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DRAFT STATUTORY INSTRUMENTS

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**2008 No.**

The Immigration (Biometric  
Registration) (Pilot) Regulations 2008

**Use and retention of biometric information**

**12.** If a person proves that he is —

- (a) a British citizen; or
- (b) a Commonwealth citizen who has a right of abode in the United Kingdom as a result of section 2(1)(b) of the Immigration Act 1971 (statement of right of abode in the United Kingdom) **(1)**,

any record of fingerprints, photograph, copy of fingerprints or copy of a photograph held by the Secretary of State pursuant to these Regulations must be destroyed as soon as reasonably practicable.

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**(1)** Section 2(1)(b) was substituted by section 39(2) of the British Nationality Act 1981 (c.61).