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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations bring into force the following provisions of the Human Trafficking and Exploitation (Scotland) Act 2015 (“the Act”) on 31st May 2016: Parts 1 and 3, section 8, section 9 (but only for the purpose of making regulations under section 9(2)(b)(i) and (8)), section 10, section 11 (but only for the purpose of making regulations under section 11(7) and (8)), section 12 (but only for the purpose of making regulations under section 12(5)), sections 32, 33, 34(1) and 35 to 37, section 38 (but only for the purpose of making regulations under section 38(3) and (4)), section 39, section 43 and paragraphs 1, 3 and 6 of the Schedule.

Regulation 3 contains transitory provision in respect of amendments being made to provisions on the closure of premises under Part 4 of the Antisocial Behaviour etc. (Scotland) Act 2004 (“the 2004 Act”). That Part allows for the issue of closure notices in respect of premises where a senior police officer has reasonable grounds to believe that an “exploitation offence” took place there in the preceding 3 months. Exploitation offences currently include existing trafficking and slavery and forced labour offences and so regulation 3 ensures that this definition continues to include those existing offences for the purposes of the 2004 Act until 3 months have elapsed from the date on which the repeal of those existing offences comes into force.

The Bill for the Act received Royal Assent on 4th November 2015. Section 45(1) of the Act brought into force sections 40, 41, 42, 44, 45 and 46 on the day after Royal Assent.