Changes to legislation: *Human Trafficking and Exploitation (Scotland) Act 2015, Section 1 is up to date with all changes known to be in force on or before 29 September 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*

Human Trafficking and Exploitation (Scotland) Act 2015

2015 asp 12

PART 1

OFFENCES

Human trafficking

1 Offence of human trafficking

(1) A person commits an offence if the person—

(a) takes a relevant action, and

(b) does so with a view to another person being exploited.

(2) In this Part, "relevant action" means an action which is any of the following—

(a) the recruitment of another person,

(b) the transportation or transfer of another person,

(c) the harbouring or receiving of another person,

(d) the exchange or transfer of control over another person, or

(e) the arrangement or facilitation of any of the actions mentioned in paragraphs (a) to (d).

(3) It is irrelevant whether the other person consents to any part of the relevant action.

(4) For the purposes of subsection (1), a person takes a relevant action with a view to another person being exploited only if—

(a) the person intends to exploit the other person (in any part of the world) during or after the relevant action, or

(b) the person knows or ought to know the other person is likely to be exploited (in any part of the world) during or after the relevant action.

(5) An offence under this section is to be known as the offence of human trafficking.

(6) A person who commits an offence of human trafficking is liable—

Changes to legislation: *Human Trafficking and Exploitation (Scotland) Act 2015, Section 1 is up to date with all changes known to be in force on or before 29 September 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*

(a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both),

(b) on conviction on indictment, to imprisonment for life or a fine (or both).

Commencement Information

I1 S. 1 in force at 31.5.2016 by S.S.I. 2016/128, reg. 2, **Sch.**

Changes to legislation:
Human Trafficking and Exploitation (Scotland) Act 2015, Section 1 is up to date with all changes known to be in force on or before 29 September 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. 9(10) inserted by 2023 c. 37 s. 28(3)
- s. 10(3) inserted by 2023 c. 37 s. 28(4)