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## SCHEDULES

### SCHEDULE 5

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART 2

##### AMENDMENTS RELATING TO SLAVERY AND TRAFFICKING REPARATION ORDERS

###### *Administration of Justice Act 1970 (c. 31)*

- 11 (1) The Administration of Justice Act 1970 is amended as follows.
- (2) In section 41(8) (enforcement of orders for compensation etc) for “or 13A” substitute “, [<sup>F1</sup>12B or 12C] ”.
- (3) In Part 1 of Schedule 9 (enforcement of orders for compensation etc) after paragraph [<sup>F2</sup>12B] insert—
- [<sup>F3</sup>“12C] Where under section 8 of the Modern Slavery Act 2015 a court makes a slavery and trafficking reparation order.”

#### Textual Amendments

- F1** Words in Sch. 5 para. 11(2) substituted (17.3.2016) by [The Modern Slavery Act 2015 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/244\)](#), regs. 1(1), **25(a)**
- F2** Word in Sch. 5 para. 11(3) substituted (17.3.2016) by [The Modern Slavery Act 2015 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/244\)](#), regs. 1(1), **25(b)(i)**
- F3** Word in Sch. 5 para. 11(3) substituted (17.3.2016) by [The Modern Slavery Act 2015 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/244\)](#), regs. 1(1), **25(b)(ii)**

#### Commencement Information

- I1** Sch. 5 para. 11 in force at 17.3.2016 by [S.I. 2016/243](#), reg. 2(a)

###### *Criminal Justice Act 1991 (c. 53)*

- 12 (1) Section 24 of the Criminal Justice Act 1991 (recovery of fines by deduction from certain benefits) is amended as follows.
- (2) In subsection (1), for “or unlawful profit order” substitute “, an unlawful profit order or a slavery and trafficking reparation order ”.
- (3) In subsection (3)(b), for “or unlawful profit order” substitute “, an unlawful profit order or a slavery and trafficking reparation order ”.
- (4) In subsection (4), after the definition of “prescribed” insert—

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““slavery and trafficking reparation order” means an order under section 8 of the Modern Slavery Act 2015;”.

**Commencement Information**

**I2** Sch. 5 para. 12 in force at 31.7.2015 by [S.I. 2015/1476](#), **reg. 2(j)**

*Social Security (Recovery of Benefits) Act 1997 (c. 27)*

**13** In paragraph 2 of Schedule 1 to the Social Security (Recovery of Benefits) Act 1997 (exempted payments), for “2000 or” substitute “ 2000, section 8 of the Modern Slavery Act 2015, ”.

**Commencement Information**

**I3** Sch. 5 para. 13 in force at 31.7.2015 by [S.I. 2015/1476](#), **reg. 2(j)**

*Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)*

<sup>F4</sup>**14** .....

**Textual Amendments**

**F4** Sch. 5 para. 14 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), **reg. 2**

*Proceeds of Crime Act 2002 (c. 29)*

[<sup>F5</sup>**15** In section 13(3A) of the Proceeds of Crime Act 2002 (effect of confiscation order on court’s other powers), after paragraph (c) insert—  
“(d) a slavery and trafficking reparation order under section 8 of the Modern Slavery Act 2015.”]

**Textual Amendments**

**F5** Sch. 5 para. 15 substituted (17.3.2016) by [The Modern Slavery Act 2015 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/244\)](#), **regs. 1(1), 26**

**Commencement Information**

**I4** Sch. 5 para. 15 in force at 17.3.2016 by [S.I. 2016/243](#), **reg. 2(b)**

**16** In section 19(8) of the Proceeds of Crime Act 2002 (no order made: reconsideration of case), at the end insert “ in relation to it ”.

**Commencement Information**

**I5** Sch. 5 para. 16 in force at 31.7.2015 by [S.I. 2015/1476](#), **reg. 2(j)**

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17 In section 20(12) of the Proceeds of Crime Act 2002 (no order made: reconsideration of benefit), at the end insert “ in relation to it ”.

**Commencement Information**

**I6** Sch. 5 para. 17 in force at 31.7.2015 by [S.I. 2015/1476](#), [reg. 2\(j\)](#)

18 In section 32(7)(b) of the Proceeds of Crime Act 2002 (court's powers on appeal) at the end insert “ in relation to it ”.

**Commencement Information**

**I7** Sch. 5 para. 18 in force at 31.7.2015 by [S.I. 2015/1476](#), [reg. 2\(j\)](#)

19 In section 33(9)(b) of the Proceeds of Crime Act 2002 (appeal to Supreme Court) at the end insert “ in relation to it ”.

**Commencement Information**

**I8** Sch. 5 para. 19 in force at 31.7.2015 by [S.I. 2015/1476](#), [reg. 2\(j\)](#)

PROSPECTIVE

F<sup>6</sup>20 .....

**Textual Amendments**

**F6** Sch. 5 para. 20 omitted (17.3.2016) by virtue of [The Modern Slavery Act 2015 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/244\)](#), [regs. 1\(1\), 27](#)

21 In section 308 of the Proceeds of Crime Act 2002 (general exceptions to concept of recoverable property) after subsection (4) insert—

“(4A) If—

- (a) a payment is made to a person in pursuance of a slavery and trafficking reparation order under section 8 of the Modern Slavery Act 2015, and
- (b) apart from this subsection, the sum received would be recoverable property,

the property ceases to be recoverable.”

**Commencement Information**

**I9** Sch. 5 para. 21 in force at 31.7.2015 by [S.I. 2015/1476](#), [reg. 2\(j\)](#)

22 In Schedule 11 to the Proceeds of Crime Act 2002 (amendments), omit paragraph 37(3).

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**Commencement Information**

**I10** Sch. 5 para. 22 in force at 31.7.2015 by [S.I. 2015/1476](#), [reg. 2\(j\)](#)

*Courts Act 2003 (c. 39)*

23 (1) Schedule 5 to the Courts Act 2003 (collection of fines and other sums imposed on conviction) is amended as follows.

(2) In paragraph 2(2)—

- (a) omit the “and” at the end of the definition of “a sum required to be paid by a compensation order”;
- (b) after the definition of “a sum required to be paid by an unlawful profit order” insert—

““a sum required to be paid by a slavery and trafficking reparation order” means any sum required to be paid by an order made under section 8 of the Modern Slavery Act 2015.”

(3) In paragraph 7A(1) for “or an unlawful profit order” substitute “, an unlawful profit order or a slavery and trafficking reparation order ”.

(4) In paragraph 13(1)(aa)—

- (a) for “or a sum” substitute “, a sum ”;
- (b) after “unlawful profit order” insert “ or a sum required to be paid by a slavery and trafficking reparation order ”;
- (c) in sub-paragraph (i) for “or the” substitute “, the ”;
- (d) in that sub-paragraph after “unlawful profit order” insert “ or the amount required to be paid by the slavery and trafficking reparation order ”.

**Commencement Information**

**I11** Sch. 5 para. 23 in force at 31.7.2015 by [S.I. 2015/1476](#), [reg. 2\(j\)](#)

*Criminal Justice Act 2003 (c. 44)*

<sup>F7</sup>24 .....

**Textual Amendments**

**F7** Sch. 5 para. 24 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

<sup>F8</sup>25 .....

**Textual Amendments**

**F8** Sch. 5 para. 25 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

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*Health and Social Care (Community Health and Standards) Act 2003 (c. 43)*

- 26 In paragraph 1 of Schedule 10 to the Health and Social Care (Community Health and Standards) Act 2003 (recovery of NHS charges: exempted payments)—
- (a) omit “or” at the end of sub-paragraph (b);
  - (b) at the end of sub-paragraph (c) insert “or
  - (d) section 8 of the Modern Slavery Act 2015 (slavery and trafficking reparation orders).”

**Commencement Information**

**I12** Sch. 5 para. 26 in force at 31.7.2015 by [S.I. 2015/1476](#), [reg. 2\(j\)](#)

*Prevention of Social Housing Fraud Act 2013 (c. 3)*

- 27 (1) The Prevention of Social Housing Fraud Act 2013 is amended as follows.
- (2) In section 4(12)(d) (application of Powers of Criminal Courts (Sentencing) Act 2000 to unlawful profit orders)—
- (a) for the words from “133(3)(c)” to “confiscation order or” substitute “ 133(3)(c)(ii) to an unlawful profit order under section 4 were to ”;
  - (b) omit the second “(or both)”.
- (3) In the Schedule (amendments), omit paragraphs 2, 5(2)(a) and (3), 9, 26 and 30(2).

**Commencement Information**

**I13** Sch. 5 para. 27(1)(2) in force at 31.7.2015 by [S.I. 2015/1476](#), [reg. 2\(j\)](#)

**I14** Sch. 5 para. 27(3) in force at 17.3.2016 by [S.I. 2016/243](#), [reg. 2\(c\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 50A(5A) inserted by [2023 c. 37 s. 28\(1\)](#)