STATUTORY INSTRUMENTS

2016 No. 244

MODERN SLAVERY

The Modern Slavery Act 2015 (Consequential Amendments) Regulations 2016

Made - - - - 25th February 2016

Coming into force in accordance with regulation 1(1)

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 57(2) and (3) of the Modern Slavery Act 2015(**1**), section 93(1) and (2) of the Criminal Justice and Courts Act 2015(**2**) and section 85(2) and (3)(c) of the Serious Crime Act 2015(**3**).

In accordance with section 58(3) and (4)(k) of the Modern Slavery Act 2015, section 93(5) of the Criminal Justice and Courts Act 2015 and section 85(5) of the Serious Crime Act 2015 a draft of these Regulations has been laid before and approved by resolution of each House of Parliament.

PART 1

GENERAL PROVISIONS

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Modern Slavery Act 2015 (Consequential Amendments) Regulations 2016 and come into force on the twenty first day after the day on which they are made.

(2) Regulations 6 and 7 apply to England only.

(3) In these Regulations, "the 2015 Act" means the Modern Slavery Act 2015.

(**1**) 2015 c. 30.
(**2**) 2015 c. 2.
(**3**) 2015 c. 9.

PART 2

AMENDMENTS CONSEQUENTIAL ON THE 2015 ACT

Amendment to the Visiting Forces Act 1952

2. The Visiting Forces Act 1952(**4**) is amended as follows.

3. In paragraph 1 of the Schedule (offences referred to in section 3) in sub-paragraph (b) insert at the end—

"(xv) sections 1 and 2 of the Modern Slavery Act 2015;".

Amendment to the Police and Criminal Evidence Act 1984

4. The Police and Criminal Evidence Act 1984(**5**) is amended as follows.

5. In section 80(7) (compellability of accused's spouse or civil partner), at the end insert—

", or an offence under section 2 of the Modern Slavery Act 2015 (human trafficking) committed with a view to exploitation that consists of or includes behaviour within section 3(3) of that Act (sexual exploitation).".

Amendment to the Housing Act 1985

6. The Housing Act 1985(**6**) is amended as follows.

7. In Schedule 2A (absolute grounds for possession for anti-social behaviour: serious offences) after paragraph 29 insert—

"**Modern slavery**

29A. An offence under either of the following sections of the Modern Slavery Act 2015—

(a) section 1 (slavery, servitude and forced or compulsory labour),

(b) section 2 (human trafficking).".

Amendments to the Crime and Disorder Act 1998

8. The Crime and Disorder Act 1998(**7**) is amended as follows.

9. In section 51C(3) (notices in certain cases involving children)—

(a) after paragraph (d) insert—

"(da) under section 1 or 2 of the Modern Slavery Act 2015;";

(b) in paragraph (e) for "or (d)" substitute ", (d) or (da)".

(**4**) 1952 c. 67.
(**5**) 1984 c. 60. Section 80(7) was amended by sections 139 of, and paragraph 28 of Schedule 6 to, the Sexual Offences Act 2003 (c. 42).
(**6**) 1985 c. 68. Schedule 2A was inserted by section 94(2) of, and Schedule 3 to, the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12).
(**7**) 1998 c. 37. Section 51C was inserted by section 41 of, and paragraphs 15 and 18 of Schedule 3 to, the Criminal Justice Act 2003 (c. 44).

Amendments to the Youth Justice and Criminal Evidence Act 1999

10. The Youth Justice and Criminal Evidence Act 1999(**8**) is amended as follows.

11. In section 35(3)(a) (child complainants and other child witnesses)—

(a) omit the "or" at the end of sub-paragraph (v);

(b) at the end of sub-paragraph (vi) insert "or";

(c) after sub-paragraph (vi) insert—

"(vii) sections 1 and 2 of the Modern Slavery Act 2015;".

12. In section 62 (meaning of "sexual offence" and other references to offences) for subsection (1) substitute—

"(1) In this Part "sexual offence" means any offence under—

(a) Part 1 of the Sexual Offences Act 2003 or any relevant superseded offence; or

(b) section 2 of the Modern Slavery Act 2015 (human trafficking) committed with a view to exploitation that consists of or includes behaviour within section 3(3) of that Act (sexual exploitation).".

Amendment to the Sexual Offences Act 2003

13. The Sexual Offences Act 2003(**9**) is amended as follows.

14. After section 136A(3A)(c) (meaning of specified child sex offences) insert—

"(d) an offence under section 2 of the Modern Slavery Act 2015 (human trafficking) committed against a person under 18 with a view to exploitation that consists of or includes behaviour within section 3(3) of that Act (sexual exploitation).".

Amendment to the Armed Forces Act 2006

15. The Armed Forces Act 2006(**10**) is amended as follows.

16. In paragraph 12 of Schedule 2 (Schedule 2 offences) after sub-paragraph (ax) insert—

"(ay) an offence under section 1 or 2 of the Modern Slavery Act 2015 (slavery, servitude and forced or compulsory labour and human trafficking).".

Amendment to the Criminal Justice and Immigration Act 2008

17. The Criminal Justice and Immigration Act 2008(**11**) is amended as follows.

18. After section 80(5)(b) (requests to other member states) insert—

"(ba) any sum payable under a slavery and trafficking reparation order (within the meaning of section 8 of the Modern Slavery Act 2015);".

(**8**) 1999 c. 23. Section 35(3)(a)(vi) and the word 'or' immediately preceding it was inserted by section 139 of, and paragraph 41(2) of Schedule 6 to, the Sexual Offences Act 2003. Section 35(3)(a)(vi) was amended by sections 148 and 153 of, and schedule 26 to, the Criminal Justice and Immigration Act 2008 (c. 4). Section 62(1) was amended by section 139 of, and paragraph 41(1) of Schedule 6 to, the Sexual Offences Act 2003.

(**9**) 2003 c. 42. Section 136A was inserted by section 21 of, and paragraph 1 of Schedule 2 to, the Policing and Crime Act 2009 (c. 26). Section 136(3A) was inserted by section 115 of, and paragraph 2(4) of Schedule 6 to, the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12).

(**10**) 2006 c. 52. Sub-paragraph (ax) to paragraph 12 of the Schedule 2 was inserted by section 85 of, and paragraph 75(b) of Schedule 4 to, the Serious Crime Act 2015 (c. 9).

(**11**) 2008 c. 4.