

MODERN SLAVERY ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4: the Independent Anti-Slavery Commissioner

Section 40: The Independent Anti-slavery Commissioner

192. *Subsection (1)* provides for the establishment of an Independent Anti-slavery Commissioner (“the Commissioner”) who will be an independent office holder appointed by the Secretary of State (in practice, the Home Secretary) following consultation with Scottish Ministers and the Department of Justice in Northern Ireland. The Commissioner will have a UK-wide remit. The duration of an appointment and provision for resignation and removal from office will be provided for in the terms of appointment (*subsection (2)*). *Subsection (3)* makes provision for the payment of expenses, remuneration or allowances. *Subsection (4)* provides that the Secretary of State must, before the start of each financial year, set the Commissioner’s budget for that year. The Secretary of State can allow the Commissioner to exceed this budget for a specified purpose. *Subsection (5)* defines “financial year”. *Subsection (6)* allows the Commissioner to appoint staff. *Subsection (7)* has the effect of disqualifying the Commissioner from also being a Member of Parliament and *subsection (8)* disqualifies the Commissioner from being a member of the Northern Ireland Assembly. *Subsection (9)* makes the Commissioner subject to the provisions of the Freedom of Information Act 2000.