



Modern Slavery Act 2015

2015 CHAPTER 30

PART 1

OFFENCES

Supplementary

[^{F1}11A Enforcement by Gangmasters and Labour Abuse Authority

- (1) The Secretary of State may make arrangements with the Gangmasters and Labour Abuse Authority for officers of the Authority to act for the purposes of this Part in taking action in circumstances in which it appears that an offence under this Part which is a labour market offence (within the meaning of section 3 of the Immigration Act 2016) has been, is being or may be committed.
- (2) For provision about the powers of such an officer who is acting for the purposes of this Part, see section 114B of the Police and Criminal Evidence Act 1984 (PACE powers for labour abuse prevention officers).]

Textual Amendments

- F1** S. 11A inserted (12.7.2016) by [Immigration Act 2016 \(c. 19\)](#), s. 94(1), [Sch. 2 para. 9](#); S.I. 2016/603, reg. 3(t)

12 Detention of land vehicle, ship or aircraft

- (1) If a person (“P”) has been arrested for an offence under section 2, a constable or senior immigration officer may detain a relevant land vehicle, ship or aircraft.
- (2) A land vehicle, ship or aircraft is relevant if the constable or officer has reasonable grounds to believe that an order for its forfeiture could be made under section 11 if P were convicted of the offence.

Changes to legislation: Modern Slavery Act 2015, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 05 February 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

- (3) The land vehicle, ship or aircraft may be detained—
- (a) until a decision is taken as to whether or not to charge P with the offence,
 - (b) if P has been charged, until P is acquitted, the charge against P is dismissed or the proceedings are discontinued, or
 - (c) if P has been charged and convicted, until the court decides whether or not to order forfeiture of the vehicle, ship or aircraft.
- (4) A person (other than P) may apply to the court for the release of the land vehicle, ship or aircraft on the grounds that the person—
- (a) owns the vehicle, ship or aircraft,
 - (b) was, immediately before the detention of the vehicle, ship or aircraft, in possession of it under a hire-purchase agreement, or
 - (c) is a charterer of the ship or aircraft.
- (5) The court to which an application is made under subsection (4) may, if satisfactory security or surety is tendered, release the land vehicle, ship or aircraft on condition that it is made available to the court if—
- (a) P is convicted, and
 - (b) an order for its forfeiture is made under section 11.
- (6) In this section, “the court” means—
- (a) if P has not been charged, or P has been charged but proceedings for the offence have not begun to be heard, a magistrates’ court;
 - (b) if P has been charged and proceedings for the offence have begun to be heard, the court hearing the proceedings.
- (7) In this section, “senior immigration officer” means an immigration officer not below the rank of chief immigration officer.

Commencement Information

II S. 12 in force at 31.7.2015 by [S.I. 2015/1476](#), [reg. 2\(a\)](#)

13 Interpretation of Part 1

- (1) In this Part—
- “captain” means master (of a ship) or commander (of an aircraft);
 - “confiscation order” has the meaning given by section 8(8);
 - “the Human Rights Convention” means the Convention for the Protection of Human Rights and Fundamental Freedoms agreed by the Council of Europe at Rome on 4th November 1950;
 - “land vehicle” means any vehicle other than a ship or aircraft;
 - “ship” includes every description of vessel (including a hovercraft) used in navigation;
 - “slavery and trafficking reparation order” means an order made under section 8;
 - “UK national” means—
 - (a) a British citizen,

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- (b) a person who is a British subject by virtue of Part 4 of the British Nationality Act 1981 and who has a right of abode in the United Kingdom, or
 - (c) a person who is a British overseas territories citizen by virtue of a connection with Gibraltar.
- (2) In sections 8 and 10, references to provisions of the Proceeds of Crime Act 2002 include references to those provisions as amended or otherwise modified by virtue of an order (whenever made) under section 97 of the Serious Organised Crime and Police Act 2005 (confiscation orders by magistrates' courts).
- (3) In sections 11 and 12, a reference to being an owner of a vehicle, ship or aircraft includes a reference to being any of a number of persons who jointly own it.

Commencement Information

I2 S. 13 in force at 31.7.2015 by [S.I. 2015/1476](#), **reg. 2(a)**

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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. 50A(5A) inserted by [2023 c. 37 s. 28\(1\)](#)