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Make provision for the avoidance of modern slavery in the procurement of public contracts; 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 Duty to avoid slavery in procurement

- (1) In the procurement of public contracts Ministers of the Crown and others must have regard to the need to avoid the commission of services from economic operators engaged in modern slavery.
- (2) The Secretary of State must by regulations made by statutory instrument make provision for due-diligence procedures to establish, for the purpose of subsection (1), whether an economic operator is engaged in modern slavery. 5
- (3) An economic operator is considered to be engaged in modern slavery where it—
 - (a) has exploitation within its supply chain, or 10
 - (b) provides any service to another person in the knowledge that such services are aiding the commission of exploitation, and
 - (c) has failed to take reasonable steps to eliminate such exploitation.
- (4) Regulations under subsection (2) must make provision for a reporting mechanism to assist in determining whether an economic operator which holds or might be a candidate for a public contract has exploitation in its supply chain. 15
- (5) In this section—
 - “economic operator” has the meaning given by regulation 2(1) of the Public Contracts Regulations 2015 (S.I 2015/102); 20
 - “exploitation” has the meaning given by section 3 of the Modern Slavery Act 2015.

2 Extent, commencement and short title

- (1) This Act extends to England and Wales and Northern Ireland only.
- (2) This Act comes into force at the end of the period of two months beginning with the day on which it is passed.
- (3) This Act may be cited as the Public Contracts (Modern Slavery) Act 2020.

Public Contracts (Modern Slavery) Bill [HL]

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Lord Hogan-Howe

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