



# Nationality and Borders Act 2022

## 2022 CHAPTER 36

### PART 5

#### MODERN SLAVERY

#### **61 Identified potential victims of slavery or human trafficking: recovery period**

- (1) This section applies to a person (an “identified potential victim”) if—
  - (a) a decision is made by a competent authority that there are reasonable grounds to believe that the person is a victim of slavery or human trafficking (a “positive reasonable grounds decision”), and
  - (b) that decision is not a further RG decision (as to which, see section 62).
- (2) Subject to section 63(2), the identified potential victim may not be removed from, or required to leave, the United Kingdom during the recovery period.
- (3) The “recovery period”, in relation to an identified potential victim, is the period—
  - (a) beginning with the day on which the positive reasonable grounds decision is made, and
  - (b) ending with whichever of the following is the later—
    - (i) the day on which the conclusive grounds decision is made in relation to the identified potential victim;
    - (ii) the end of the period of 30 days beginning with the day mentioned in paragraph (a).

#### **Commencement Information**

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|-----------|---|
| <b>I1</b> | S. 61 not in force at Royal Assent, see <a href="#">s. 87(1)</a>  |
| <b>I2</b> | <a href="#">S. 61</a> in force at 30.1.2023 by <a href="#">S.I. 2023/33</a> , <a href="#">reg. 3(b)</a> |

**Changes to legislation:**

Nationality and Borders Act 2022, Section 61 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 61(2) words inserted by [2023 c. 37 s. 28\(7\)](#)

**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\(12\)](#)