



Modern Slavery Act 2015

2015 CHAPTER 30

PART 2

PREVENTION ORDERS

Offences and supplementary provision

34 Interpretation of Part 2

(1) In this Part—

“adult magistrates court” means a magistrates’ court that is not a youth court;

“cautioned” means cautioned after the person concerned has admitted the offence;

“interim slavery and trafficking prevention order” means an order made under section 21 (except in section 30(1)(f));

“interim slavery and trafficking risk order” means an order made under section 28;

“slavery or human trafficking offence” means an offence listed in Schedule 1;

“slavery and trafficking prevention order” means an order made under section 14 or 15 (except in section 30(1)(e));

“slavery and trafficking risk order” means an order made under section 23.

(2) In this Part “passport” means—

- (a) a United Kingdom passport within the meaning of the Immigration Act 1971;
- (b) a passport issued by or on behalf of the authorities of a country outside the United Kingdom, or by or on behalf of an international organisation;
- (c) a document that can be used (in some or all circumstances) instead of a passport.

(3) In this Part a reference to a conviction includes a conviction for an offence in respect of which an order for conditional discharge is made, despite—

Status: This is the original version (as it was originally enacted).

- (a) section 14(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (conviction with conditional discharge deemed not to be a conviction);
 - (b) article 6(1) of the Criminal Justice (Northern Ireland) Order 1996 ([S.I. 1996/3160 \(N.I. 24\)](#)) (equivalent provision for Northern Ireland).
- (4) Subsection (3) applies only to convictions after this Part comes into force.
- (5) In this Part a reference to a conviction includes a finding of a court in summary proceedings that the accused did the act charged, where the court makes an order under—
- (a) section 37(3) of the Mental Health Act 1983,
 - (b) section 58(3) of the Criminal Procedure (Scotland) Act 1995, or
 - (c) article 44(4) of the Mental Health (Northern Ireland) Order 1986 ([S.I. 1986/595 \(N.I. 4\)](#)),
- (hospital and guardianship orders).
- (6) In relation to an offence under the law of Scotland, a reference in this Part to a person being found not guilty by reason of insanity is to be treated as a reference to a person being acquitted by reason of the special defence in section 51A of the Criminal Procedure (Scotland) Act 1995.
- (7) In this Part, a reference to a finding that a person is under a disability and has done the act charged against the person in respect of an offence includes a finding that a person is insane or unfit to be tried and has done the act charged against the person in respect of an offence.
- (8) Section 127 of the Magistrates' Courts Act 1980 (time limits) does not apply to a complaint under any provision of this Part.
- (9) A person's age is to be treated for the purposes of this Part as being that which it appears to the court to be after considering any available evidence.