



# Modern Slavery Act 2015

## 2015 CHAPTER 30

### PART 1

#### OFFENCES

##### *Supplementary*

#### **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.
- (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

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*Status: This is the original version (as it was originally enacted).*

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- (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.