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STATUTORY INSTRUMENTS

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**2009 No. 2795**

**IDENTITY CARDS**

**The Identity Cards Act 2006 (Application and Issue of ID Card and Notification of Changes) Regulations 2009**

*Made - - - - 19th October 2009*

*Coming into force in accordance with Regulation 1(1)*

The Secretary of State, in exercise of the powers conferred by sections 5(1), 5(3), 6(2)(b), 6(3)(c), 6(5), 6(6)(b), 6(7), 6(8)(a) and (c), 8(3), 10(1), 10(2), 11(1), 40(4), 42(1)(1) and 42(10) of the Identity Cards Act 2006(2), makes the following Regulations.

In accordance with sections 5(7), 6(9) and 10(6) of that Act, a draft of this instrument was laid before and approved by a resolution of each House of Parliament.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Identity Cards Act 2006 (Application and Issue of ID Card and Notification of Changes) Regulations 2009 and shall come into force on the day after the day on which they are made.

(2) In these Regulations –

“2006 Act” means the Identity Cards Act 2006;

“acquired gender” means the gender different to that which an individual was initially registered as at birth;

“airside pass” means a pass allowing the person to whom it has been issued unaccompanied access to a restricted zone or to part of a restricted zone;

“an appropriate office of the Identity and Passport Service” means an office designated by the Identity and Passport Service as one which handles applications to be entered in the Register and for the issue of an ID card and notifications of changes affecting the accuracy of the Register;

“certificate of naturalisation” means a certificate of naturalisation as a British citizen, issued by the Secretary of State;

“certificate of registration” means a certificate of registration as a British citizen, issued by the Secretary of State;

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(1) Section 42(1) defines “prescribed”

(2) 2006 c.15.

“EEA national” means a national of an EEA State;

“EEA State” means –

- (a) a Member State other than the United Kingdom;
- (b) Norway, Iceland or Liechtenstein; or
- (c) Switzerland;

“gender recognition certificate”, “Gender Recognition Panel” and “chartered psychologist” have the same meanings as in section 25 of the Gender Recognition Act 2004<sup>(3)</sup>;

“Identity and Passport Service” means the Secretary of State acting through the Identity and Passport Service;

“individual who lives in two gender roles” means an individual who has a need to live at least part of their life in a gender other than their gender recorded on their current birth certificate where that need has been corroborated by evidence from a registered medical practitioner or a chartered psychologist practising in the field of gender dysphoria;

“prescribed fee” means such fee, if any, as may be prescribed in an order made under section 35(1)(a) of the 2006 Act;

“relevant airside worker” means a person who holds a valid airside pass or is required to make an application for an airside pass by virtue of their employment or proposed employment; and

“restricted zone” means an area designated by the Secretary of State under section 11A of the Aviation Security Act 1982<sup>(4)</sup>.

### **Manner of application for entry in the Register**

**2.—**(1) The manner in which an application by an individual to be entered in the Register is to be included in an application for a designated document is prescribed for the purposes of section 5(1)(a) of the 2006 Act (Applications relating to entries in Register) as set out in paragraph (2).

(2) The prescribed manner is-

- (a) by including in the application for the designated document a declaration that the individual is making the application for a designated document in connection with an application to be entered in the Register;
- (b) by making the application to be entered in the Register in person by prior appointment at an appropriate office of the Identity and Passport Service;
- (c) subject to paragraph (4), by submitting the application on a form made available for the purpose by the Identity and Passport Service ; and
- (d) by including in the application the reference number of the application for a designated document.

(3) The application shall be accompanied by the relevant prescribed fee.

(4) In the case of an individual who lives in two gender roles and who is applying for details of both genders to be entered in the Register, a form made available for the purpose by the Identity and Passport Service must be completed in relation to each of the genders.

**3.—**(1) The manner in which an application by an individual to be entered in the Register is to be submitted directly to the Secretary of State is prescribed for the purposes of section 5(1)(b) of the 2006 Act (Applications relating to entries in Register) as set out in paragraph (2).

(2) The prescribed manner is –

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(3) 2004 c.7.  
(4) 1982 c.36.

- (a) by making the application to be entered in the Register in person by prior appointment at an appropriate office of the Identity and Passport Service;
- (b) the application shall be accompanied by the relevant prescribed fee; and
- (c) subject to paragraph (3), by submitting the application on a form made available for the purpose by the Identity and Passport Service

(3) In the case of an individual who lives in two gender roles and who is applying for details of both genders to be recorded in the Register, a form made available for the purpose by the Identity and Passport Service must be completed in relation to each of the genders.

#### **Manner of confirming contents of entry already made in the Register**

4.—(1) The manner of confirming (with or without changes) the contents of an entry in the Register is prescribed for the purposes of section 6(6)(b) of the 2006 Act (Issue etc. of ID cards) as set out in paragraph (2).

(2) The prescribed manner is –

- (a) by attending in person by prior appointment at an appropriate office of the Identity and Passport Service;
- (b) the application shall be accompanied by the relevant prescribed fee; and
- (c) subject to paragraph (3), by completing a form made available for the purpose by the Identity and Passport Service.

(3) In the case of an individual who lives in two gender roles and who wishes details of both genders to be recorded in, or to continue to be recorded in the Register, a form made available for the purpose by the Identity and Passport Service must be completed in relation to each of the genders.

#### **Prescribed information to accompany application for entry in Register**

5.—(1) Subject to paragraph (2), the information prescribed for the purposes of section 5(3)(a) of the 2006 Act (Prescribed information to accompany application to be entered in the Register) in relation to an applicant is –

- (a) such of the information specified in Schedule 1 as is stated to apply in the case of all applicants, together with such other of the information so specified as is relevant to that applicant;
- (b) in the case of a relevant airside worker, the name of the employer with whom the applicant holds or has applied for employment that requires the employee to obtain an airside pass; and
- (c) in the case of an individual who lives in two gender roles and who is applying for details of both genders to be entered in the Register –
  - (i) the individual's second gender;
  - (ii) the individual's name in that second gender; and
  - (iii) the individual's signature in that name.

(2) Any information set out in Schedule 1 is not prescribed information in relation to an applicant where, in the circumstances of the particular case (including any urgency in relation to the application), it is not reasonably practicable for the applicant to provide the information.

**Prescribed information to accompany an application which confirms, with or without changes, the contents of an entry in the Register**

6.—(1) Subject to paragraph (4), the information prescribed for the purposes of section 5(3)(b) of the 2006 Act (Prescribed information to accompany an application which confirms, with or without changes, the contents of an entry in the Register) is as set out in paragraphs (2) and (3).

(2) In the case of an application to which section 6(6)(b) of the 2006 Act applies, the prescribed information in relation to an applicant is -

- (a) such of the information specified in Schedule 2 as is stated to apply in the case of all applicants, together with such other of the information so specified as is relevant to that applicant;
- (b) in the case of an individual who lives in two gender roles and who is confirming with changes an entry in the Register in connection with an application for a second ID card in a different gender –
  - (i) the individual’s second gender;
  - (ii) the individual’s name in that second gender; and
  - (iii) the individual’s signature in that name.

(3) In the case of an application to which section 5(2)(b) or (c) of the 2006 Act applies, the prescribed information in relation to an applicant is such of the information specified in Schedule 3 as is stated to apply in the case of all applicants, together with such other of the information so specified as is relevant to that applicant.

(4) Any information referred to in paragraph (1) above is not prescribed information in relation to an applicant where, in the circumstances of the particular case (including any urgency in relation to the application) it is not reasonably practicable for the applicant to provide the information.

**Issue of ID card**

7.—(1) The cases specified in paragraph (2) are prescribed cases for the purposes of section 6(5) of the 2006 Act (Issue etc. of ID cards).

(2) The cases referred to in paragraph (1) are-

- (a) where an individual who lives in two gender roles and who has been issued with, or makes an application for, an ID card applies for a second ID card in a different gender; and
- (b) where an individual is a relevant airside worker who is not entitled to be entered in the Register and who resides outside the United Kingdom.

**Prescribed registrable facts**

8.—(1) Subject to paragraph (2), the following registrable facts about an individual are prescribed for the purposes of section 6(5)(b) of the 2006 Act (Issue etc. of ID cards) –

- (a) the individual’s full name;
- (b) the address of a place of residence of the individual;
- (c) the individual’s gender assigned at birth and, where applicable, acquired gender;
- (d) the individual’s place of birth;
- (e) the individual’s date of birth;
- (f) the individual’s nationality;
- (g) a photograph of the individual’s head and shoulders (showing the features of the face); and
- (h) the individual’s ten fingerprints.

(2) Where fewer than ten of the individual's fingerprints are recorded in the Register or none of the individual's fingerprints is recorded in the Register, paragraph (1)(h) shall be modified so as to refer only to the number of the individual's fingerprints that are recorded in the Register or to the fact that no fingerprints have been recorded.

#### **Manner of application for an ID card with designated document**

**9.**—(1) The manner in which an application by an individual to be issued with an ID card is to be included in an application to be issued with a designated document is prescribed for the purposes of section 6(7) of the 2006 Act (Applications for the issue of an ID card) as set out in paragraph (2).

(2) The prescribed manner is –

- (a) by including in the application to be issued with the designated document a declaration that the individual is making their application for a designated document in connection with an application for the issue of an ID card;
- (b) by making the application for the issue of an ID card in person by prior appointment to an appropriate office of the Identity and Passport Service ;
- (c) subject to paragraph (4), by submitting the application on a form made available for the purpose by the Identity and Passport Service; and
- (d) by including in the application the reference number of the application for a designated document.

(3) The application shall be accompanied by the relevant prescribed fee.

(4) In the case of an individual who lives in two gender roles and who is applying to be issued with an ID card in each gender, a form made available for the purpose by the Identity and Passport Service must be completed in relation to each of the genders.

#### **Manner of making other applications for the issue of an ID card**

**10.**—(1) The manner in which other applications for the issue of an ID card are to be made is prescribed for the purposes of section 6(8) of the 2006 Act (Applications for the issue of an ID card) as set out in paragraph (2).

(2) The prescribed manner is –

- (a) by making the application for the issue of an ID card in person by prior appointment to an appropriate office of the Identity and Passport Service; and
- (b) subject to paragraph (4), by submitting the application on a form made available for the purpose by the Identity and Passport Service.

(3) The application shall be accompanied by the relevant prescribed fee.

(4) In the case of an individual who lives in two gender roles and who is applying to be issued with an ID card in each gender, a form made available for the purpose by the Identity and Passport Service must be completed in relation to each of the genders.

#### **Prescribed information to accompany application for issue of an ID card**

**11.**—(1) Subject to paragraph (3), where an application by an individual for the issue of an ID card accompanies an application made by the individual to be entered in the Register, the information prescribed for the purposes of section 6(8)(c) of the 2006 Act (prescribed information to accompany application for an ID card) is the information prescribed by regulation 5 in so far as it is relevant to that application.

(2) Subject to paragraph (3), where an application by an individual for the issue of an ID card confirms (with or without changes) the contents of an entry already made in the Register for that

individual, the information prescribed for the purposes of section 6(8)(c) of the 2006 Act (Prescribed information to accompany application for an ID card) is the information set out in regulation 6, in so far as it is relevant to that application.

(3) Any information prescribed by paragraphs (1) or (2) is not prescribed information in relation to an applicant where it is not reasonably practicable in all the circumstances, including taking into account any urgency in relation to the application, for the applicant to provide the relevant information.

### **Requirements on designated documents authorities**

**12.**—(1) A designated documents authority must comply with the requirements specified in paragraph (2) when handling an application made to it that confirms (with or without changes) the contents of an individual's entry in the Register.

(2) The requirements referred to in paragraph (1) are that the designated documents authority must, before issuing a designated document to the applicant –

- (a) ask the applicant to confirm whether the information provided by the applicant to it under regulation 6 –
  - (i) is, or
  - (ii) when the entry has been amended in accordance with an application or notification already made to the Identity and Passport Service, will be the same as that recorded in the applicant's entry in the Register;
- (b) if in response to the question posed under sub-paragraph (a) the applicant indicates that the information has changed in any respect, provide to the Identity and Passport Service details of the changed information;
- (c) verify with the Identity and Passport Service that the information provided to it by the applicant under regulation 6 is the same as that recorded in the applicant's entry in the Register in relation to those matters; and
- (d) immediately prior to issue of the designated document, obtain confirmation from the Identity and Passport Service that there is no outstanding –
  - (i) application by the applicant under section 6 of the 2006 Act for the issue of an ID card; or
  - (ii) notification by the applicant under section 10 of the 2006 Act of a change of circumstances affecting, or an error in, the information recorded about the applicant in the Register.

### **Prescribed changes of circumstances**

**13.**—(1) The following changes of circumstances are prescribed for the purposes of section 10(1) (a) of the 2006 Act (Notification of changes affecting accuracy of Register) –

- (a) change of address of principal place of residence or of any other place of residence recorded in the individual's entry in the Register, including where an individual will no longer have a place of residence in the United Kingdom;
- (b) change of a name which has been recorded in the individual's entry in the Register;
- (c) the individual becoming known for official purposes by a name not recorded in the individual's entry in the Register;
- (d) change of nationality of the individual;
- (e) change of gender of the individual in a case where the individual has obtained a gender recognition certificate from the Gender Recognition Panel;

- (f) permanent and significant changes to the individual's signature as recorded on the ID card;
- (g) permanent and significant changes to the features of the individual's face such that the person cannot be identified from the photograph on the individual's ID card; and
- (h) the loss of, or permanent and significant changes to, the individual's fingerprints as recorded on the ID card.

**Manner of notification**

**14.**—(1) The manner in which a notification must be given for the purposes of section 10 of the 2006 Act is prescribed for the purposes of section 10(2)(a) as set out in paragraph (2).

- (2) The prescribed manner is by giving the notification either -
  - (a) by telephone to a number designated by the Identity and Passport Service, as being a number which is available for the notification of changes under section 10 of the 2006 Act and the notification of lost, stolen, damaged, tampered with or destroyed ID cards under section 11 of that Act; or
  - (b) in person –
    - (i) by prior appointment at an appropriate office of the Identity and Passport Service, and
    - (ii) by completing a form made available for the purpose by the Identity and Passport Service.

**Period within which notification to be made**

**15.** The period prescribed for the purposes of section 10(2)(b) of the 2006 Act, being the period within which a notification for the purposes of section 10 must be given, is a period of three months after the change of circumstances occurs or the individual in question becomes aware of the error.

**Requirement to notify Secretary of State if ID card is lost, stolen etc.**

**16.**—(1) An individual to whom an ID card has been issued must notify the Secretary of State if such individual knows or has reason to suspect that the card has been –

- (a) lost;
  - (b) stolen;
  - (c) damaged;
  - (d) tampered with; or
  - (e) destroyed.
- (2) A notification for the purposes of this regulation must -
- (a) be given in one of the following ways -
    - (i) by telephone to a number designated by the Identity and Passport Service, as being a number which is available for the notification of changes under section 10 of the 2006 Act and the notification of lost, stolen, damaged, tampered with or destroyed ID cards under section 11 of that Act;
    - (ii) in person by prior appointment at an appropriate office of the Identity and Passport Service, or
    - (iii) if overseas, in person by prior appointment at a United Kingdom embassy or consulate;

- (b) be given within a period of one month, beginning with the day on which the individual becomes aware that the card has, or may have, been lost, stolen, damaged, tampered with or destroyed; and
- (c) include the provision of sufficient evidence to establish that the individual giving the notification is the individual to whom the ID card has been issued.

#### **Prescribed part of entry in Register**

17. The part of an individual's entry in the Register that is prescribed for the purposes of section 6(2)(b) of the 2006 Act (Issue etc. of ID cards) is the part containing all the information for the time being recorded in the individual's entry in the Register other than information falling within paragraph 9 of Schedule 1 to that Act (Records of provision of information).

#### **Validity period of ID cards**

18. The period prescribed for the purposes of section 6(3)(c) of the 2006 Act is the period which ends on the date after the expiry of ten years beginning with the date of issue.

#### **Place of residence and principal place of residence**

19.—(1) A place is only to be regarded as a place of residence of an individual in circumstances where it is a place of abode of that person.

(2) Subject to paragraph (3), a place is to be regarded as the principal place of residence in the United Kingdom of an individual in circumstances where it is the place of residence of the individual where the individual resides most frequently.

(3) In applying the test set out in paragraph (2), no regard is to be had to a temporary change in the place where a person most frequently resides.

Home Office  
19th October 2009

*Meg Hillier*  
Parliamentary Under Secretary of State



## SCHEDULE 1

Regulation 5

Information, other than documents, to accompany application for entry in the Register and accompanying application for issue of an ID card

### PART 1

#### *Information required from all applicants*

- 1.—(1) Subject to sub-paragraph (2), in the case of all applicants –
- (a) full name by which the applicant is commonly known for official purposes,
  - (b) any other names by which the applicant is or has been known for official purposes and details of the period during which the applicant is or has been so known ,
  - (c) subject to sub-paragraph (e), address of the applicant’s principal place of residence in the United Kingdom,
  - (d) address of any other place of residence, in the United Kingdom or elsewhere, which the applicant wishes to be entered in the Register,
  - (e) where the applicant has no place of residence in the United Kingdom, a contact address in the United Kingdom,
  - (f) address of any other principal place of residence of the applicant during the period of five years immediately preceding the date of signature of the application form,
  - (g) gender of the applicant,
  - (h) date of birth of the applicant,
  - (i) place of birth of the applicant (including town and country of birth),
  - (j) nationality of the applicant,
  - (k) any previous nationality of the applicant,
  - (l) any national insurance number allocated to the applicant,
  - (m) a contact telephone number for the applicant,
  - (n) signature of the applicant,
  - (o) date of signature of the application,
  - (p) the information relating to a referee specified in paragraph 2,
  - (q) the answers to questions for the purposes of paragraph 8(c) of Schedule 1 to the 2006 Act.,
  - (r) whether the applicant owes any money to the United Kingdom for repatriation or any other form of consular relief, and
  - (s) whether the applicant is subject to a court order that would prevent the applicant from applying for, being issued with or using a travel document, including details of the period when the prohibition will be in force
  - (t) a declaration that the applicant is not subject to deportation proceedings and that the applicant does not have any outstanding exclusion or deportation orders made against them.
- (2) In the case of an applicant where the only information relating to gender they have provided to accompany their application is information relating to an acquired gender and their application is accompanied by—
- (a) a valid passport recording that gender;

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- (b) a valid identity card recording that gender;
  - (c) a birth or adoption certificate in a form which contains details of the parents or, as the case may be, adoptive parents recording that gender;
  - (d) or a gender recognition certificate recording that gender,
  - (e) paragraph 1(b) shall be modified as to refer only to the names by which the applicant has been known for official purposes that relate to their acquired gender.
2. Information relating to a referee –
- (a) full name,
  - (b) number of years the referee has known the applicant,
  - (c) address of principal place of residence,
  - (d) date of birth,
  - (e) profession,
  - (f) whether they hold a valid United Kingdom passport, valid Irish passport or valid United Kingdom ID card and
  - (g) a contact telephone number.

*Information required from British citizens and British subjects who currently hold a valid United Kingdom passport*

3. In the case of an applicant who is a British citizen and who holds a valid United Kingdom passport describing the applicant as a British citizen, the number and date and place of issue and issuing authority, of that passport.

4. In the case of an applicant who is a British subject with the right of abode in the United Kingdom and who holds a valid United Kingdom passport describing the applicant as a British subject with the right of abode in the United Kingdom, the number and date and place of issue and issuing authority of that passport.

*Information required from British citizens and British subjects who do not currently hold a valid United Kingdom passport*

5. In the case of an applicant who claims to be a British citizen and who does not hold a valid United Kingdom passport describing the applicant as a British citizen –

- (a) full name of the applicant's mother,
- (b) place of birth of the applicant's mother (including town and country),
- (c) date of birth of the applicant's mother,
- (d) nationality of the applicant's mother at the time of the applicant's birth,
- (e) where the applicant's mother has been issued with a United Kingdom passport describing her as a British citizen, the number and date of issue of the last such passport issued to her or of such a passport held by her at the time of the applicant's birth,
- (f) date of any marriage between the applicant's mother and the applicant's father,
- (g) full name of the applicant's father,
- (h) place of birth of the applicant's father (including town and country),
- (i) date of birth of the applicant's father,
- (j) nationality of the applicant's father at the time of the applicant's birth,

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- (k) where the applicant's father has been issued with a United Kingdom passport describing him as a British citizen, the number and date of issue of the last such passport issued to him, or of such a passport held by him at the time of the applicant's birth, and
- (l) where the applicant has been issued with a naturalisation certificate, the number and date and place of issue of that certificate.

**6.** In the case of an applicant who claims to be a British subject with right of abode in the United Kingdom who does not hold a valid United Kingdom passport describing the applicant as a British subject with right of abode in the United Kingdom –

- (a) full name of the applicant's mother,
- (b) place of birth of the applicant's mother (including town and country),
- (c) date of birth of the applicant's mother,
- (d) nationality of the applicant's mother at the time of the applicant's birth,
- (e) date of any marriage between the applicant's mother and the applicant's father,
- (f) full name of the applicant's father,
- (g) place of birth of the applicant's father (including town and country),
- (h) date of birth of the applicant's father, and
- (i) nationality of the applicant's father at the time of the applicant's birth.

*Information required from EEA nationals and their family members*

**7.** In the case of an applicant who claims to be an EEA national, either –

- (a) the number, date of issue, place of issue and issuing authority of their valid identity card, or
- (b) the number, date of issue, place of issue and issuing authority of their valid passport.

**8.** In the case of an applicant who claims to be a family member of an EEA national with a right to reside under the Immigration (European Economic Area) Regulations 2006<sup>(5)</sup>;

- (a) the number and date and place of issue of their valid passport, and
- (b) the authority that issued that passport.

*Information required from applicants who have dual nationality*

**9.** In the case of an applicant who has dual nationality, the number and date and place of issue and issuing authority of any valid identity card or passport of the applicant, details of which are not required to be supplied by virtue of any of the preceding paragraphs of this Part of this Schedule.

## PART 2

### Documents to accompany application for entry in the Register and accompanying application for issue of an ID card

*Documents required from applicants who are relevant airside workers*

**10.** In the case of an applicant who is a relevant airside worker, in addition to the documents listed in paragraphs 11 to 26, written confirmation from the applicant's employer that the applicant

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(5) [S.I. 2006/1003](#).

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holds a valid airside pass or is required to apply for an airside pass due to the applicant's employment or proposed employment.

*Documents required from British citizens and British subjects who currently hold a valid United Kingdom passport*

**11.** In the case of an applicant who is a British citizen and who holds a valid United Kingdom passport describing the applicant as a British citizen, that passport.

**12.** In the case of an applicant who is a British subject with right of abode in the United Kingdom under section 31 of the British Nationality Act 1981<sup>(6)</sup> and who holds a valid United Kingdom passport describing the applicant as a British subject with right of abode, that passport together with any notice in writing given to the Secretary of State under section 31(3) of the British Nationality Act 1981 (continuance as British subjects of certain former citizens of Eire).

**13.** In the case of an applicant who is a British subject with the right of abode in the United Kingdom under an enactment other than section 31 of the British Nationality Act 1981 and who holds a valid United Kingdom passport describing the applicant as a British subject with the right of abode in the United Kingdom, that passport, together with a declaration that the applicant has not taken up alternative citizenship or nationality.

*Documents required from British citizens or British subjects who do not currently hold a valid United Kingdom passport who were born or adopted in the United Kingdom*

**14.** In the case of an applicant who claims to be a British citizen, who does not hold a valid United Kingdom passport describing the applicant as a British citizen and who was born or adopted in the United Kingdom before 1<sup>st</sup> January 1983, the applicant's birth certificate or adoption certificate in a form which contains details of the parents, or, as the case may be, adoptive parents of the applicant, in so far as they are included on the relevant register.

**15.—(1)** In the case of an applicant who claims to be a British citizen, who does not currently hold a valid United Kingdom passport describing the applicant as a British citizen and who was born or adopted in the United Kingdom on or after 1<sup>st</sup> January 1983 –

- (a) the document specified in sub-paragraph (2), and
- (b) either –
  - (i) one of the documents specified in sub-paragraph (3), or
  - (ii) one of the documents specified in sub-paragraph (4), and where the document provided under paragraph (a) is a birth certificate, the applicant's parents' marriage certificate.

(2) The document specified for the purposes of sub-paragraph (1)(a) is the applicant's birth certificate or adoption certificate in a form which contains details of the parents, or, as the case may be, adoptive parents of the applicant, in so far as they are included on the relevant register.

(3) The documents specified for the purposes of sub-paragraph (1)(b)(i) are –

- (a) the applicant's mother's United Kingdom birth certificate;
- (b) the applicant's mother's certificate of registration or naturalisation;
- (c) the applicant's mother's passport valid at the time of the applicant's birth.

(4) The documents specified for the purposes of sub-paragraph (1)(b)(ii) are –

- (a) the applicant's father's United Kingdom birth certificate;

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(6) 1981 c.61

- (b) the applicant's father's certificate of registration or naturalisation;
- (c) the applicant's father's passport valid at the time of the applicant's birth.

*Documents required from British citizens or British subjects who do not currently hold a valid United Kingdom passport who were not born or adopted in the United Kingdom*

**16.** In the case of an applicant who claims to be a British citizen, who does not currently hold a valid United Kingdom passport describing the applicant as a British citizen, who was not born or adopted in the United Kingdom, but who has been issued with a certificate of registration or naturalisation –

- (a) the applicant's passport on which the applicant first entered the United Kingdom; and
- (b) the applicant's valid certificate of registration or naturalisation.

**17.** In the case of an applicant who claims to be a British citizen, who does not currently hold a valid United Kingdom passport describing the applicant as a British citizen, who was not born or adopted in the United Kingdom, who has not been issued with a certificate of registration or naturalisation and who is a citizen of a British Overseas Territory -

- (a) the applicant's birth or adoption certificate in a form which contains details of the parents, or, as the case may be, adoptive parents of the applicant, in so far as they are included on the relevant register; and
- (b) the applicant's valid passport describing the applicant as a citizen of a British Overseas Territory.

**18.—(1)** In the case of an applicant—

- (a) who claims to be a British citizen, but not a citizen of a British Overseas Territory;
- (b) who does not currently hold a valid United Kingdom passport describing the applicant as a British citizen;
- (c) who was not born or adopted in the United Kingdom;
- (d) who was born before 1st January 1983; and
- (e) whose father was a British citizen at the time of the applicant's birth,

the applicant's passport on which the applicant first entered the United Kingdom and either:

- (i) the applicant's birth certificate in a form which contains details of the parents, if issued by a British consulate or High Commission, or
- (ii) the other documents specified in sub-paragraph (2).

(2) The other documents specified for the purposes of sub-paragraph (1) are –

- (a) the applicant's birth certificate not being a certificate issued by a British consulate or High Commission, in a form which contains details of the parents of the applicant, in so far as they are included on the relevant register;
- (b) the applicant's father's birth certificate or their certificate of registration or naturalisation; and
- (c) the applicant's parents' marriage certificate .

**19.—(1)** Subject to sub-paragraph (5), in the case of an applicant—

- (a) who claims to be a British citizen;
- (b) who does not currently hold a valid United Kingdom passport describing the applicant as a British citizen;

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- (c) who was not born or adopted in the United Kingdom;
- (d) who was born on or after 1<sup>st</sup> January 1983;
- (e) who has not been issued with a certificate of registration or naturalisation; and
- (f) who is not a citizen of a British Overseas Territory;

the documents specified in paragraph (2), and either one of the documents specified in paragraph (3), or one of the documents specified in paragraph (4), together with the applicant's parents' marriage certificate.

(2) The documents specified are –

- (a) the applicant's birth certificate in a form which contains details of the parents of the applicant, in so far as they are included on the relevant register; and
- (b) the passport on which the applicant first entered the United Kingdom.

(3) The documents specified are –

- (a) the applicant's mother's United Kingdom birth certificate;
- (b) the applicant's mother's certificate of registration or naturalisation; and
- (c) the applicant's mother's passport, describing her as either a British citizen or a British subject (Citizen of the United Kingdom and Colonies), valid at the time of the applicant's birth.

(4) The documents specified are –

- (a) the applicant's father's United Kingdom birth certificate;
- (b) the applicant's father's certificate of registration or naturalisation; and
- (c) the applicant's father's passport, describing him as either a British citizen or a British subject (Citizen of the United Kingdom and Colonies), valid at the time of the applicant's birth.

(5) Where an applicant provides a birth certificate issued by a British consulate or High Commission overseas, references in this paragraph to documents specified in sub-paragraphs (3) to (4) do not apply.

*Documents required from British citizens or British subjects with a right of abode in the United Kingdom*

**20.** In the case of an applicant who claims to be a British subject with right of abode in the United Kingdom who does not hold a valid United Kingdom passport describing the applicant as a British subject with right of abode in the United Kingdom –

- (a) the applicant's birth certificate in a form which contains details of the parents, or, as the case may be, adoptive parents of the applicant, in so far as they are included on the relevant register;
- (b) the applicant's father's or mother's birth certificate;
- (c) where the applicant's father's birth certificate accompanies the application under paragraph (b), the applicant's parents' marriage certificate;
- (d) where the applicant claims British subject status under section 31 of the British Nationality Act 1981, any notice in writing given to the Secretary of State under section 31(3) of the British Nationality Act 1981 (continuance as British subjects of certain former citizens of Eire); and

- (e) in the case of an applicant who is a British subject with the right of abode in the United Kingdom under an enactment other than section 31 of the British Nationality Act 1981, a declaration that they have not taken up alternative citizenship or nationality.

**21.**—(1) In the case of an applicant who is or claims to be a British citizen or a British subject with right of abode, and who supplies pursuant to paragraph 1(a) of Part 1 of this Schedule a name that differs from the name on the birth or adoption certificate, registration or naturalisation certificate or passport relating to the applicant which has been included with the application, one of the documents listed in paragraph (2), which provides evidence of the change of name.

(2) The documents referred to in paragraph (1) are –

- (a) marriage certificate;
- (b) civil partnership certificate;
- (c) gender recognition certificate;
- (d) enrolled deed poll;
- (e) unenrolled deed poll or change of name deed;
- (f) certificate from the court of the Lord Lyon of Scotland;
- (g) copy of an Act of Parliament which provided for a change in the applicant’s name;
- (h) statutory declaration;
- (i) baptismal or confirmation certificate; and
- (j) United Kingdom birth certificate issued on re-registration of the birth in a form which contains details of the parents or, as the case may be, adoptive parents of the applicant, in so far as they are included on the relevant register.

*Documents required from EEA nationals and their family members*

**22.** In the case of an applicant who claims to be an EEA national, the applicant’s identity card or passport.

**23.** In the case of an applicant who claims to be a family member of an EEA national with a right to reside under the Immigration (European Economic Area) Regulations 2006, the applicant’s passport.

*Documents required from transgendered applicants*

**24.** In the case of an applicant who lives in two gender roles and is applying for details of both genders to be entered in the Register, a report from a registered medical practitioner or a chartered psychologist practicing in the field of gender dysphoria that the individual has a need to live at least part of their life in a gender other than recorded on the current birth certificate.

**25.** In the case of applicant who has only provided information relating to an acquired gender, and that acquired gender is not recorded in the valid passport, valid identity card or a birth or adoption certificate in a form which contains details of the parents or, as the case may be, adoptive parents that accompanies the application:

- (i) a gender recognition certificate, or
- (ii) a report from a registered medical practitioner or a chartered psychologist practicing in the field of gender dysphoria that the individual has a need to live at least part of their life in a gender other than their gender recorded on their current birth certificate.

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*Documents required from applicants who have dual nationality*

26. In the case of an applicant who has dual nationality, any valid identity card or valid passport of the applicant which the applicant is not required to supply by virtue of any of the preceding provisions of this Part of the Schedule.

SCHEDULE 2

Regulation 6(2)(a)

Information, other than documents to accompany application to be issued with an ID card which confirms (with or without changes) the contents of an entry in the Register

PART 1

1. In the case of all applicants –
  - (a) the full name by which the applicant is commonly known for official purposes,
  - (b) any other names by which the applicant is known for official purposes or by which the applicant has been known for official purposes during the period since the applicant's names as recorded in the Register were most recently updated by the applicant,
  - (c) the address of the applicant's principal place of residence in the United Kingdom,
  - (d) the address of any other place of residence in the United Kingdom or elsewhere, which the applicant wishes to be entered in the Register,
  - (e) where the applicant has no place of residence in the United Kingdom, a contact address in the United Kingdom,
  - (f) the gender of the applicant,
  - (g) the date of birth of the applicant,
  - (h) the place of birth of the applicant (including town and country of birth),
  - (i) the nationality of the applicant,
  - (j) any national insurance number allocated to the applicant,
  - (k) a contact telephone number for the applicant,
  - (l) the number and date and place of issue of the applicant's current ID card or confirmation that the applicant is unable to provide such details, together with an explanation why this is the case,
  - (m) where the applicant's current ID card has been lost, stolen, damaged, tampered with or destroyed, confirmation and details of how the ID card came to be lost, stolen, damaged, tampered with or destroyed and confirmation of whether the Secretary of State has been previously notified,
  - (n) whether the applicant owes any money to the United Kingdom for repatriation or any other form of consular relief,
  - (o) whether the applicant is subject to a court order that would prevent the applicant from applying for, being issued with or using a travel document, including details of the period when the prohibition will be in force,
  - (p) a declaration that the applicant is not subject to deportation proceedings and that there are no outstanding exclusion or deportation orders made against the applicant,
  - (q) the signature of the applicant,



- (r) the date of signature of the application, and
  - (s) a declaration that the applicant is entered in the Register.
2. In the case of an applicant who holds a valid United Kingdom passport describing the applicant as a British citizen or as a British subject with right of abode the number, date of issue, place of issue and issuing authority of that passport.
  3. In the case of an applicant who claims to be an EEA national, either –
    - (a) the number, date of issue, place of issue and issuing authority of a valid identity card, or
    - (b) the number, date of issue, place of issue and issuing authority of a valid passport.
  4. In the case of an applicant who claims to be a family member of an EEA national with a right to reside under the Immigration (European Economic Area) Regulations 2006;
    - (a) the number and date and place of issue of a valid passport, and
    - (b) the authority that issued that valid passport.
  5. In the case of an applicant who has dual nationality, the number and date and place of issue of any valid identity card or passport of the applicant, details of which are not required to be supplied by virtue of any of the preceding paragraphs of this Part of this Schedule.

## PART 2

Documents to accompany application to be issued with an ID card which confirms (with or without changes) the contents of an entry in the Register

6. In the case of all applications, other than where such card has been lost, stolen or destroyed, the applicant's current ID card.
7. In the case of an applicant who is an relevant airside worker, written confirmation from the applicant's employer that the applicant holds a valid airside pass or that the applicant is required to apply for an airside pass due to the applicant's employment or proposed employment.
8. In the case of an application by an EEA national, involving a change of the name as recorded in the Register, the applicant's identity card or passport, which records the new name.
9. In the case of an application by an applicant who claims to be a family member of an EEA national with a right to reside under the Immigration (European Economic Area) Regulations 2006, involving a change of the name as recorded in the Register, the applicant's passport, which records the new name.
10. In the case of an application involving a change of date of birth as recorded in the Register, a birth or adoption certificate which records the new date of birth, in a form which contains details of the parents, or, as the case may be, adoptive parents of the applicant, in so far as they are included on the relevant register.
11. In the case of an application involving a change of place of birth as recorded in the Register, a birth or adoption certificate which records the new place of birth, in a form which contains details of the parents, or, as the case may be, adoptive parents of the applicant, in so far as they are included on the relevant register.
12. In the case of an application involving recording in the Register a change of gender that has been recognised by the Gender Recognition Panel, a gender recognition certificate, a birth or adoption certificate which records the new gender, in a form which contains details of the parents, or, as the case may be, adoptive parents or a valid passport recording the new gender.

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**13.** In the case of an application involving the recording in the Register a change of gender that has not yet been recognised by the Gender Recognition Panel, a valid passport recording the new gender or a report from a registered medical practitioner or chartered psychologist practising in the field of gender dysphoria that the individual has a need to live in an acquired gender.

**14.** In the case of an application by an individual who lives in two gender roles, involving recording in the Register a second gender, a report from a registered medical practitioner or a chartered psychologist practicing in the field of gender dysphoria that the individual has a need to live at least part of their life in a gender other than that recorded on their current birth certificate.

**15.** In the case of an application involving a change of nationality as recorded in the Register, where the applicant has become a British citizen, the passport on which the applicant first entered the United Kingdom and a certificate of registration or naturalisation.

**16.** In the case of an applicant who is a British subject with the right of abode in the United Kingdom under an enactment other than section 31 of the British Nationality Act 1981 a declaration that the applicant has not taken up alternative citizenship or nationality

**17.** In the case of an application involving a change of nationality as recorded in the Register, where an EEA national has become a national of a country other than the United Kingdom , a valid passport or identity card issued by the country of which the applicant has become a citizen.

**18.** In the case of an application involving a change of nationality as recorded in the Register, where an applicant who claims to be a family member of an EEA national with a right to reside under the Immigration (European Economic Area) Regulations 2006 has become a national of a country other than the United Kingdom, a valid passport issued by the country of which the applicant has become a citizen.

**19.** In the case of an application by an individual who has become a dual national, involving recording in the Register a second nationality, a valid passport or identity card issued by the country of which the applicant has become a citizen.

**20.** In the case of an application involving a change of nationality as recorded in the Register, where the applicant has renounced British citizenship or British Subject status, the applicant's copy of the declaration of renunciation of British citizenship or British Subject status and a valid passport issued by the country of which the applicant is a citizen.

### SCHEDULE 3

Regulation 6(3)

Information to accompany application to be issued with a designated document, which confirms (with or without changes) the contents of an entry in the Register

**21.** In the case of all applicants –

- (a) full name by which the applicant is commonly known for official purposes,
- (b) any other names by which the applicant is known for official purposes or by which the applicant has been known for official purposes during the period since the applicant's names as recorded in the Register were most recently updated by the applicant,
- (c) address of the applicant's principal place of residence in the United Kingdom,
- (d) address of any other place of residence in the United Kingdom or elsewhere which the applicant wishes to be entered in the Register,
- (e) gender of the applicant,
- (f) date of birth of the applicant,

- (g) place of birth of the applicant (including town and country of birth),
- (h) nationality of the applicant,
- (i) any national insurance number allocated to the applicant,
- (j) a contact telephone number for the applicant,
- (k) a declaration that the applicant is entered in the Register,
- (l) the number and date of issue of the applicant's current ID card or confirmation that the applicant is unable to provide such details, together with an explanation why this is the case, and
- (m) either –
  - (i) a declaration that the applicant's entry in the Register is up-to-date and accurate, or
  - (ii) the number of an application made to the Identity and Passport Service to update information in the applicant's entry, or for the issue of an ID card.

**22.** In the case of an applicant who holds a valid United Kingdom passport describing the applicant as a British citizen or as a British subject with right of abode, the number of that passport.

**23.** In the case of an applicant who is an EEA national, either –

- (a) the number of a valid identity card, or
- (b) the number of a valid current passport.

**24.** In the case of an applicant who claims to be a family member of an EEA national with a right to reside under the Immigration (European Economic Area) Regulations 2006, the number of a valid passport.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations prescribe various matters in relation to applications for entry on the National Identity Register (established under section 1 of the Identity Cards Act 2006 (“the 2006 Act”)), applications for an ID card and notification of changes. They also make provision in relation to the circumstances in which a place will be regarded as a place in which an individual resides or a person's principal place of residence in the United Kingdom.

A list of designated offices can be found in the Identity and Passport Service Guidance IDCG-01 which may be obtained on request from the Identity and Passport Service. All forms required by these regulations may also be obtained on request from the Identity and Passport Service.

Regulation 2 prescribes the manner in which an application for entry in the National Identity Register (“the Register”) is to be included in an application for a designated document. Regulation 3 prescribes the manner in which an application for entry in the Register is to be made in other cases.

Regulation 4 prescribes the manner of confirming, with or without changes, the contents of an entry already made in the Register.

Regulation 5, together with Schedule 1, prescribes the information which is to accompany an application to be entered in the Register. Regulation 6, together with Schedules 2 and 3 prescribes the information which is to accompany an application which confirms, with or without changes,

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the contents of the applicant's entry in the Register. Part 1 of Schedule 1 deals with information to accompany the application form, whereas Part 2 lists documents to be included with the form. Paragraphs 1 and 2 of Part 1 list information to be included by all applicants. Paragraphs 3 to 10 list additional information to be included by particular categories of individual, depending on their nationality and, in the case of a British citizen, whether the individual holds a valid United Kingdom passport. Regulations 5(2) and 6(4) provide that information set out in the Schedule is not prescribed information in relation to an applicant where it is not practicable for the applicant to provide the information.

Regulations 7 to 11 deal with the issue of ID cards. Regulation 7 prescribes, for the purposes of section 6(5), the cases of a person who is dual gendered and who applies for a second ID card in the second gender and a relevant airside worker who resides outside the United Kingdom. The effect of being so prescribed is that in those circumstances a card may be issued to the individual provided that the prescribed registrable facts are entered in the Register. Regulation 8 prescribes the registrable facts for the purposes of section 6(5).

Regulations 9 and 10 prescribe the manner in which an application for an ID card is to be made. Regulation 11 prescribes the information which is to accompany an application for the issue of an ID card.

Regulation 12 imposes requirements on designated documents authorities regulating how they handle applications made to them that confirm (with or without changes) the contents of an individual's entry in the Register.

Regulation 13 prescribes changes of circumstances affecting the information recorded about an individual in the Register which need to be notified by the individual to the Secretary of State under section 10 of the 2006 Act.

Regulation 14 prescribes the manner in which a notification under section 10 must be given. It provides that notification is to be given either by telephone to a number designated by the Identity and Passport Service, or in person at an appropriate office of the Identity and Passport Service.

Regulation 15 provides that a notification under section 10 must be given within a period of three months, beginning with the day on which the change of circumstances occurs or the individual becomes aware of the error affecting the information recorded in the Register.

Regulation 16 provides that an individual to whom an ID card has been issued must notify the Secretary of State if the individual knows or has reason to suspect that the card has been lost, stolen, damaged, tampered with or destroyed. Paragraph (2) makes supplemental provision concerning the manner of giving a notification and the period within which a notification must be given.

Regulation 17 prescribes the part of the Register, the data that is to be carried on the card, that is prescribed for the purposes of section 6(2)(b) of the 2006 Act.

Regulation 18 deals with the validity period for an ID card. This will be ten years.

Regulations 19 makes provision about the circumstances in which, in relation to an individual, a place is to be regarded as a place where the individual resides and the individual's principal place of residence in the United Kingdom.