

Modern Slavery (Transparency in Supply Chains) Bill [HL]

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Schedule – Amendments to the Modern Slavery Act 2015

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Require commercial organisations and public bodies to include a statement on slavery and human trafficking in their annual report and accounts; and to require contracting authorities to exclude from procurement procedures economic operators who have not provided such a statement; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Slavery and human trafficking statement: annual report and accounts

- (1) Section 54 of the Modern Slavery Act 2015 (transparency in supply chains etc) is amended as follows.
- (2) In subsection (1) after “subsection (2)” insert “or public body within subsection (2A)” and after “the organisation” insert “or public body”. 5
- (3) After subsection (2) insert—
 - “(2A) A public body is within this subsection if it is a “body governed by public law”, a “contracting authority”, or a “central government authority” within the meaning of regulation 2 of the Public Contracts Regulations 2015.” 10
- (4) After subsection (6) insert—
 - “(6A) Commercial organisations and public bodies must include the statement in their annual report and accounts.”
- (5) After subsection (10) insert—
 - “(10A) The Secretary of State must publish a list of all commercial organisations that are required to publish a statement under this section. 15
 - (10B) The list referred to in subsection (10A) must be published in a place and format that is easily accessible and the commercial organisations in the list must be categorised according to sector.” 20

- (6) The Schedule makes consequential amendments to the Modern Slavery Act 2015.

2 Transparency in supply chains: due diligence

In regulation 57 of the Public Contracts Regulations 2015, after paragraph (1) insert—

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“(1A) Contracting authorities shall exclude an economic operator from participation in a procurement procedure where they have established, by verifying in accordance with regulations 59, 60 and 61, or are otherwise aware, that that economic operator has not produced a slavery and human trafficking statement under section 54 of the Modern Slavery Act 2015 (transparency in supply chains etc), where it is required under that Act to do so.”

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3 Guidance for contracting authorities

The Secretary of State shall publish guidance for contracting authorities on compliance with regulation 57(1A) of the Public Contracts Regulations 2015 and section 54 of the Modern Slavery Act 2015.

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4 Extent, commencement and short title

- (1) This Act extends to England and Wales only.
- (2) Sections 1 to 3 come into force at the end of the period of two months beginning with the day on which this Act is passed.
- (3) This section comes into force on the day on which this Act is passed.
- (4) This Act may be cited as the Modern Slavery (Transparency in Supply Chains) Act 2016.

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SCHEDULE

Section 1

AMENDMENTS TO THE MODERN SLAVERY ACT 2015

- 1 Section 54 of the Modern Slavery Act 2015 (transparency in supply chains) is amended as follows.
- 2 In subsection (4)(a) after “organisation” insert “or public body”. 5
- 3 In subsection (4)(b) after “organisation” insert “or public body”.
- 4 In subsection (5) for “An organisation’s slavery and human trafficking statement” substitute “The slavery and human trafficking statement of an organisation or public body”.
- 5 In subsection (5)(a) for “organisation’s structure” substitute “structure of an organisation or public body”. 10
- 6 In subsection (6)(a) after “organisation” insert “or public body”.
- 7 In subsection (6)(b) after “organisation” insert “or public body”.
- 8 In subsection (6)(c) after “organisation” insert “or public body”.
- 9 In subsection (6)(d) after “organisation” insert “or public body”. 15
- 10 In subsection (7) after “organisation” insert “or public body”.
- 11 In subsection (8) after “organisation” insert “or public body”.