

# PROTECTION OF FREEDOMS ACT 2012

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## EXPLANATORY NOTES

### THE ACT

#### *Commentary on Sections*

#### **Part 7: Miscellaneous and general**

#### ***Section 110: Trafficking people for labour or other exploitation***

440. **Section 110** amends the Asylum and Immigration (Treatment of Claimants, etc) Act 2004 (“the 2004 Act”).
441. **Subsection (2)** inserts new subsections (1A) to (1C) into section 4 of the 2004 Act in place of subsections (1) to (3). New subsection (1A) makes it a criminal offence to intentionally arrange or facilitate the arrival in or entry into ((1)(a)), travel within ((1)(b)), or departure from ((1)(c)) the UK or any other country of another person for exploitation.
442. New subsection (1B) provides that the arranging and facilitating is done with a view to the exploitation of B if A intends to exploit B, or believes that any other person is likely to exploit B, after B’s arrival, entry or departure from the UK or any part of the world.
443. New subsection (1C) makes equivalent provision for the meaning of exploitation where a person is trafficked within the UK, but here the exploitation may take place during or after the journey.
444. **Subsection (4)** inserts a new subsection (4A) in section 4 of the 2004 Act which provides that a UK national commits an offence under new subsection (1A) regardless of where in the world the arranging or facilitating takes place or which country is the country of arrival, entry, travel or departure; new subsection 4(4B) provides that a non-UK national commits the offence if any part of the arranging or facilitating takes place in the UK or the UK is the country of arrival, entry, travel or departure.
445. **Subsection (6)** provides the relevant definitions for the purposes of section 4.