
EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 2(2) of the Identity Cards Act 2006 (“the 2006 Act”) makes provision in respect of who is entitled to be entered on the National Identity Register. Section 2(2)(b) provides a power for the Secretary of State to prescribe a description of individuals who have resided in or are proposing to enter the United Kingdom who will also be entitled to be registered.

The effect of regulation 2 is that an individual who is not residing at a place in the United Kingdom, is 16 or over and is proposing to enter the United Kingdom or has resided in the United, will be entitled to be registered if that individual (a) holds an airside pass, (b) holds employment for which such a pass is required, or (c) has been offered employment for which such a pass is required.

Section 2(3)(c) of the 2006 Act creates a power for the Secretary of State to provide by regulations that an individual is to be excluded from an entitlement to be registered if the individual is residing in the United Kingdom despite having no entitlement to remain there. Regulation 3 makes provision to that effect.