



# Modern Slavery Act 2015

## 2015 CHAPTER 30

### PART 2

#### PREVENTION ORDERS

##### *Slavery and trafficking risk orders*

#### **27 Variation, renewal and discharge**

- (1) A person within subsection (2) may by complaint to the appropriate court apply for an order varying, renewing or discharging a slavery and trafficking risk order.
- (2) The persons are—
  - (a) the defendant;
  - (b) the chief officer of police for the area in which the defendant lives;
  - (c) a chief officer of police who believes that the defendant is in, or is intending to come to, that officer's police area;
  - (d) where the order was made on an application by a chief officer of police, that officer;
  - (e) where the order was made on an application by an immigration officer, an immigration officer;
  - (f) where the order was made on an application by the Director General of the National Crime Agency ("the Director General"), the Director General.
- (3) On the application the court, after hearing—
  - (a) the person making the application, and
  - (b) the other persons mentioned in subsection (2) (if they wish to be heard),may make any order varying, renewing or discharging the slavery and trafficking risk order that the court considers appropriate.
- (4) An order may be renewed, or varied so as to impose additional prohibitions on the defendant or require the defendant to comply with section 26(3) to (6), only if the court is satisfied that—

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*Status: This is the original version (as it was originally enacted).*

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- (a) there is a risk that the defendant may commit a slavery or human trafficking offence, and
  - (b) it is necessary to renew or vary the order for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the defendant committed such an offence.
- (5) Any renewed or varied order—
- (a) may contain only those prohibitions which the court is satisfied are necessary for that purpose;
  - (b) may require the defendant to comply with section 26(3) to (6) only if the court is satisfied that the requirement is necessary for that purpose.
- (6) The court must not discharge an order before the end of 2 years beginning with the day on which the order was made, without the consent of—
- (a) the defendant and the chief officer of police for the area in which the defendant lives, or
  - (b) where the application is made by a chief officer of police, the defendant and that chief officer.
- (7) Where an immigration officer or the Director General makes an application under this section, the officer or the Director General must give notice of the application to the chief officer of police for—
- (a) the police area where the defendant lives, or
  - (b) a police area which the immigration officer or the Director General believes the defendant is in or is intending to come to.
- (8) In this section “the appropriate court” means—
- (a) where an adult magistrates’ court made the slavery and trafficking risk order—
    - (i) that court,
    - (ii) any adult magistrates’ court for the area in which the defendant lives, or
    - (iii) where the application is made by a chief officer of police, any adult magistrates’ court acting for a local justice area that includes any part of the chief officer’s police area;
  - (b) where a youth court made the order and the defendant is under 18—
    - (i) that court,
    - (ii) a youth court for the area in which the defendant lives, or
    - (iii) where the application is made by a chief officer of police, any youth court acting for a local justice area that includes any part of the chief officer’s police area;
  - (c) where a youth court made the order and the defendant is 18 or over—
    - (i) an adult magistrates’ court for the area in which the defendant lives, or
    - (ii) where the application is made by a chief officer of police, any adult magistrates’ court acting for a local justice area that includes any part of the chief officer’s police area.