing security services.
- (2) The Secretary of State must maintain a list of certified private security firms authorised to provide such services.
- (3) Security providers must comply with the national guidelines for counter-terrorism risk assessments and be subject to regular audits by the Security Industry Authority.”

Member's explanatory statement

This is a probing amendment which seeks to explore reducing the burden on public sector resources by encouraging the engagement of qualified private security companies. It leverages private expertise to enhance the resilience of high-risk premises against terrorism threats while maintaining government oversight to ensure quality and compliance.

Clause 12

BARONESS SUTTIE
BARONESS HAMWEE

29 Clause 12, page 8, line 25, at end insert—

- “(d) establish a scheme for the approval of persons offering training in compliance with the requirements.”

Member's explanatory statement

This amendment is intended to ensure that any person who provides training in compliance with the requirements under the Act is of a high and competent standard.

BARONESS SUTTIE
BARONESS HAMWEE

30 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.

BARONESS SUTTIE
BARONESS HAMWEE

31 Clause 12, page 8, line 27, at end insert –

“(aa) must, before submitting the guidance to the Secretary of State under paragraph (b), consult such persons as it considers appropriate with regard to the requirements of this section including –

- (i) particular considerations applying to different sectors, and
- (ii) particular considerations relating to contiguous premises, premises within other premises and areas in the vicinity of buildings.”

Member's explanatory statement

This amendment requires the SIA to consult appropriately with the sectors affected by the Act and to consider the needs of different types of premises when producing guidance under the Act.

LORD DAVIES OF GOWER

32 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.

LORD DAVIES OF GOWER
LORD SANDHURST

33 Clause 12, page 8, line 32, at end insert –

“(3A) The Secretary of State must establish an advisory board for the Security Industry Authority, comprising experts from industry, local authorities, and civil society, to guide the implementation and enforcement of this Act.”

Member's explanatory statement

This amendment seeks to create an advisory board for the SIA with the intention of ensuring a more collaborative approach to regulation, promoting balanced and informed decision-making.

LORD UDNY-LISTER

Lord Udny-Lister gives notice of his intention to oppose the Question that Clause 12 stand part of the Bill.

Schedule 3

LORD UDNY-LISTER

Lord Udny-Lister gives notice of his intention to oppose the Question that Schedule 3 be the 3rd Schedule to the Bill.

Member's explanatory statement

This is intended to probe concerns over powers of entry and clarify what body will be responsible for enforcement.

After Clause 16

LORD DAVIES OF GOWER
BARONESS FOX OF BUCKLEY

34

After Clause 16, 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 section 12 (role of the security industry authority) takes effect, 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 17

LORD DAVIES OF GOWER

35 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.

LORD UDNY-LISTER

Lord Udny-Lister gives notice of his intention to oppose the Question that Clause 17 stand part of the Bill.

Clause 20

LORD DAVIES OF GOWER

36 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.

Clause 27

BARONESS HAMWEE

36A Clause 27, page 20, line 17, leave out from “be” to end of line 18 and insert “adduced”

Member's explanatory statement

This is a probing amendment to clarify the meaning of “tending to establish” within the Clause and how it will operate in practice in determining whether guidance has been contravened or not.

Clause 28

BARONESS SUTTIE
BARONESS HAMWEE

37 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 31

BARONESS HAMWEE
LORD CARLILE OF BERRIEW

37A Leave out Clause 31, insert the following new Clause –

“Civil liability

Nothing in this Act or regulations made under it affects any right of action in civil proceedings.”

Member's explanatory statement

This amendment is to clarify the right to civil proceedings under the Bill.

Clause 32

LORD ANDERSON OF IPSWICH
BARONESS SUTTIE
BARONESS FOX OF BUCKLEY

38 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
LORD SANDHURST

39 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.

After Clause 34

LORD MURRAY OF BLIDWORTH

40 After Clause 34, insert the following new Clause –

“Tax relief incentives for security investments

- (1) The Secretary of State, in consultation with HM Treasury, must establish a tax relief scheme for qualifying investments made by businesses to reduce the vulnerability of premises to acts of terrorism at premises covered by this Act.
- (2) Qualifying investments include but are not limited to –
 - (a) surveillance and monitoring equipment,
 - (b) physical barriers and access control systems,
 - (c) staff training on counter-terrorism measures, and
 - (d) cyber-security infrastructure for venue security.
- (3) The scheme may provide tax deductions of up to twenty-five per cent for eligible security expenditures.”

Member's explanatory statement

This amendment incentivises businesses to voluntarily strengthen their security infrastructure to reduce the vulnerability of premises to acts of terrorism by offsetting the financial burden through tax deductions. It encourages innovation and investment in counter-terrorism technologies while reducing reliance on public funding.

LORD UDNY-LISTER

41 After Clause 34, insert the following new Clause –

“Local authority support and coordination

- (1) The Secretary of State must provide funding and resources to local authorities to support their expanded role in overseeing compliance with this Act’s security requirements.
- (2) The Secretary of State must outline clear guidelines for local authority coordination with the Security Industry Authority (SIA).”

Member's explanatory statement

This amendment addresses concerns about placing additional burdens on councils and the need for greater clarity in local authority responsibilities and coordination.

LORD UDNY-LISTER

42 After Clause 34, insert the following new Clause –

“Financial support for businesses

- (1) The Secretary of State must establish a financial support scheme to assist businesses with the cost of implementing the security measures required under this Act.
- (2) The scheme must include low-interest loans, grants, or tax relief for businesses facing costs of between £3,000 and £52,000.”

Member's explanatory statement

This amendment seeks to provide financial relief to businesses facing high implementation costs, ensuring that security measures do not place undue strain on businesses already grappling with rising costs.

LORD UDNY-LISTER

43 After Clause 34, insert the following new Clause –

“Counter-terrorism measures in planning law

- (1) The Secretary of State must consult with local authorities on integrating counter-terrorism measures into the planning and design of new buildings which are likely to be designated “qualifying premises” for the purposes of this Act.
- (2) Following that consultation, the Secretary of State must introduce measures to ensure the incorporation of anti-terrorism design principles in new building projects, particularly those in high-risk areas, where the buildings in question are likely to be designated “qualifying premises” for the purposes of this Act.”

Member's explanatory statement

This amendment encourages the integration of counter-terrorism measures into architectural design, promoting safer urban environments from the outset.

LORD FROST

44 After Clause 34, insert the following new Clause –

“Independent review panel to monitor the Security Industry Authority

- (1) The Secretary of State must establish an independent review panel to monitor the role of the Security Industry Authority (SIA) as the regulator.
- (2) The panel must produce annual reports for Parliament.
- (3) The reports must address the risk of regulatory overreach by the SIA.”

Member's explanatory statement

This amendment seeks to address concerns about the risk of regulatory overreach by the SIA through establishing an independent review panel to monitor the role of the SIA.

LORD MURRAY OF BLIDWORTH

45 After Clause 34, insert the following new Clause –

“Financial support for voluntary and community organisations

The Secretary of State must provide grants or funding schemes for voluntary and community organisations to cover the costs associated with compliance under this Act.”

Member's explanatory statement

This probing amendment seeks to respond to concerns about increased costs for small organisations, including village halls, which could deter community engagement and lead to closures.

LORD DAVIES OF GOWER
LORD SANDHURST

46 After Clause 34, insert the following new Clause –

“Review of the impact on the night-time economy

- (1) Within 18 months of the day on which this Act is passed, the Secretary of State must lay before Parliament a report reviewing the impact of the provisions in this Act on the night-time economy, jobs and growth.
- (2) The report must include an assessment of the impact of this Act on –
 - (a) public houses,
 - (b) nightclubs,
 - (c) bars,
 - (d) restaurants,
 - (e) cinemas, and
 - (f) any other late-opening venues that the Secretary of State considers to be part of the night-time economy.”

Member's explanatory statement

This new Clause seeks to require the Secretary of State to produce a report reviewing the impact this Act on the night-time economy, jobs and growth.

Clause 37

LORD SANDHURST

47 Clause 37, page 25, line 32, leave out paragraphs (a) and (b) and insert “no sooner than six months after the day on which this Act is passed, and not before draft guidance on the application of the Act has been issued to businesses affected by the provisions of the Act and a consultation with those businesses has taken place.”

Member's explanatory statement

This amendment seeks to delay the commencement of parts 1 and 2 of the Act to ensure that businesses have been properly consulted before the Act's provisions come into place and the draft guidance has been published.

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