



# Human Trafficking and Exploitation (Scotland) Act 2015

2015 asp 12

## PART 4

### TRAFFICKING AND EXPLOITATION PREVENTION AND RISK ORDERS

#### *Trafficking and exploitation prevention orders*

#### **18 Prevention orders on application**

- (1) The chief constable may apply to the sheriff for a trafficking and exploitation prevention order against an adult.
- (2) The chief constable must make an application under this section to the sheriff in whose sheriffdom—
  - (a) the adult in respect of whom the trafficking and exploitation prevention order is sought resides,
  - (b) the chief constable believes that adult to be,
  - (c) the chief constable believes that adult intends to come to, or
  - (d) lies any place where it is alleged that that adult acted in a way mentioned in subsection (3)(b).
- (3) The sheriff may make a trafficking and exploitation prevention order only if the sheriff is satisfied that—
  - (a) the adult in respect of whom the order is sought is a relevant offender,
  - (b) since the adult first became a relevant offender, the adult has acted in a way which means that there is a risk that the adult may commit a relevant trafficking or exploitation offence, and
  - (c) each prohibition or requirement in the order is necessary for the purpose of protecting persons generally, or particular persons, from the physical or psychological harm which would be likely to occur if the adult committed such an offence.
- (4) The actions which the sheriff may consider for the purposes of subsection (3)(b) include those which took place before this section comes into force.

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**Changes to legislation:** Human Trafficking and Exploitation (Scotland) Act 2015, Section 18 is up to date with all changes known to be in force on or before 05 April 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](#)

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#### Commencement Information

**II** [S. 18](#) in force at 30.6.2017 by [S.S.I. 2017/140](#), reg. 2, [sch.](#)

**Changes to legislation:**

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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\(4\)](#)