



Nationality and Borders Act 2022

2022 CHAPTER 36

PART 4

AGE ASSESSMENTS

PROSPECTIVE

56 New information following age assessment or appeal

- (1) This section applies where—
 - (a) an age assessment has been conducted on an age-disputed person (“P”) under section 50 or 51,
 - (b) an appeal under section 54(2) could no longer be brought (ignoring any possibility of an appeal out of time) or has been finally determined, and
 - (c) the decision-maker becomes aware of new information relating to P’s age.
- (2) In this section, the age assessment referred to in subsection (1)(a) is referred to as the “first age assessment”.
- (3) In a case where the first age assessment was conducted by a designated person, they must—
 - (a) decide whether the new information is significant new evidence, and
 - (b) if they decide that it is, conduct a further age assessment on P.
- (4) In a case where the first age assessment was conducted by a local authority, it must—
 - (a) decide whether the new information is significant new evidence or refer the new information to a designated person for a decision on that matter, and
 - (b) if it is decided that the new information is significant new evidence—
 - (i) conduct a further age assessment on P, or
 - (ii) refer P to a designated person for a further age assessment.
- (5) For the purposes of subsections (3) and (4), new information is “significant new evidence” if there is a realistic prospect that, if a further age assessment were to be

Status: This version of this provision is prospective.

Changes to legislation: Nationality and Borders Act 2022, Section 56 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

conducted on P, taking into account the new information, P's age would be assessed as different from the age determined in the first age assessment or in the appeal proceedings.

- (6) A further age assessment conducted by a designated person under subsection (3) or (4)(b)(ii) is to be treated—
 - (a) in a case where the first age assessment was conducted under section 50, as an age assessment conducted by the designated person following a referral under subsection (3)(a) of that section;
 - (b) in a case where the first age assessment was conducted under section 51, as an age assessment conducted under that section.
- (7) A further age assessment conducted by a local authority under subsection (4)(b)(i) is to be treated as an age assessment conducted by a local authority under section 50(3)(b).
- (8) A person conducting a further age assessment under this section does not need to revisit matters that were considered in the first age assessment if they do not think it is necessary to do so.

Commencement Information

II S. 56 not in force at Royal Assent, see [s. 87\(1\)](#)

Status:

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Changes to legislation:

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Changes and effects yet to be applied to :

- s. 56(1)(b) substituted by [2023 c. 37 s. 57\(12\)](#)

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\(12\)](#)