

Status: This version of this provision is prospective.

Changes to legislation: *Nationality and Borders Act 2022, Section 18 is up to date with all changes known to be in force on or before 06 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*



Nationality and Borders Act 2022

2022 CHAPTER 36

PART 2

ASYLUM

Supporting evidence

PROSPECTIVE

18 Provision of evidence in support of protection or human rights claim

- (1) The Secretary of State or an immigration officer may serve an evidence notice on a person who has made a protection claim or a human rights claim.
- (2) An “evidence notice” is a notice requiring the recipient to provide, before the specified date, any evidence in support of the claim.
- (3) Subsection (5) applies if the recipient of an evidence notice provides the Secretary of State or an immigration officer with evidence in support of the claim on or after the specified date.
- (4) Subsection (5) also applies if the recipient of an evidence notice provides the First-tier Tribunal, the Upper Tribunal (when acting in the circumstances mentioned in section 22(9)) or the Special Immigration Appeals Commission with evidence in support of the claim where the evidence—
 - (a) should have been provided in response to the evidence notice but was not, and
 - (b) is provided on or after the specified date.
- (5) The recipient must also provide a statement setting out their reasons for not providing the evidence before the specified date (and see section 26 of this Act and section 8 of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004).
- (6) In this section, “specified date” means the date specified in an evidence notice.

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Commencement Information

II S. 18 not in force at Royal Assent, see [s. 87\(1\)](#)

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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\(12\)](#)