

2008 No. 223

SOCIAL SECURITY

**The Social Security (National Insurance Numbers) Amendment
Regulations 2008**

<i>Made</i>	- - - -	<i>4th February 2008</i>
<i>Laid before Parliament</i>		<i>8th February 2008</i>
<i>Coming into force</i>	- -	<i>29th February 2008</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 182C and 189(1) and (4) to (6) of the Social Security Administration Act 1992(a).

The Social Security Advisory Committee has agreed that proposals in respect of these Regulations should not be referred to it(b).

Citation and commencement

1. These Regulations may be cited as the Social Security (National Insurance Numbers) Amendment Regulations 2008 and shall come into force on 29th February 2008, immediately after the coming into force of the Immigration (Restrictions on Employment) Order 2007(c).

Amendment of the Social Security (Crediting and Treatment of Contributions, and National Insurance Numbers) Regulations 2001

2.—(1) The Social Security (Crediting and Treatment of Contributions, and National Insurance Numbers) Regulations 2001(d) shall be amended as follows.

(2) In regulation 9(1A) (application for allocation of national insurance number) for the words from “for the time being” to the end, substitute “in Schedule 1”.

(3) The Schedule shall be renumbered “Schedule 2”.

(4) In regulation 12 (revocations) for “the Schedule” substitute “Schedule 2”.

(5) Before the renumbered Schedule 2 insert—

(a) 1992 c.5. Section 182C was inserted by paragraph 9 of Schedule 1 to the Social Security Administration (Fraud) Act 1997 (c.47). Subsection (1A) was inserted by paragraph 31 of Schedule 1 to the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c.2) (“the 1999 Act”). Section 189(1), (4) to (6) was amended by paragraph 109 of Schedule 7 and Schedule 8 to the Social Security Act 1998 (c. 14) and subsection (1) was further amended by paragraph 57(2) of Schedule 3 to the 1999 Act and Schedule 6 to the Tax Credits Act 2002 (c. 21).

(b) See section 172(1) and 173(1)(b) of the Social Security Administration Act 1992 (c.5).

(c) S.I. 2007/3290.

(d) S.I. 2001/769. Regulation 9(1A) was inserted by S.I. 2006/2897.

Documents to accompany an application for a national insurance number

1. Any document specified for the time being in paragraphs 1 to 6 of List A of the Schedule to the Immigration (Restrictions on Employment) Order 2007^(a).
2. Any document specified for the time being in paragraphs 1 to 6 of List B of the Schedule to the Immigration (Restrictions on Employment) Order 2007.
3. Any of the following documents—
 - (a) a full birth certificate issued in the United Kingdom which includes the name(s) of at least one of the holder’s parents;
 - (b) a full adoption certificate issued in the United Kingdom which includes the name(s) of at least one of the holder’s adoptive parents;
 - (c) a birth certificate issued in the Channel Islands, the Isle of Man or Ireland;
 - (d) an adoption certificate issued in the Channel Islands, the Isle of Man or Ireland;
 - (e) a certificate of registration or naturalisation as a British Citizen;
 - (f) an Immigration Status Document issued by the Home Office or the Border and Immigration Agency to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the United Kingdom or has no time limit on their stay in the United Kingdom;
 - (g) a letter issued by the Home Office or the Border and Immigration Agency to the holder which indicates that the person named in it is allowed to stay indefinitely in the United Kingdom;
 - (h) an Immigration Status Document issued by the Home Office or the Border and Immigration Agency to the holder with an endorsement indicating that the person named in it can stay in the United Kingdom, and is allowed to do the type of work in question;
 - (i) a letter issued by the Home Office or the Border and Immigration Agency to the holder or the employer or prospective employer, which indicates that the person named in it can stay in the United Kingdom and is allowed to do the work in question.”.

Signed by authority of the Secretary of State for Work and Pensions.

4th February 2008

James Plaskitt
Parliamentary Under-Secretary of State,
Department for Work and Pensions

^(a) S.I. 2007/3290.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Crediting and Treatment of Contributions, and National Insurance Numbers) Regulations 2001 (S.I. 2001/769) (“the 2001 Regulations”). The amendments are consequential on the coming into force of the Immigration (Restrictions on Employment) Order 2007 (S.I. 2007/3290) (“the 2007 Order”). The 2007 Order replaces the Immigration (Restrictions on Employment) Order 2004 (S.I. 2004/755) which listed the documents required to accompany an application for a national insurance number (“NINO”) to be allocated under regulation 9(1A) of the 2001 Regulations.

Regulation 2(3) renumbers the Schedule to the 2001 Regulations.

Regulation 2(5) inserts Schedule 1 which lists the documents specified in the 2007 Order which shall accompany an application for a NINO to be allocated.

A full impact assessment has not been produced for this instrument as it has no impact on the private or voluntary sectors.

STATUTORY INSTRUMENTS

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