



Nationality and Borders Act 2022

2022 CHAPTER 36

PART 4

AGE ASSESSMENTS

51 Persons subject to immigration control: assessment for immigration purposes

- (1) A designated person may conduct an age assessment on an age-disputed person for the purposes of deciding whether or how the Secretary of State or an immigration officer should exercise any immigration functions in relation to the person.
- (2) An assessment under subsection (1) may be conducted—
 - (a) in a case where subsections (3) and (4) of section 50 do not apply, or
 - (b) in a case where those subsections do apply—
 - (i) at any time before a local authority has referred the age-disputed person to a designated person under section 50(3)(a) or has informed the Secretary of State as mentioned in subsection (3)(b) or (c) of that section, or
 - (ii) if the Secretary of State has reason to doubt a local authority's decision under subsection (3)(b) or (c) of that section.
- (3) An age assessment under this section is binding on the Secretary of State and immigration officers when exercising immigration functions.

But this is subject to section 54(5) (decision of Tribunal to be binding on Secretary of State and local authorities) and section 56 (new information following age assessment or appeal).

- (4) The standard of proof for an age assessment under this section is the balance of probabilities.

Commencement Information

II S. 51 not in force at Royal Assent, see [s. 87\(1\)](#)

Changes to legislation: Nationality and Borders Act 2022, Section 51 is up to date with all changes known to be in force on or before 17 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

I2 [S. 51](#) in force at 31.3.2023 by [S.I. 2023/283](#), [reg. 2\(c\)](#) (with [reg. 5](#))

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[View outstanding changes](#)

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. 54(6)(c) and word inserted by [2023 c. 37 s. 57\(11\)\(b\)](#)
- s. 63(2A) inserted by [2023 c. 37 s. 29\(3\)](#)
- s. 63(3)(fa)(fb) inserted by [2023 c. 37 s. 29\(4\)\(b\)](#)
- s. 63(5A)(5B) inserted by [2023 c. 37 s. 29\(5\)](#)
- s. 63(8) inserted by [2023 c. 37 s. 28\(9\)](#)
- s. 65(8A) inserted by [2023 c. 37 s. 28\(12\)](#)