STATUTORY RULES OF NORTHERN IRELAND

2016 No. 1

CRIMINAL LAW

The Human Trafficking and Exploitation (Slavery and Trafficking Prevention Orders) (Notification Requirements) Regulations (Northern Ireland) 2016

Made - - - - 4th January 2016

Coming into operation in accordance with Regulation 1

The Department of Justice makes the following regulations in exercise of the powers conferred by section 11 of and paragraphs 10(2), 11(3) and (8), 12(5) and 14(1) of Schedule 3 to, the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland 2015(**1**).

Citation and commencement

1. These Regulations may be cited as the Human Trafficking and Exploitation (Slavery and Trafficking Prevention Orders) (Notification Requirements) Regulations (Northern Ireland) 2016 and shall come into operation on the day of the commencement for all other purposes of section 11 of, and Schedule 3 to, the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.

Interpretation

2. In these Regulations, unless the context otherwise requires—

"banking institution" means a bank, building society or other institution which provides banking services;

"business" includes any trade, profession or vocation;

"credit card" means a card which is a credit-token within the meaning of section 14(1)(b) of the Consumer Credit Act 1974(**2**);

"credit card provider" means a bank, building society or other institution which provides a credit card;

"debit card" means a card the use of which by its holder to make a payment results in a current account of the holder at a banking institution being debited with the payment;

(**1**) 2015 c.2. (N.I.).
(**2**) 1974 c.39.

"R" means a relevant offender subject to notification requirements;

"Schedule 3" means Schedule 3 to Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015.

Notification of information about bank accounts and credit cards

3.—(1) The information set out in paragraphs (2) to (7) is prescribed for the purposes of 10(2)(h) of Schedule 3 in a case where R holds—

(a) an account with a banking institution in R's name, or in R's name and the name of another person, and in relation to each account, the information specified in paragraph (2);

(b) an account with a banking institution in the name of an unincorporated business which is run by R, or run by R and another person, and in relation to each such account, the information specified in paragraph (3);

(c) a debit card in relation to any account of which notification is given in accordance with sub-paragraph (a) or (b), and in relation to each such debit card, the information specified in paragraph (4);

(d) an account with a credit card provider in R's name, or in R's name and the name of another person, and in relation to each such account, the information specified in paragraph (5);

(e) an account with a credit card provider in the name of an unincorporated business which is run by R, or run by R and another person, and in relation to each such account, the information specified in paragraph (6); or

(f) a credit card in relation to any account of which notification is given in accordance with sub-paragraph (d) or (e), and in relation to each such credit card, the information specified in paragraph (7).

(2) The information specified for the purposes of paragraph (1)(a) of this regulation is—

(a) the name of each banking institution with which R holds an account;

(b) the address of the office at which each account is held and, if that office is outside the United Kingdom, the address of the principal office in the United Kingdom (if any) of the banking institution;

(c) the number of each account; and

(d) the sort code in relation to each account.

(3) The information specified for the purposes of paragraph (1)(b) of this regulation is—

(a) the information specified in paragraph (2); and

(b) the name of the business in whose name the account is held.

(c) the expiry date of each debit card; and

(d) the name of the business (if any) in whose name the card is held.

(4) The information specified for the purposes of paragraph (1)(c) is—

(a) the card number in relation to each debit card;

(b) the validation date of each debit card;

(c) the expiry date of each debit card; and

(d) the name of the business (if any) in whose name the card is held.

(5) The information specified for the purposes of paragraph (1)(d) is—

(a) the name of each credit card provider with which R holds an account;

(b) the address of the office at which each account is held and, if that office is outside the United Kingdom, the address of the principal officer in the United Kingdom (if any) of the credit card provider; and

(c) the number of each account.

(6) The information specified for the purposes of paragraph (1)(e) is—

(a) the information specified in paragraph (5); and

(b) the name of the business in whose name the card is held.

(7) The information specified for the purposes of paragraph (1)(f) is—

(a) the card number in relation to each credit card;

(b) the validation date of each credit card; and

(c) the expiry date of each credit card; and

(d) the name of the business (if any) in whose name the card is held.

Notification of changes: Bank accounts and credit cards

4. A notification given in relation to a prescribed change of circumstances under paragraph 11(1) of Schedule 3 must include the information specified in regulation 3(2) to (7) in relation to that account, or debit or credit card.

Notification of changes: prescribed change of circumstances

5.—(1) The changes in circumstances set out in paragraph (2) are prescribed for the purposes of paragraph 11(8) of Schedule 3.

(2) The changes of circumstances are where—

(a) an account which R holds with a banking institution, as specified in regulation 3(1)(a) or (b), has been—

(i) opened, or

(ii) closed;

(b) a debit card R holds in relation to any account specified in regulation 3(1)(a) or (b)—

(i) has been obtained by R, or

(ii) is no longer held by R;

(c) an account R holds with a credit card provider, as specified in regulation 3(1)(d) or (e), has been—

(i) opened, or

(ii) closed;

(d) a credit card R holds in relation to any account specified in regulation 3(1)(d) or (e)—

(i) has been obtained by R, or

(ii) is no longer held by R;

(e) any information previously notified by R under regulation 3(1) has—

(i) altered, or

(ii) become inaccurate or incomplete