

“Clamping down on the Clampers”

Do you engage a wheel-clamping operation to clamp vehicles illegally parked on your land? If you do, then you should be aware of new rules which came into effect on 3 May 2005.

The Security Industry Act 2001 (**2001 Act**) provides that any person attaching a wheel clamp to a motor vehicle for the purposes of preventing the removal of that vehicle by the driver, is required to hold a licence issued by the Security Industry Authority (**SIA**). It is a criminal offence for an unlicensed person to carry out such wheel clamping activities, punishable by imprisonment for a term of up to six months, or by payment of a fine not exceeding £5,000, or both.

The new law also impacts on property owners and tenants, since it is also a criminal offence for occupiers of premises to allow unlicensed wheel clampers to operate on their land. Such an offence is punishable by imprisonment for up to five years, or by payment of an unlimited fine, or both.

Wheel clampers are now required to undergo an identity and criminal records check and pass a five-day training course to show they have reached set levels of training and professional standards, before any licence is issued.

Landowners and occupiers of premises can check whether an operator is licensed by checking the public register of licensed wheel clampers kept by the SIA.

Responsible wheel-clamping operators should already follow the code of practice published by the British Parking Association, which is being updated to reflect the new provisions of the 2001 Act.

For more information please contact

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