
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 128

**The Human Trafficking and Exploitation
(Scotland) Act 2015 (Commencement No. 1
and Transitory Provisions) Regulations 2016**

Transitory provision – minor and consequential modifications

3.—(1) Paragraph (2) has effect until the end of the period of 3 months beginning on the date on which paragraphs 2, 4 and 5 of the schedule to the Act come into force.

(2) Despite the amendments made by paragraph 3 of that schedule, for the purposes of section 40A(1) of the Antisocial Behaviour etc. (Scotland) Act 2004⁽¹⁾ an “exploitation offence” continues to include any of the following—

- (a) an offence under section 22 of the Criminal Justice (Scotland) Act 2003 (traffic in prostitution etc.);
- (b) an offence under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking people for exploitation); and
- (c) an offence under section 47 of the Criminal Justice and Licensing (Scotland) Act 2010 (slavery, servitude and forced or compulsory labour).

⁽¹⁾ 2004 asp 8. Section 40A was inserted by the 2010 Act, section 99.