

PROTECTED PREMISES EXPLAINER

# The duty on premises and events, in plain English

What the Terrorism (Protection of Premises) Act 2025 asks of a responsible person, who it reaches, and what nobody is able to certify. Current at September 2026.

THE ACT, AND WHEN IT BITES

## Passed, published, and not yet in force

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The Terrorism (Protection of Premises) Act 2025 received Royal Assent on 3 April 2025. The duties it creates are still to commence, so nothing in this document is enforceable today.

### What is already in force

The power to make regulations came into force on the day the Act was passed. The guidance power at section 27 followed on 10 April 2026, and parts of section 12, which give the Security Industry Authority its guidance and advice functions, followed on 15 June 2026. Everything else waits on commencement regulations that have not yet been made.

### What is not in force

Sections 5 to 10, which carry every requirement described in this document, along with the whole of the enforcement machinery. Until those are commenced there is no duty to discharge and no penalty to incur.

#### Spring 2027 is an expectation, and it is not a date in law

The Security Industry Authority has said it expects the Act to come into force in spring 2027 and will confirm the date beforehand. The Home Office guidance says the implementation period is at least twenty-four months from Royal Assent. Neither is a commencement date appointed by regulations, and none had been appointed 13 September 2026. Treat spring 2027 as a planning assumption.

### The guidance that does exist

The Home Office published its statutory guidance under section 27 on 15 April 2026, and last revised it on 25 August 2026. It runs to about a hundred and thirty pages and it is the first thing a responsible person should read. Three supplementary documents were issued alongside it, covering methods for estimating numbers, worked scope examples, and further resources. Those three are expressly non-statutory.

The guidance the Security Industry Authority must prepare under section 12, describing how it will investigate and enforce, was consulted on between 15 April and 12 June 2026. The Authority has said it will publish the final guidance and a consultation report in autumn 2026. As at 13 September 2026 neither had appeared.

Those are two different documents and the distinction matters. The Home Office guidance under section 27 tells a responsible person what the duty requires, and it is published. The Security Industry Authority guidance under section 12 sets out how the regulator will exercise its own functions, and it is still to come. Anyone saying the guidance has not been published is talking about the second of those.

## QUALIFYING PREMISES

## Two hundred people, and one of seventeen uses

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Premises are qualifying premises under section 2 where they consist of a building or a building and other land, where they are wholly or mainly used for one of the uses listed in Schedule 1, where it is reasonable to expect that from time to time two hundred or more individuals may be present at the same time in connection with that use, and where they are not excluded by Schedule 2.

### The seventeen uses

Shops. Food and drink. Entertainment and leisure. Sports grounds. Libraries, museums and galleries. Halls, exhibition halls and conference centres. Visitor attractions. Hotels, hostels and holiday parks. Places of worship. Health care. Bus and railway stations. Aerodromes. Childcare. Primary and secondary education. Further education. Higher education. Public authorities.

Limiting access by payment, ticket or membership does not take premises out of scope.

### The two tiers

- **Standard duty.** Two hundred to seven hundred and ninety-nine expected.
- **Enhanced duty.** Eight hundred or more expected.

Some uses are fixed to the standard tier by Schedule 1 whatever the numbers, which is why a cathedral or a large secondary school does not become an enhanced duty premises on attendance alone. Higher education carries no such fixing, so a university can fall into the enhanced tier.

### Counting the people

The test is what it is reasonable to expect may be present from time to time, at the same time. It is not the licensed capacity, not the fire capacity, and not an average. The count includes everyone present, staff, contractors and volunteers among them. The supplementary guidance sets out methods for reaching a figure, and the method you used is worth recording alongside the answer.

The phrase that does the work is from time to time. A venue quiet for most of the year and full on four occasions is judged on those four occasions. Getting close to a threshold from below is worth documenting, and a building that sits at a hundred and ninety on its busiest day has a reasoned position to point at if anyone asks later.

### Premises inside other premises

Where qualifying premises form part of other qualifying premises and the same person is responsible for two or more of them, the Act treats them as one set. A shopping centre with units under the same control is one assessment rather than several. Where control is split, each responsible person carries their own duty and the co-ordination obligation applies between them.

## QUALIFYING EVENTS

## Eight hundred people, and a controlled way in

An event is a qualifying event under section 3 where members of the public will have access for the purpose of attending it, where it is reasonable to expect eight hundred or more individuals present at the same time at some point during it, and where measures will be in place to secure or check that those attending have paid, hold a ticket or pass, or are members or guests of a club, association or similar body.

An event with free and uncontrolled access does not meet that last condition and is not a qualifying event, whatever the crowd. There is no standard tier for events. An event is either caught at eight hundred and carries the full enhanced obligations, or it is not caught at all.

### Who carries the duty

The responsible person is whoever has control of the premises in connection with the relevant Schedule 1 use, or control of the premises at which an event is to be held in connection with that event. Control, and not ownership, tenancy or who holds the licence. Where more than one person has control, each of them is a responsible person and each carries the duty, though they may act jointly.

#### Where responsibility is shared

Section 8 requires responsible persons to co-ordinate with each other so far as is reasonably practicable, and requires anyone else with a degree of control over enhanced duty premises or an event to co-operate with the responsible person. A landlord, an operator and a promoter working out between them who does what is the arrangement the Act expects to see.

### Part of a site, ticketed

Where the access condition applies only to part of the premises, what happens at each such part is treated as a separate event. A festival with a free open arena and a ticketed marquee is two situations in law, and only the ticketed part can be a qualifying event.

An event held at premises that are already enhanced duty premises is not a qualifying event, because the premises duty is already doing the work. The event rules exist for the field, the car park and the closed high street that carry no duty of their own for the rest of the year.

### The senior individual

Where the responsible person for enhanced duty premises or a qualifying event is not an individual, section 10 requires it to designate a person concerned in its management or control as responsible for ensuring compliance. A named person, not a committee.

The designation matters more than it first appears. It fixes accountability on someone who can actually direct resources, and it gives the regulator a person to deal with. Naming somebody without the authority to change anything satisfies the words and misses the point.

## SECTION 5

## The four procedures, in the Act's own words

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Every responsible person, at both tiers and for every qualifying event, must so far as is reasonably practicable ensure that appropriate public protection procedures are in place. These are procedures to be followed by people working on the premises or at the event where there is reason to suspect that an act of terrorism is occurring or is about to occur, on the premises, at the event, or in the immediate vicinity.

- **Evacuating individuals** from the premises or event.
- **Moving individuals** to a place on the premises or at the event where there is less risk of physical harm being caused to them.
- **Preventing individuals entering or leaving** the premises or event.
- **Providing information** to individuals on the premises or at the event.

Commentary calls these evacuation, invacuation, lockdown and communication. Those words appear nowhere in section 5, and the four paragraphs above are what the Act actually says. The objective is narrow and worth keeping in view: reducing the risk of physical harm to individuals if an attack were to occur.

### So far as is reasonably practicable

The duty is qualified. It asks what is reasonable for these premises, at this size, with these people and this layout, weighing what a measure achieves against what it costs and disrupts. A village hall and an arena reach different answers honestly. The qualification is not a way out, and a responsible person who has thought about it and can say why they landed where they did is in a far better position than one who has not.

### What a working procedure looks like

- **Somebody can start it.** A named role on every shift who can make the call without permission from above, and who knows they hold it.
- **People know their part.** Asked without warning, staff describe what they would do. That answer is worth more than the folder it came from.
- **It fits the building.** Written around these exits, this layout and these neighbours, rather than a template with the name changed.
- **It has been tried.** Even a walk-through tells you which door is locked and which radio is flat.

### What the standard tier does not have to do

No risk assessment. No document. No notification of measures. Nothing to send the regulator beyond the notification that the premises exist. The standard tier is a duty to have procedures that work, evidenced by the fact that people know them and can carry them out.

That absence catches people out in both directions. Some read it as nothing to do, which it is not. Others build an enhanced tier document set they were never asked for, at a cost they did not need to carry.

## SECTIONS 6, 7 AND 9

# What the enhanced tier adds

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## Measures, and the duty to assess them

Section 6 requires the responsible person for enhanced duty premises or a qualifying event to assess and keep under review the public protection measures that are appropriate, and so far as is reasonably practicable to ensure those measures are in place. Measures relate to monitoring the premises and its immediate vicinity, the movement of individuals into, out of and within the premises, the physical safety and security of the premises, and the security of information about the premises or event.

Procedures under section 5 are what people do at the moment of an attack. Measures under section 6 are standing arrangements that exist beforehand and regardless. Procedures serve one objective, reducing harm. Measures serve two, reducing harm and reducing the vulnerability of the premises in the first place. The duty to assess and keep under review has no equivalent at the standard tier, and it is the real weight of the enhanced tier.

## The document

Section 7 requires a document that is prepared and kept up to date, stating the procedures in place and assessing how they may be expected to reduce harm, stating the measures in place or proposed and assessing how they may be expected to reduce vulnerability and harm. A copy goes to the Security Industry Authority as soon as reasonably practicable after it is prepared, and within thirty days of any revision.

Nothing in section 7 asks for a particular format, a particular length, or a consultant's letterhead. What it asks for is a statement of what is in place and an assessment of what it is expected to achieve. A short document that answers those honestly meets the section. A long one that describes arrangements nobody follows does not.

## Notification

Section 9 requires notification to the Security Industry Authority on becoming or ceasing to be a responsible person, and where information already given stops being accurate. The Notification Requirements Regulations 2026 set out what must be given and by when, and they come into force with section 9 rather than before it. The Authority has said it will invite volunteers to test its online notification portal from early 2027.

On the Home Office guidance as it stands, responsible persons already in place at commencement have three months to notify, and those who take on premises afterwards have twenty-eight days. Events run on a fourteen day clock from commencement or from the date the event is publicised, whichever applies. Those periods sit in guidance and in regulations that are made and not yet in force, so confirm them against the regulations when the date is appointed.

## SCHEDULE 2, AND THE MISREADINGS

# What falls outside, and what only looks as though it does

## Excluded premises

- Premises occupied for the purposes of either House of Parliament.
- Premises occupied for the purposes of the Scottish Parliament and Administration, Senedd Cymru, the Welsh Government, the Northern Ireland Assembly or a Northern Ireland department.
- Parks, gardens, recreation grounds and similar open air premises, subject to conditions in the Schedule about paid access and membership checks, with carve-outs for particular events and facilities.
- Transport premises already covered by an aerodrome security plan, railway security instructions, Channel Tunnel security directions, a port facility security plan or a port security plan.

Excluded events are those held at premises in the first, second or fourth of those categories, and events held at premises used principally for worship, childcare, or primary, secondary or further education.

## Where a building has more than one use

Where premises are used for two or more Schedule 1 uses, the relevant use is the principal one, and that decides who is responsible and which rules apply. Regulations made in September 2026 set out how the principal use is to be determined, coming into force in October 2026. A mixed building with retail below and offices above, or a hotel with a conference wing, is the case those regulations exist for.

## Being out of scope is a position, and it deserves a record

A responsible person who concludes that premises fall outside the regime has reached a judgement on numbers, on principal use, or on an exclusion. That judgement may be revisited by a regulator, by an insurer, or by somebody asking questions after an incident. Writing down what was decided, on what basis and on what date costs an hour and answers the question years later. An undocumented conclusion is indistinguishable from never having looked.

### Three things people get wrong

Places of worship are not excluded. They are a Schedule 1 use, so they are in scope. What Schedule 1 does is fix them to the standard tier however many people attend.

Schools and childcare are the same. In scope, fixed to the standard tier, with events held there excluded.

Higher education is treated differently and can reach the enhanced tier.

Transport is in scope and then carved back out. Stations and aerodromes are Schedule 1 uses, and Schedule 2 removes only those already regulated under an existing transport security regime, so that nothing is regulated twice.

## ENFORCEMENT

# What the regulator can do, and what it costs

The Security Industry Authority is the regulator. It may issue compliance notices and restriction notices, exercise investigatory powers, and impose penalties. Appeals go to the tribunal.

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|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| <b>£10,000</b><br>maximum penalty where the contravention relates to standard duty premises | <b>£18m</b><br>or 5% of qualifying worldwide revenue, whichever is greater, at the enhanced tier or for a qualifying event | <b>£500</b><br>maximum daily penalty at the standard tier, once a compliance or restriction notice has been contravened | <b>£50,000</b><br>maximum daily penalty at the enhanced tier on the same basis |
|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|

## The criminal offences

Failing to comply with a compliance notice is an offence where the contravention relates to enhanced duty premises or a qualifying event. Failing to comply with a restriction notice is an offence at either tier. So is providing false or misleading information to the Authority, knowingly or recklessly. Conviction on indictment carries up to two years, a fine, or both. A reasonable steps defence is available on the compliance notice offence.

## Before a penalty, a notice

The Authority's first instruments are compliance notices, which require steps to be taken by a date, and restriction notices, which can restrict or prohibit the use of premises or the holding of an event. Both can be varied or withdrawn, and both can be appealed to the tribunal. A penalty notice can follow where the Authority is satisfied on the balance of probabilities that a requirement has been contravened, with at least twenty-eight days to pay and only one notice per contravention. Daily penalties become available once a compliance or restriction notice has itself been contravened.

Schedule 3 gives the investigatory powers behind all of that, including the power to require a person to attend and answer questions. Failing to comply with that particular requirement carries its own penalty of up to five thousand pounds.

## Section 27(5), which is worth reading carefully

Where it is alleged that a person has contravened a requirement, proof that the person acted in accordance with the applicable statutory guidance may be relied on as tending to establish that there was no such contravention.

That is evidential weight, and it is not a safe harbour. It creates no presumption and it reverses no burden. Equally there is no converse provision, so departing from the guidance is not itself evidence of a contravention. What the subsection rewards is being able to show what you actually did.

THE PART THAT MATTERS MOST

## There is no such thing as being certified compliant

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The Act creates no certification scheme, no accreditation scheme and no approval scheme. Not for premises, not for assessors, not for consultants or trainers, and not for assessment tools or software.

Nothing in the Act or in the statutory guidance provides for a certificate, a registration, a kitemark or a compliant designation. The only things the Act requires are the notification, the document at the enhanced tier, and the designated senior individual. None of those is issued or endorsed by the regulator.

### The Minister said this in Parliament

In the written ministerial statement accompanying the statutory guidance on 15 April 2026, the Minister for Security advised strongly against using third-party providers who claim they can make premises or events compliant with the Act, and confirmed that no third-party product is endorsed by the Home Office or by the Security Industry Authority.

Westmark agrees with that warning, and it is the reason this scheme is built the way it is.

### What Westmark actually does

Westmark does not assess against the Act. It assesses against the Westmark Protected Premises control set, which is written to represent what the duty asks for in a working building, in terms that can be examined, scored and defended. That distinction is deliberate and it runs through every outcome we issue.

An outcome says that an independent assessor examined defined arrangements against a published control set, on a sample, on a date, and that a second authorised person confirmed the record before it was issued. It says nothing about compliance with the Act, because nobody is in a position to say that, and the Act gives no special standing to a third-party assessment.

What it gives you is a dated, independent record of what was in place and how it was judged. Section 27(5) rewards being able to show what you did. That is the ground this scheme stands on.

## PRIMARY SOURCES

## Read the guidance first

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Everything in this document comes from the Act itself and from the Home Office statutory guidance. Both are free and both are better authority than anything a consultant tells you.

- **The Act.** Terrorism (Protection of Premises) Act 2025, chapter 10, on [legislation.gov.uk](https://legislation.gov.uk).
- **The statutory guidance.** Published 15 April 2026 under section 27, revised 25 August 2026, on [gov.uk](https://gov.uk), with the three non-statutory supplementary documents alongside it.
- **The regulator.** The Security Industry Authority's guidance on its role, on [gov.uk](https://gov.uk), which carries the current position on commencement and on its own section 12 guidance.

### This document has a shelf life

It is current at September 2026 and it will go out of date. Commencement regulations, the section 12 guidance expected in autumn 2026, and any revision of the statutory guidance will each change something here. Check the date on the cover against the date you are reading it.

### Talk to us

Tell us the premises or the event, roughly how many people you expect, and what is driving the timing. We will tell you what an assessment covers and what it costs.

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