



Asylum and Immigration (Treatment of Claimants, etc.) Act 2004

2004 CHAPTER 19

Offences

[^{F15} Section 4: supplemental

^{F2}(1)

^{F3}(2)

[^{F4}(2A) ^{F1}

(2B) ^{F1}]

^{F5F6}(3)

^{F5F6}(4)

^{F5F6}(5)

[^{F6}(6) After paragraph 2(n) of Schedule 4 to the Criminal Justice and Court Services Act 2000 (c. 43) (offence against child) insert—

“(o) an offence under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking people for exploitation).”]

[^{F6}(7) At the end of paragraph 4 of Schedule 2 to the Proceeds of Crime Act 2002 (c. 29) (lifestyle offences: England and Wales: people trafficking) add—

“(3) An offence under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (exploitation).”]

(8) At the end of paragraph 4 of Schedule 4 to the Proceeds of Crime Act 2002 (lifestyle offences: Scotland: people trafficking) add “or under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (exploitation)”.

Changes to legislation: Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, Section 5 is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

^{F7}(9)

^{F7}(10)

[^{F8}(11) [^{F9}In so far as section 4 extends to England and Wales,] subsection (5)(b) shall, until [^{F10}2 May 2022], have effect as if the reference to twelve months were a reference to six months.]

[^{F11}(12) In so far as section 4 extends to Scotland, subsection (5)(b) shall have effect as if the reference to twelve months were a reference to six months.]

^{F12}^{F11}(13)

Textual Amendments

- F1** S. 5 repealed (S.) (17.12.2016) by Human Trafficking and Exploitation (Scotland) Act 2015 (asp 12), s. 45(2), **sch. para. 4** (with s. 44); S.S.I. 2016/385, reg. 2
- F2** S. 5(1) repealed (E.W.) (6.4.2013) by Protection of Freedoms Act 2012 (c. 9), ss. 110(5), 120, **Sch. 10 Pt. 9** (with s. 97); S.I. 2013/470, **art. 2(b)** (with arts. 3(a), 4-8); and (N.I.) (26.4.2013) by Criminal Justice Act (Northern Ireland) 2013 (c. 7), s. 15(1), **Sch. 4 Pt. 2**
- F3** S. 5(1) substituted for s. 5(1)(2) (E.W.N.I.) (31.1.2008) by UK Borders Act 2007 (c. 30), ss. **31(2)**, 59(2); S.I. 2008/99, art. 2(l)
- F4** S. 5(2A)(2B) inserted (S) (28.3.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), ss. **46(3)(c)**, 206(1); S.S.I. 2011/178, art. 2, sch.
- F5** S. 5(3)-(5) repealed (N.I.) (14.1.2015) by Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 (c. 2), s. 28(2), **Sch. 5**
- F6** S. 5(3)-(7) omitted (E.W.) (31.7.2015) by virtue of Modern Slavery Act 2015 (c. 30), s. 61(1), **Sch. 5 para. 6(3)**; S.I. 2015/1476, **reg. 2(j)** (with reg. 3)
- F7** S. 5(9)(10) repealed (N.I.) (14.1.2015) by Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 (c. 2), s. 28(2), **Sch. 5**
- F8** S. 5(11) omitted (E.W.) (31.7.2015) by virtue of Modern Slavery Act 2015 (c. 30), s. 61(1), **Sch. 5 para. 6(3)**; S.I. 2015/1476, **reg. 2(j)** (with reg. 3)
- F9** Words in s. 5(11) repealed (E.W.) (6.4.2013) by Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 9 para. 141(2)(a), **Sch. 10 Pt. 9** (with s. 97); S.I. 2013/470, **art. 2(d)(f)** (with arts. 5-8)
- F10** Words in s. 5(11) substituted (28.4.2022) by The Criminal Justice Act 2003 (Commencement No. 33) and Sentencing Act 2020 (Commencement No. 2) Regulations 2022 (S.I. 2022/500), regs. 1(2), 5(1), **Sch. Pt. 1**
- F11** S. 5(12)(13) repealed (E.W.) (6.4.2013) by Protection of Freedoms Act 2012 (c. 9), s. 120, Sch. 9 para. 141(2)(b), **Sch. 10 Pt. 9** (with s. 97); S.I. 2013/470, **art. 2(d)(f)** (with arts. 5-8)
- F12** S. 5(13) repealed (N.I.) (26.4.2013) by Criminal Justice Act (Northern Ireland) 2013 (c. 7), s. 15(1), **Sch. 4 Pt. 2**

Commencement Information

- I1** S. 5 in force at 1.12.2004 for E.W.N.I. by S.I. 2004/2999, art. 2, **Sch.**
- I2** S. 5 in force at 1.12.2004 for S. by S.S.I. 2004/494, unnumbered provision

Changes to legislation:

Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, Section 5 is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 8(1A)(1B) inserted by [2022 c. 36 s. 19\(2\)](#)
- s. 8(3A)(3B) inserted by [2022 c. 36 s. 19\(3\)](#)
- s. 8(6A)(6B) inserted by [2022 c. 36 s. 19\(4\)](#)
- s. 8(9A)(a) word inserted by [2022 c. 36 Sch. 3 para. 7\(b\)](#)
- s. 8(9A)(b) and word inserted by [2022 c. 36 Sch. 3 para. 7\(c\)](#)
- s. 8(9B) inserted by [2022 c. 36 s. 19\(6\)](#)
- Sch. 3 para. 3(3) inserted by [2023 c. 37 s. 10\(9\)\(a\)](#)
- Sch. 3 para. 8(3) inserted by [2023 c. 37 s. 10\(9\)\(b\)](#)
- Sch. 3 para. 13(3) inserted by [2023 c. 37 s. 10\(9\)\(c\)](#)