

*These notes refer to the Borders, Citizenship and Immigration Act 2009 (c.11) which received Royal Assent on 21 July 2009*

# **BORDERS, CITIZENSHIP AND IMMIGRATION ACT 2009**

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## **EXPLANATORY NOTES**

### **COMMENTARY**

#### **Part 4: Miscellaneous and General**

##### ***Section 54: Trafficking people for exploitation***

203. [Section 54](#) expands the definition of exploitation in the offence of trafficking in section 4 of the AITCA 2004. This is to cover use or attempted use of a person for the provision of services or the provision or acquisition of benefits of any kind, where the person is chosen on the grounds of ill-health, disability, youth or family relationship. This section substitutes the existing definition in section 4(4)(d) of that Act, which provides that a person who is “requested or induced” to undertake any activity is exploited. The effect of this amendment is to ensure the offence of trafficking captures those cases where the role of the person being exploited is entirely passive, and where the person is being used as a tool by which others can gain a benefit of any kind.
204. [Section 54](#) does not extend to Scotland (see section 57(4)).