
Status: Point in time view as at 14/01/2015.

Changes to legislation: Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, PART 2 is up to date with all changes known to be in force on or before 12 October 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)

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

AMENDMENTS RELATING TO SLAVERY AND TRAFFICKING REPARATION ORDERS

The Criminal Justice (Northern Ireland) Order 1994 (NI 15)

9 In Article 16(a) (review of compensation orders) for the words from “a confiscation order” to the end substitute “either or both of the following made against him in the same proceedings—

- (i) a confiscation order under Part 4 of the Proceeds of Crime Act 2002;
- (ii) a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015; or”.

The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997 (NI 12)

10 In paragraph 2 of Schedule 1 (exempted payments) for “1994 or” substitute “1994, Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 or”.

The Criminal Justice (Northern Ireland) Order 1996 (NI 24)

11 In Article 4(5) (absolute and conditional discharge) at the end insert “ or a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015. ”

12 In Article 13(11) (community service order) at the end insert “ or a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015. ”

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The Proceeds of Crime Act 2002 (c. 29)

13.—(1) Section 163 (effect of confiscation order on court's other powers) is amended as follows.

(2) In subsection (3)(a) at the end add “ or an order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 (slavery and trafficking reparation orders) ”.

(3) In subsection (5)—

(a) in paragraph (a) for “both a confiscation order and” substitute “ a confiscation order and one or both of ” and after “1994 (SI 1994/2795 (N.I. 15)” insert “ and a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, ”;

(b) in paragraph (b) for “both the orders” substitute “ all the orders ”.

(4) In subsection (6) (priorities of confiscation orders and other orders) for the words from “of the compensation” to “as it specifies” substitute “ as it specifies of the amount (or amounts) payable under the other order (or orders) mentioned in subsection (5)(a) ”.

14 In section 182(7)(b) (court's powers on appeal) at the end insert “ so far as they relate to such orders ”.

15 In section 183(9)(b) (appeal to Supreme Court) at the end insert “ so far as they relate to such orders ”.

16 In section 205(5) (application of sums received under confiscation order to pay compensation) for the words “of compensation” substitute “ payable under any other order (or orders) ”.

17 In section 308 (general exceptions to concept of recoverable property) after subsection (4) insert—

“(4A) If—

(a) a payment is made to a person in pursuance of a slavery and trafficking reparation order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015, and

(b) apart from this subsection, the sum received would be recoverable property,

the property ceases to be recoverable.”.

The Recovery of Health Service Charges (Northern Ireland) Order 2006 (NI 13)

18 In paragraph 1 of Schedule 1 (recovery of health care charges: exemptions)—

(a) omit “or” at the end of sub-paragraph (b);

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(b) after sub-paragraph (c) insert—

“(d) Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 (slavery and trafficking reparation orders).”.

The Justice (Northern Ireland) Act 2012 (c. 24)

19 In section 1(5) (offender levy) after “1994 (NI 15)” insert “ or an order under Schedule 2 to the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 or both ” and for “appropriate compensation” substitute “ and appropriate amounts under such of those orders as it would be appropriate to make ”.

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