

2006 No. 2897

SOCIAL SECURITY

**The Social Security (National Insurance Numbers) Amendment
Regulations 2006**

<i>Made</i>	- - - -	<i>1st November 2006</i>
<i>Laid before Parliament</i>		<i>7th November 2006</i>
<i>Coming into force</i>		
<i>for the purpose of regulation 2(a)</i>		<i>11th December 2006</i>
<i>for the purpose of regulation 2(b)</i>		<i>1st March 2007</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 the 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 2006 and shall come into force on 11th December 2006 except for regulation 2(b) which shall come into force on 1st March 2007.

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

2. In the Social Security (Crediting and Treatment of Contributions, and National Insurance Numbers) Regulations 2001(c), in regulation 9 (application for allocation of national insurance number)—

(a) after paragraph (1) insert—

“(1A) An application under paragraph (1) shall be accompanied by a document of a description specified for the time being in Part 1 or Part 2, except paragraph 1(a) of Part 2, of the Schedule to the Immigration (Restrictions on Employment) Order 2004(d)”; and

(a) 1992 c. 5; section 182C derives from paragraph 8(p) of Schedule 1 to the Social Security Contributions and Benefits Act 1992 (c. 4), it was inserted by paragraph 9 of Schedule 1 to the Social Security Administration (Fraud) Act 1997 (c. 47) and was amended 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) and (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 sections 172(1) and 173(1)(b) of the Social Security Administration Act 1992.

(c) S.I. 2001/769.

(d) S.I. 2004/755, amended by S.I. 2006/1003.

(b) after paragraph (3) add—

“(4) Where a person—

- (a) qualifies for a loan made in accordance with regulations made under section 22 of the Teaching and Higher Education Act 1998(a) (new arrangements for giving financial support to students) or sections 73 to 74(1) of the Education (Scotland) Act 1980(b) in connection with an academic year beginning on or after 1st September 2007; and
- (b) has been required as a condition of entitlement to payment of the loan to provide his national insurance number,

he shall, unless he has already been allocated a national insurance number, apply to the Secretary of State or the Commissioners for Her Majesty’s Revenue and Customs for one to be allocated to him, and the Secretary of State or, as the case may be, the Commissioners may direct how the application is to be made.”.

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

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

1st November 2006

(a) 1998 c. 30; section 22 was amended by section 146 of, and Schedule 11 to, the Learning and Skills Act 2000 (c. 21), Schedule 6 to the Income Tax (Earnings and Pensions) Act 2003 (c. 1), section 147(3) of the Finance Act 2003 (c. 14) and sections 42 and 43 of, and Schedule 7 to, the Higher Education Act 2004 (c. 8).

(b) 1980 (c. 44); section 73 was amended by section 29(1) of the Teaching and Higher Education Act 1998 (c. 30) and section 3(2) of the Education (Graduate Endowment and Student Support) (Scotland) Act 2001 (asp 6); sections 73A, 73B, 73C and 73D were inserted by section 29(2) of the Teaching and Higher Education Act 1998; section 74(1) was amended by paragraph 8(17) of, and Schedule 10 to, the Self Governing Schools etc. (Scotland) Act 1989 (c. 39). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

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).

Regulation 2(a) provides that a person who is required to apply for a national insurance number because he is an employed earner or self-employed earner must provide a document described in Part 1 or 2 of the Schedule to the Immigration (Restriction on Employment) Order 2004.

Regulation 2(b) requires a person to apply for a national insurance number if he is required to produce one when he qualifies for a student loan under the Teaching and Higher Education Act 1998 or the Education (Scotland) Act 1980.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business, charities and voluntary bodies.

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