



Gangmasters (Licensing) Act 2004

2004 CHAPTER 11

Offences

13 Offences: entering into arrangements with gangmasters

- (1) A person commits an offence if—
 - (a) he enters into arrangements under which a person (“the gangmaster”) supplies him with workers or services, and
 - (b) the gangmaster in supplying the workers or services contravenes section 6 (prohibition of unlicensed activities).
- (2) In proceedings against a person for an offence under subsection (1) it is a defence for him to prove that he—
 - (a) took all reasonable steps to satisfy himself that the gangmaster was acting under the authority of a valid licence, and
 - (b) did not know, and had no reasonable grounds for suspecting that the gangmaster was not the holder of a valid licence.
- (3) The Secretary of State may by regulations make provision as to what constitutes “reasonable steps” for the purposes of subsection (2)(a).
- (4) A person guilty of an offence under subsection (1) is liable—
 - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 51 weeks, or to a fine not exceeding the statutory maximum, or to both,
 - (b) on summary conviction in Scotland or Northern Ireland, to imprisonment for a term not exceeding six months, or to a fine not exceeding the statutory maximum, or to both.

In relation to an offence committed before the commencement of section 281(5) of the Criminal Justice Act 2003 (c. 44), for “51 weeks” in paragraph (a) substitute “six months”.