

*Status: This version of this provision is prospective.*

**Changes to legislation:** Nationality and Borders Act 2022, Section 67 is up to date with all changes known to be in force on or before 28 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 5

#### MODERN SLAVERY

PROSPECTIVE

**67 Civil legal services under section 10 of LASPO: add-on services in relation to national referral mechanism**

In section 10 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (civil legal services in exceptional cases), after subsection (3) insert—

“(3A) Civil legal services provided in relation to referral into the national referral mechanism are to be available to an individual in a case where subsection (2) is satisfied in relation to the individual and to services of a kind to which subsection (3B) applies.

(3B) This subsection applies to services in relation to a claim by the individual made to the Secretary of State that to remove the individual from, or to require the person to leave, the United Kingdom would be unlawful under section 6 of the Human Rights Act 1998.

(3C) The services described in subsection (3A) do not include—

- (a) the services listed in Part 2 of Schedule 1;
- (b) advocacy;
- (c) attendance at an interview conducted by the competent authority under the national referral mechanism for the purposes of a reasonable grounds decision.

(3D) In subsection (3A) “civil legal services in relation to referral into the national referral mechanism” means—

- (a) advice on the national referral mechanism, or

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(b) other civil legal services in connection with accessing that mechanism,

provided before a reasonable grounds decision has been made in relation to the individual to whom the services are provided.

(3E) In subsections (3C) and (3D)—

“competent authority” and “national referral mechanism” have the same meaning as in Schedule 1 (see paragraph 8 of Part 4 of that Schedule);

“reasonable grounds decision” has the same meaning as in Part 5 of the Nationality and Borders Act 2022 (see section 69 of that Act).”

#### **Commencement Information**

**II** S. 67 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\(12\)](#)