



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 11 December 2023. 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

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

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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\(4\)](#)