



BRIEFING PAPER

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National Insurance numbers (NINOs)

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Summary

Each person's entitlement to contributory benefit, based on their record of paying National Insurance contributions on their earnings or profits, is tracked by their own National Insurance number (NINO). Most people are automatically given a number as they approach age 16. Anyone who is resident or present in Great Britain and over 16, who is employed or self-employed or who wishes to pay voluntary (Class 3) National Insurance contributions, and who is not already in possession of a NINO, is required to make an application for one. However, a NINO is not proof of identity, and should not be relied on by employers as proof that someone has the right to work in the UK.

In its report on immigration control published in July 2006, the Home Affairs Committee expressed concerns that in some cases NINOs had been issued to individuals without a check on the applicant's immigration status or their right to work or to benefits.¹ On 18 July 2006 the Government announced changes both in the administrative arrangements for allocating NINOs and in the statutory requirements placed on individuals to apply for a NINO, so as to prevent illegal workers being allocated a number.² Regulations to give effect to these changes were introduced in November that year. As a consequence, individuals who now wish to apply for a NINO because they have started work must present specific evidence that they have the right to work in this country.³

This note discusses the process by which NINOs are allocated, the uses to which they are put, and the introduction of the 'Right to Work' test, for individuals requiring a NINO for employment purposes, in July 2006.

¹ [Fifth report: Immigration Control](#), 23 July 2006, HC 775 of 2005-06, para 462

² [HC Deb 18 July 2006 c20WS](#)

³ SI 2006/2897, as amended by SI 2008/223

1. The procedure for allocating NINOs

No one has the right to a NINO. Rather, the law in this area is framed in terms of the circumstances where someone should apply for one, although most people are automatically given a NINO as they approach age 16.

Individuals resident or present in Great Britain and over 16, who are employed or self-employed or who wish to pay voluntary (Class 3) National Insurance contributions, and who are not already in possession of a NINO, are required to make an application for one, under reg 9(1)(1A)(2) of the *Social Security (Crediting and Treatment of Contributions and National Insurance Numbers) Regulation 2001/769*.

HM Revenue & Customs' *National Insurance Manual* summarises these criteria as follows:

Registration of a new NINO:

Adult Registration: applying for a NINO through DWP's Jobcentre Plus

This guidance applies to:

- adults who were not issued with a number under the Juvenile Registration processes [that is, given a number when they reached their 16th birthday]
- children who have not been part of a Child Benefit claim⁴ ...
- People coming in to the UK from abroad

In order to get a NINO, they must satisfy legislative criteria. They must be either:

- working, about to start work or actively seeking employment, and have the right to work in the UK, or
- be liable to UK Class 1 NICs
- making a claim to benefit, or
- be entitled to and wish to pay voluntary Class 3 NICs
- be referred by student loan company.⁵

Initially applicants need to make an application by phone: 0345 600 0643 ([the line is available Monday to Friday, 8.30am to 5pm](#)). They may then be required to attend an interview at a DWP JobCentrePlus office, as HMRC's guidance explains:

⁴ [The automatic issuing on NINOs is based on the receipt of child benefit. When a claim for Child Benefit is made, the child is allocated a Child Reference Number (CRN). When the child reaches 15 years 9 months, this information is passed over to the NI recording system, the CRN is converted into that person's NINO, which HMRC sends them.]

⁵ *National Insurance Manual* [para NIM39325](#). The Manual is available [on Gov.uk](#).

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National Insurance number interview

Jobcentre Plus may write to you and ask you to come to an interview where you'll be asked about your circumstances and why you need a National Insurance number.

The letter will also tell you which documents to bring to prove your identity, eg:

- passport or identity card
- residence permit
- birth or adoption certificate
- marriage or civil partnership certificate
- driving licence

You'll be told at the interview how long it'll take to receive your National Insurance number.⁶

The Low Incomes Tax Reform Group publishes guidance on obtaining a NINO, which says a little more about the format of these interviews:

The interview will usually be one-to-one (unless, for example, an interpreter is required) and the purpose is to find out why you need a NINO and whether you can be given one. DWP will also need to confirm your identity and this part of the interview (sometimes called the 'evidence of identity interview') may be needed by HMRC for benefits such as tax credits and child benefit.

The interviewer will ask you questions about your background and circumstances and ask to see all your official documents, including your passport and any other proof of identity documents, such as national identity card, residence permit, birth certificate, driving licence, marriage or civil partnership certificate. You should take the original documents and not copies with you to the interview.

Jobcentre Plus will write to you following the interview to let you know whether or not your application was successful. If it was successful, they will send a NINO to you. It is important to keep the letter as a reminder of the number as plastic NINO cards are no longer issued.

Please note that you can start work before your NINO arrives if you can prove you can work in the UK. You should tell your employer that you have applied for one, and give it to them when you have it.⁷

For many years individuals have been issued with a plastic card by HMRC giving their NINO, but these were discontinued in 2010; HMRC's *National Insurance Manual* gives details:

The NINO card (form RD3) is a small plastic card, the size of a credit card. The card is red and blue with black and white text.

The NINO card was first introduced in 1975 as a manila card to remind customers of their NINO. It was replaced in 1984 with a plastic card. The card may be shown to a new employer on

⁶ [Apply for a National Insurance Number](#), retrieved June 2017

⁷ LITRG, [How do I get a National Insurance number?](#), 22 March 2017

starting work or in connection with any business the customer may have with HMRC or DWP.

Prior to October 2010, a customer could apply for one replacement card if they had lost their card or changed their name. The card was sent on a Card Carrier. The card and carrier are also available in alternative formats. The NINO card carrier (form RD3A) was used as a means of sending out the NINO card itself and as a way to pass on relevant information to the owner of the NINO. It contained advice about their NINO, its importance and has a tear-off portion that may be used to notify us if any of their details are incorrect or have changed.

In September 2010 the Chancellor announced that the plastic NINO card would be replaced with a letter. In October 2010 HMRC stopped issuing replacement NINO cards and instead sends written confirmation of the NINO in a letter. In July 2011 HMRC stopped sending NINO cards to customers who apply for a National Insurance number via DWP. Instead these customers receive a letter from DWP telling them their NINO and other important information. From October 2011 HMRC stopped issuing plastic NINO cards altogether.⁸

In May 2006 Jonathan Portes, Chief Economist at the DWP, gave evidence to the Home Affairs Committee, as part of their report on immigration control; Mr Portes noted “the important point for us is that NINOs ... are an internal reference number that lets us link an individual with their social security, or their child support, or their tax or their contribution record.”⁹ (Mr Portes’ evidence is discussed in more detail below, in the context of the Committee’s concerns about illegal workers receiving NINOs.) From this perspective one can see that having a NINO is vital when one is paying contributions (whether deducted from your earnings or profits, or paid voluntarily), or making an application for benefits; this is why the application test is framed in this way. On this theme, HMRC’s manual gives more details of how NINOs are used in practice:

NINOs are used by

- HMRC to record NICs and Credits, administer Child Benefit and Tax Credits
- DWP - if a person makes a claim to benefit, DWP use the NI account to check entitlement based on their NICs and credits record. Claimants are required by law to produce their NINO or sufficient information to trace or allocate a NINO when they claim benefit.
- employers who need to record NICs - an employee is required to tell their employer their NINO so it can be entered on the payroll records.
- employers who may ask prospective employees to produce a NINO to help provide a defence against charges of illegal working under section 8 of the *Asylum and Immigration Act 1996*. The list of documents capable of being used as a

⁸ *National Insurance Manual* [para NIM39220](#)

⁹ *Fifth report: immigration control*, 23 July 2006 HC 775-II 2005-06 Q801 Ev147

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defence includes "a document issued by a previous employer, HMRC, DWP or Employment Services which contains a person's NI Number". (This does not affect HMRC/DWP Policy on issuing NINOs).¹⁰

Contrary to popular belief, the numbers of a person's NINO do not represent a code that reflects their age, employer, address, etc.¹¹

There is a general trend for the total number of NINOs in issue each year to rise,¹² but it is worth bearing in mind that this is not the same as the number of people using NINOs, as has been explained in answer to PQs on this issue:

Mark Pritchard: To ask the Secretary of State for Work and Pensions what steps he is taking to align the number of national insurance numbers with the number of working people.

Chris Grayling: National insurance numbers (NINOs) are required for both working and non-working people. This is because NINOs are also required for the administration and payment of benefits for people who are not in work and for those who have worked previously and have a call upon the national insurance contributions they have made such as State Pensioners. Once allocated, a NINO remains on the Department's computer system. This is because the NINO provides a permanent numerical link between the individual and their national insurance contribution record which determines entitlement to contributory benefits and state pension.

The NINOs of deceased individuals are retained on the system as a partner may make a claim for a contributory benefit, which is dependant on the contribution record of the deceased. The retention of the NINO for deceased persons on our systems—clearly marked as such to DWP staff—also provides an important counter-fraud measure in that it prevents fraudsters from hi-jacking these numbers.¹³

Finally, for those who have been issued a NINO but have lost or forgotten it, someone's NINO will appear on a variety of official documents – a payslip, tax return or PAYE coding notice – and individuals can ask HMRC to confirm their NINO – either by using the [NINO telephone helpline](#), or by [submitting a written request](#). In answering a request, HMRC will only confirm someone's NINO in writing, and will not give it over the phone.¹⁴

¹⁰ *National Insurance Manual* [para NIM 39125](#)

¹¹ *Tolley's National Insurance Contributions 2014/15* para 49.2

¹² A PQ in 2007 stated that the number of NINOs in issue had risen from about 66 million in 1997 to 76.8 million in 2006 (HC Deb 16 April 2007 cc246-7). In September 2016 the figure was 92 million ([PQ HL2937, 15 November 2016](#)).

¹³ HC Deb 13 June 2012 c469-70W

¹⁴ HMRC, [Find a lost National Insurance number](#), retrieved June 2017

2. Concerns about the misuse of NINOs

It is worth underlining that although some employers may believe that a new employee must have a NINO before they are taken on, this is *not* the case.¹⁵ In part this may be because some employers regard a NINO as proof of someone being entitled to work in this country, although again, this is *not* the case.¹⁶ Employers are under a statutory duty to check that potential employees are allowed to work in the UK but someone having a NINO would have to provide some other official documentation – such as a full UK birth certificate – to meet this test.

In their guidance for employers, HM Revenue & Customs explain the importance of employees providing their employers with their NINO, even though they may apply for one *after* they start work:

A [NINO] is the unique reference number used by HMRC and the DWP to identify an individual's NICs record. It ensures that contributions paid by, and credited to, an individual are put on the right record so that whenever a claim to benefit is made, the correct amount can be paid.

You're required to record an employee's National Insurance number on payroll records. It's important, therefore, that you ask employees for their National Insurance number as soon as possible after they start working for you. Your employees are required by law to give their National Insurance number to you, although they can start work before providing the number ...

HMRC can issue written confirmation to a person who requests a reminder of their National Insurance number. If your new employee doesn't know their National Insurance number and you haven't yet included them on a Full Payment Submission [FPS], you should ask them if they've an old payslip or form P60, you'll usually be able to find it there ... The fact that a person has a National Insurance number doesn't mean that the person has the right to work or live in the UK. It's not a passport to employment.¹⁷

In March 2000 the Labour Government published a report on the hidden economy by Lord Grabiner; in this the author discussed the NINO application process, and recommended that the procedures for ensuring someone's professed identity was correct should be tightened up. Notably the author made no reference to any test of the individual's right to work in this country being part of the application:

4.19 Most people (more precisely, all children whose parents or guardians receive Child Benefit on their behalf) are issued with a NINo automatically when they reach the age of 16. Others must

¹⁵ As noted in a standard guide to the law (*Tolley's National Insurance Contributions 2014/15* para 49.3).

¹⁶ Under ss15-25 of the *Immigration, Asylum and Nationality Act 2006*. For details of these rules see, Home Office, [Comprehensive guidance for employers on preventing illegal working](#), October 2013. This makes clear employers cannot accept a NINO in isolation as sufficient proof of a right to work (p10).

¹⁷ Under the PAYE system, employers are required to give HMRC payroll information for each employee whenever they are paid, in a 'Full Payment Submission'. HMRC, [Employer Further Guide to PAYE and NICs \(CWG2\)](#), 2017/18 ed para 1.2.1-3

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apply for a NINo at the point they need to start work or claim a benefit ... The adult applications present the greater risk of fraud.

4.20 The first problem is that, although the procedures for allocating NINos have been tightened, it is still too easy for fraudulent applications to succeed. There are security procedures which should be followed, but in many cases applicants are not checked thoroughly. Because document forgery is now widespread and increasingly sophisticated, checking documents alone is not enough. Instead, it is necessary to check applicants' details fully, to ensure that the story they tell is consistent.

4.21 It is also important to have the same level of security whether an applicant is applying for a NINo in order to work or to claim benefit. Traditionally, employment-inspired applications have been treated less thoroughly than those relating to benefit claims, probably because they appear to involve gaining new revenue rather than paying out money. It is clear, however, that once a NINo has been allocated, it may be used to claim benefit as well as to pay NICs. There is no doubt that many people have taken temporary jobs as a means of obtaining a NINo, and then used it to claim benefit.

4.22 The most promising answer to this problem is the approach used in Balham, in southwest London (and 70 per cent of NINo applications are made within Greater London), namely, to set up "centres of excellence" solely for issuing NINos. By using specially trained staff to interview applicants, with the expertise and equipment to detect forged documents, it is possible to carry out the security procedures more effectively than in most areas. The result is that many more fraudulent applications are found. Many of these lead on to wider fraud investigations, and the police are called and may arrest people with forged papers or who are suspected of being illegal immigrants. People are regularly discovered using counterfeit or stolen ID cards and passports. Since the new team was set up in Balham, 162 NINo applicants have been arrested; 50 arrests have been made altogether in the other six Benefits Agency offices in the area.

4.23 I recommend extending this approach across the country ... In Balham, each NINo application takes more than twice as long to process than is generally budgeted for elsewhere. However, when weighed against all the fraudulent benefit payments that can potentially be claimed for every NINo that is wrongly allocated, this investment must be worthwhile.¹⁸

In May 2000 the Labour Government confirmed that this approach to tackling benefit fraud would be rolled out across the country,¹⁹ something which was to be completed by March 2001.²⁰ Details of the new approach were set out in answer to a PQ in October 2002:

Mr. Gibb: To ask Secretary of State for Work and Pensions, what the procedures are for obtaining a national insurance number for adults who have entered the UK (a) legally, (b) illegally and (c) on claiming asylum

Malcolm Wicks: I have been asked to reply.

¹⁸ HMT, *The informal economy: a report by Lord Grabiner QC*, March 2000 pp 17-18

¹⁹ Dept of Social Security press notice 00/141, 16 May 2000. This was also confirmed in a written answer at the time: HC Deb 10 May 2000 c423W.

²⁰ HC Deb 6 February 2001 c469W

The National Insurance number (NINO) allocation process for persons from abroad is known as the Enhanced NINO Process and is administered by Jobcentre Plus. The process involves a rigorous face to face interview, scrutiny of supporting documentation, and corroborative checks made on the information provided prior to the allocation of a NINO. The process applies to all foreign nationals requiring a NINO. Anyone actively seeking work may apply for a NINO regardless of their immigration status. If during the allocation process suspicions are raised as to the legitimacy of an individual's right to be in the country, the case is referred to the Department's National Identity Fraud Unit for further action.

Upon arrival in this country asylum seekers are initially supported by the Home Office National Asylum Support Service. Contact with this Department for the allocation of a NINO will therefore not normally take place until a decision has been made by the Home Office on the person's application for asylum. Once this has taken place (or if the person has been in the country for more than 6 months and is still awaiting a decision), an application for a NINO can be made through the Enhanced NINO Process.²¹

As noted above, the use of NINOs was discussed by the Chief Economist at the DWP, Jonathan Portes, in evidence to the Home Affairs Committee in May 2006. Mr Portes noted that a NINO "is not proof of identity, and it is not supposed to be proof that you are entitled to work. The interviewing process that we go through is basically about identity fraud. It is to ensure you are who you say you are. It is not supposed to provide a rigorous check on immigration status. There can be quite legitimate reasons why you might require a NINO even if you are not entitled to work in this country."²²

In order to claim most social security benefits and tax credits it is necessary to satisfy the 'NINO requirement'. This test was introduced under the *Social Security Administration (Fraud) Act 1997*,²³ it must be satisfied by the claimant and anyone 16 or over they are claiming for. Equivalent provision is made for those who wish to claim tax credits.²⁴ The ability of claimants to obtain NINOs so as to apply for benefits is not examined in detail in this note, though in the past there has been some criticism that the NINO requirement presents particular difficulties for claimants from ethnic minorities.²⁵ In addition it is worth underlining that individuals who have to apply for a NINO for the purposes of a benefit claim – 'benefit inspired applications' as they are known – do not have to satisfy the 'right to work' condition.²⁶

²¹ HC Deb 24 October 2002 c 488W

²² *Fifth report: Immigration Control*, 23 July 2006 HC 775 2005-06 para 460

²³ It now forms ss 1(A) & 1(B) of the *Social Security Administration Act 1992*. For details on this change see, [The Social Security Administration \(Fraud\) Bill, Library Research Paper 96/107](#), 20 November 1996 pp 32-34.

²⁴ Under reg 5(4) & (6) of the *Tax Credits (Claims and Notifications) Regulations SI 2002/2014*.

²⁵ In April 2003 the Child Poverty Action Group (CPAG) raised this issue in evidence to the Work and Pensions Committee ([Fourth report: DWP Service Delivery to Ethnic Minority Clients, 6 April 2005 HC 268-II 2004-05 Ev114-5](#)).

²⁶ See, DWP, [Secure National Insurance number allocation process: staff guide](#), 2014; appendix 1 to [section 6](#) gives an example of someone legally in the UK without the right to work being allocated a NINO. Note that DWP stopped updating this guidance in June 2016 and the site now refers those making NINO applications who need assistance to [HMRC's NINO application service](#).

3. The 'Right to Work' test

On 1 June 2006 – while the Home Affairs Committee were conducting their inquiry into immigration control – the *Times* newspaper published a leaked DWP memo, which suggested that Jobcentre staff would issue NINOs even where there was evidence that immigration status was falsified;²⁷ one section of this leaked memo is reproduced below:

- The NINO does not in itself constitute a right to work in the UK (despite perceptions to the contrary)
- There are circumstances where a NINO can be allocated to an individual without there being a right to work (eg the foreign partner of a UK national claiming benefits or tax credits would still need a NINO for that purpose, even if his / her immigration status denied them the right to work). Therefore, if there were any changes proposed to NINO Policy, we would need to take account of such situations.
- The onus of establishing an individual's right to work rests with employers. This aspect was strengthened by changes to Section 8 of the *1996 Immigration & Asylum Act* which reduced the role of the NINO in this respect.
- HMRC has a duty to collect Tax and National Insurance Contributions from all employees irrespective of their immigration or right to work status. DWP is obliged to allocate a NINO even under those circumstances if the individual is in employment. Regulation 9, Social Security (Crediting and Treatment of Contributions and National Insurance Numbers) Regulations 2001 stipulates that employed earners should obtain a NINO. It makes no allowance for those who may be employed illegally. However, under such scenarios, DWP has established processes in place to advise IND so that they can take any appropriate action as necessary.²⁸

(Readers will appreciate one has to treat this extract with a little caution, given its source, though in October 2006 the Department published material on NINO procedure following a request under the *Freedom of Information Act*.²⁹)

Following this, on 5 June 2006 the then Parliamentary Under-Secretary of State for Work and Pensions, James Plaskitt, announced a change in the procedure for allocating NINOs:

From July 2006 the Department for Work and Pensions will introduce a "right to work" condition into Jobcentre Plus's National Insurance Numbers (NINOs) allocation and decision making process for employment related applications. Regulation 9 of the Social Security (Credits and Treatment of Contributions and

²⁷ "Working the system", *Times*, 1 June 2006

²⁸ "Memo to chief investigation officer at the Department of Work and Pensions: Clarification of NINO Prosecution Cases", *Times*, 1 June 2006

²⁹ DWP, *Secure National Insurance Number Application Process (SNAP) Guide*, October 2006. This is now [on the National Archives site](#).

National Insurance Numbers) Regulation 2001 will be amended to enable this change. Any individual applying for a NINO in connection with employment who does not have the right to work here legally will be refused one. This change follows a review conducted by the Department into the existing legislation governing the allocation of NINOs.³⁰

In their report, which was completed on 13 July, the Committee welcomed the announcement, though it went on to recommend that “the Government also consider withdrawing NINOs from people who no longer have the right to work in the UK.”³¹ The Minister confirmed the Government’s plans in a second statement on 18 July:

I announced on 5 June that the DWP would introduce a “right to work” condition into Jobcentre Plus’s National Insurance Numbers allocation and decision making process for employment related applications from July. I can confirm that appropriate administrative arrangements are now in place making it a condition for the allocation of a NINO that there is a right to work. To further support this change, I intend to bring forward amendments to regulation 9 of the Social Security (Crediting and Treatment of Contributions and National Insurance Numbers) Regulations 2001 to make explicit the evidence which must be produced to demonstrate that the “right to work” condition has been satisfied.³²

In their response to the Committee’s report published in September 2006, the Government argued it would not be appropriate to withdraw NINOs, as the Committee had suggested:

The purpose of the NINO is to act as a unique reference number linking an individual and their National Insurance Contributions (NICs) record and as a reference number for DWP for Social Security benefits and HMRC for Tax Credits.

It would not be appropriate to withdraw NINOs from people who no longer have the right to work in the UK. The reasons for this include:

- Presenting a NINO by itself does not convey proof of the right to work, nor does it indicate the duration of a person’s right to work. Even with DWP’s new proof of right to work condition for NINO applicants it remains important that employers continue to fulfil their obligations under section 8 of the *Asylum and Immigration Act 1996* and ensure that a prospective employee’s right to work remains valid.
- Over the course of their lifetime an individual may have a number of separate periods where they have the right to work. In order to retain an accurate record of their National Insurance contributions the details need to be retained under one number rather than issuing and withdrawing one number and then subsequently issuing another number.³³

³⁰ HC Deb 5 June 2006 cc12-13WS

³¹ *Fifth report: Immigration Control*, 23 July 2006 HC 775 2005-06 para 467

³² HC Deb 18 July 2006 c20WS

³³ Home Office, *Immigration Control*, Cm 6910 September 2006 p52. The statutory requirement established by s8 of the *Asylum and Immigration Act 1996*, is now replaced by ss15-25 of the *Immigration, Asylum and Nationality Act 2006*.

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As mentioned above, the statutory requirement placed on individuals to apply for a NINO is set out in [reg 9](#) of the *Social Security (Crediting and Treatment of Contributions and National Insurance Numbers)*

Regulation 2001/769. Reg 9(1)(2) of the regulations read:

(1) Subject to the provisions of paragraph (2) below, every person, who is over the age of 16 and satisfies the conditions specified in regulation 87 or 119 of the Contributions Regulations (conditions of domicile or residence and conditions as to residence or presence in Great Britain respectively), shall, unless he has already been allocated a national insurance number under the Act, the Social Security Act 1975 or the National Insurance Act 1965, apply either to the Secretary of State or to the Inland Revenue for the allocation of a national insurance number and shall make such application at such time and in such manner as the Secretary of State shall direct.

(2) As respects any person who is neither an employed earner nor a self-employed earner the provisions of paragraph (1) above shall not apply unless and until that person wishes to pay a Class 3 contribution.³⁴

Regulations were laid to amend these rules in November 2006.³⁵ These inserted a requirement – para 9(1A) – which requires those making an application under reg 9(1) to present, with their application, evidence they have the right to work in this country.³⁶ The new ‘right to work’ condition came into force on 11 December 2006. In the explanatory memorandum accompanying the regulations it was stated that the change would affect “relatively small numbers of people. During 2005-06, a total of 2,500 NINOs were allocated to people who would not be allocated under the provisions of these regulations.”³⁷ The regulations also created a new requirement on students applying for a student loan to apply for a NINO if they do not already have one. This dovetailed with changes made in the regulations governing student loans introduced in early 2007.³⁸

³⁴ The Order refers to regs 87 and 119 of the “Contributions Regulations” – that is, the *Social Security (Contributions) Regulations* SI 1979/591. However, the regulations were revoked, by the *Social Security (Contributions) Regulations* SI 2001/1004. Conditions regarding domicile and residence with regard to NICs are set in the replacement regulations (regs 117 and 145 of SI 2001/1004).

³⁵ HC Deb 7 November 2006 c42WS. SI 2006/2897 – amended by SI 2008/223, to take account of the changes to immigration law made by the *Immigration, Asylum and Nationality Act 2006*.

³⁶ Now set out in the schedule to the *Immigration (Restrictions on Employment) Order* SI 2007/3290.

³⁷ *Explanatory Memorandum to ... SI 2006/2897*, November 2006 para 7.6

³⁸ specifically, reg 101 of the *Education (Student Support) Regulations* SI 2007/176. The regulations came into force on 1 March 2007. The new requirement is contained in para 9(4) of SI 2001/769.

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