

## SCHEDULES

### SCHEDULE 5

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART 2

##### AMENDMENTS RELATING TO SLAVERY AND TRAFFICKING REPARATION ORDERS

###### *Administration of Justice Act 1970 (c. 31)*

- 11 (1) The Administration of Justice Act 1970 is amended as follows.
- (2) In section 41(8) (enforcement of orders for compensation etc) for “or 13A” substitute “, 13A or 13B”.
- (3) In Part 1 of Schedule 9 (enforcement of orders for compensation etc) after paragraph 13A insert—
- “13B Where under section 8 of the Modern Slavery Act 2015 a court makes a slavery and trafficking reparation order.”

###### *Criminal Justice Act 1991 (c. 53)*

- 12 (1) Section 24 of the Criminal Justice Act 1991 (recovery of fines by deduction from certain benefits) is amended as follows.
- (2) In subsection (1), for “or unlawful profit order” substitute “, an unlawful profit order or a slavery and trafficking reparation order”.
- (3) In subsection (3)(b), for “or unlawful profit order” substitute “, an unlawful profit order or a slavery and trafficking reparation order”.
- (4) In subsection (4), after the definition of “prescribed” insert—
- ““slavery and trafficking reparation order” means an order under section 8 of the Modern Slavery Act 2015;”.

###### *Social Security (Recovery of Benefits) Act 1997 (c. 27)*

- 13 In paragraph 2 of Schedule 1 to the Social Security (Recovery of Benefits) Act 1997 (exempted payments), for “2000 or” substitute “2000, section 8 of the Modern Slavery Act 2015;”.

###### *Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)*

- 14 In section 133(3)(c) of the Powers of Criminal Courts (Sentencing) Act 2000 (review of compensation orders), for the words from “a confiscation order” to the end substitute “any or all of the following made against him in the same proceedings—

---

*Status: This is the original version (as it was originally enacted).*

---

- (i) a confiscation order under Part 6 of the Criminal Justice Act 1988 or Part 2 of the Proceeds of Crime Act 2002;
- (ii) an unlawful profit order under section 4 of the Prevention of Social Housing Fraud Act 2013;
- (iii) a slavery and trafficking reparation order under section 8 of the Modern Slavery Act 2015; or”.

*Proceeds of Crime Act 2002 (c. 29)*

- 15 (1) Section 13 of the Proceeds of Crime Act 2002 (effect of confiscation order on court’s other powers) is amended as follows.
- (2) In subsection (3)(a)—
- (a) for “or an” substitute “, an”;
  - (b) after “(unlawful profit orders)” insert “or an order under section 8 of the Modern Slavery Act 2015 (slavery and trafficking reparation orders)”.
- (3) In subsection (5)—
- (a) in paragraph (a) after “makes” insert “a confiscation order and one or more of”;
  - (b) in paragraph (a)(i) omit “both a confiscation order and”;
  - (c) in paragraph (a)(ii) omit “both a confiscation order and”;
  - (d) after paragraph (a)(ii) insert—
    - “(iia) a slavery and trafficking reparation order under section 8 of the Modern Slavery Act 2015,”;
  - (e) omit paragraph (a)(iii);
  - (f) in paragraph (b) omit “both the orders or”.
- (4) In subsection (6) (priorities of confiscation orders and other orders) for the words from “of the compensation” to “as it specifies” substitute “as it specifies of the amount (or amounts) payable under the order (or orders) listed in subsection (5)(a) (i) to (iia)”.
- 16 In section 19(8) of the Proceeds of Crime Act 2002 (no order made: reconsideration of case), at the end insert “in relation to it”.
- 17 In section 20(12) of the Proceeds of Crime Act 2002 (no order made: reconsideration of benefit), at the end insert “in relation to it”.
- 18 In section 32(7)(b) of the Proceeds of Crime Act 2002 (court’s powers on appeal) at the end insert “in relation to it”.
- 19 In section 33(9)(b) of the Proceeds of Crime Act 2002 (appeal to Supreme Court) at the end insert “in relation to it”.
- 20 In section 55(5) of the Proceeds of Crime Act 2002 (application of sums received under confiscation order to pay compensation), for the words from “of compensation” to “profit order” substitute “payable under an order listed in section 13(5)(a)(i) to (iia)”.
- 21 In section 308 of the Proceeds of Crime Act 2002 (general exceptions to concept of recoverable property) after subsection (4) insert—
- “(4A) If—

---

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

---

- (a) a payment is made to a person in pursuance of a slavery and trafficking reparation order under section 8 of the Modern Slavery Act 2015, and
    - (b) apart from this subsection, the sum received would be recoverable property,
- the property ceases to be recoverable.”
- 22 In Schedule 11 to the Proceeds of Crime Act 2002 (amendments), omit paragraph 37(3).

#### *Courts Act 2003 (c. 39)*

- 23 (1) Schedule 5 to the Courts Act 2003 (collection of fines and other sums imposed on conviction) is amended as follows.
- (2) In paragraph 2(2)—
- (a) omit the “and” at the end of the definition of “a sum required to be paid by a compensation order”;
  - (b) after the definition of “a sum required to be paid by an unlawful profit order” insert—  
““a sum required to be paid by a slavery and trafficking reparation order” means any sum required to be paid by an order made under section 8 of the Modern Slavery Act 2015.”
- (3) In paragraph 7A(1) for “or an unlawful profit order” substitute “, an unlawful profit order or a slavery and trafficking reparation order”.
- (4) In paragraph 13(1)(aa)—
- (a) for “or a sum” substitute “, a sum”;
  - (b) after “unlawful profit order” insert “or a sum required to be paid by a slavery and trafficking reparation order”;
  - (c) in sub-paragraph (i) for “or the” substitute “, the”;
  - (d) in that sub-paragraph after “unlawful profit order” insert “or the amount required to be paid by the slavery and trafficking reparation order”.

#### *Criminal Justice Act 2003 (c. 44)*

- 24 In section 151(5) of the Criminal Justice Act 2003 (orders for persistent offenders previously fined) after “2013” insert “or a slavery and trafficking reparation order under section 8 of the Modern Slavery Act 2015”.
- 25 (1) Section 161A of the Criminal Justice Act 2003 (court’s duty to order payment of surcharge) is amended as follows.
- (2) In subsection (3)—
- (a) in paragraph (a) for the words from “a” to “both” substitute “one or more of a compensation order, an unlawful profit order and a slavery and trafficking reparation order”;
  - (b) in paragraph (b) for the words from “and appropriate compensation” to the end substitute “and appropriate amounts under such of those orders as it would be appropriate to make,”.
- (3) In subsection (5) for “this section” substitute “this section —

---

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

---

slavery and trafficking reparation order” means an order under section 8 of the Modern Slavery Act 2015, and”.

*Health and Social Care (Community Health and Standards) Act 2003 (c. 43)*

- 26 In paragraph 1 of Schedule 10 to the Health and Social Care (Community Health and Standards) Act 2003 (recovery of NHS charges: exempted payments)—
- (a) omit “or” at the end of sub-paragraph (b);
  - (b) at the end of sub-paragraph (c) insert “or
  - (d) section 8 of the Modern Slavery Act 2015 (slavery and trafficking reparation orders).”

*Prevention of Social Housing Fraud Act 2013 (c. 3)*

- 27 (1) The Prevention of Social Housing Fraud Act 2013 is amended as follows.
- (2) In section 4(12)(d) (application of Powers of Criminal Courts (Sentencing) Act 2000 to unlawful profit orders)—
- (a) for the words from “133(3)(c)” to “confiscation order or” substitute “133(3)(c)(ii) to an unlawful profit order under section 4 were to”;
  - (b) omit the second “(or both)”.
- (3) In the Schedule (amendments), omit paragraphs 2, 5(2)(a) and (3), 9, 26 and 30(2).