

MODERN SLAVERY ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Maritime Enforcement

Section 39: Interpretation of Part 3

191. **Section 39** sets out the definitions used throughout Part 3 and Schedule 2. *Subsection (1)* sets out the relevant definitions. An enforcement officer in this context means a designated customs official or a member of Her Majesty's Armed Forces. A constable is defined for each of the jurisdictions. In England and Wales, a constable means a police constable, an NCA officer designated with the powers and privileges of a constable in England and Wales under Schedule 5 of the Crime and Courts Act 2013 (a "designated National Crime Agency Officer"), a member of the port police, or a member of the British Transport Police. In Scotland a constable means a member of Police Scotland or an NCA officer designated with the powers and privileges of a constable in Scotland under Schedule 5 of the Crime and Courts Act 2013 (a "designated National Crime Agency Officer"). In Northern Ireland a constable means a member of the Police Service of Northern Ireland or the Police Service of Northern Ireland Reserve. After the relevant provisions of the Crime and Courts Act 2013 (National Crime Agency and Proceeds of Crime) (Northern Ireland) Order 2015 come into force, an NC A officer designated with the powers and privileges of a constable in Northern Ireland will also fall within the definition. It also sets out the definitions for relevant territories and different UK territorial waters. *Subsection (2)* sets out the definition of a "United Kingdom connection", in the context of *subsection (1)*, which includes a British citizen, a British overseas territory citizen, a British overseas citizen, a person habitually resident in the UK or a body corporate established under the law of a part of the United Kingdom, whose principal place of business is in the United Kingdom.