



# Nationality and Borders Act 2022

## 2022 CHAPTER 36

### PART 5

#### MODERN SLAVERY

#### **64 Identified potential victims etc in England and Wales: assistance and support**

After section 50 of the Modern Slavery Act 2015 insert—

##### **“50A Identified potential victims etc: assistance and support**

- (1) The Secretary of State must secure that any necessary assistance and support is available to an identified potential victim (within the meaning given by section 61 of the Nationality and Borders Act 2022 (the “2022 Act”)) during the recovery period.
- (2) For the purposes of this section, assistance and support is “necessary” if the Secretary of State considers that it is necessary for the purpose of assisting the person receiving it in their recovery from any physical, psychological or social harm arising from the conduct which resulted in the positive reasonable grounds decision in question.
- (3) Subsection (4) applies where a further RG decision, within the meaning given by section 62 of the 2022 Act, is made in relation to a person.
- (4) If the Secretary of State determines that it is appropriate to do so, the Secretary of State must secure that any necessary assistance and support is available to the person during the period—
  - (a) beginning with the day on which the further RG 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 further RG decision;
    - (ii) the end of the period of 30 days beginning with the day mentioned in paragraph (a).

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**Changes to legislation:** Nationality and Borders Act 2022, Section 64 is up to date with all changes known to be in force on or before 24 April 2024. 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

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- (5) Any duty under subsection (1) or (4) ceases to apply in relation to a person in respect of whom a determination is made under section 63(2) of the 2022 Act (disqualification from protection).
- (6) In this section, a reference to assistance and support is to assistance and support provided in accordance with—
- (a) arrangements referred to in section 49(1)(b), or
  - (b) regulations made under section 50.
- (7) In this section—
- “conclusive grounds decision” has the same meaning as in Part 5 of the 2022 Act (see section 69 of that Act);
  - “recovery period” has the same meaning as in section 61 of that Act.”

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**Commencement Information**

- I1** S. 64 not in force at Royal Assent, see [s. 87\(1\)](#)
- I2** S. 64 in force at 30.1.2023 by [S.I. 2023/33, reg. 3\(e\)](#)

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**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\(12\)](#)