STATUTORY INSTRUMENTS

2026 No. 990

IMMIGRATION

The Immigration (Collection, Use and Retention of Biometric Information and Related Amendments) (Amendment) Regulations 2026

Made - - - -	*7th September 2026*
Laid before Parliament	*10th September 2026*
Coming into force - -	*6th October 2026*

The Secretary of State makes these Regulations in exercise of the power conferred by section 62(1) of the Border Security, Asylum and Immigration Act 2025(**a**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Immigration (Collection, Use and Retention of Biometric Information and Related Amendments) (Amendment) Regulations 2026.

(2) These Regulations come into force on 6th October 2026.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendment of the Immigration (Collection, Use and Retention of Biometric Information and Related Amendments) Regulations 2021

2. In regulation 2 (photographs) of the Immigration (Collection, Use and Retention of Biometric Information and Related Amendments) Regulations 2021(**b**)—

(a) in paragraph (5)—

(i) at the end of sub-paragraph (d), omit "or";

(ii) at end of sub-paragraph (e), for "." substitute "; or"; and

(iii) after sub-paragraph (e), insert—

"(f) a person who is employed by a contractor in connection with the discharge of the contractor's duties under a short-term holding facility contract.";

(b) after paragraph (6), insert—

"(6A) In paragraph (5)(f), "contractor" and "short-term holding facility contract" have the same meaning as in section 141(6A) of the 1999 Act.";

(**a**) 2025 c. 31.

(**b**) Regulation 2 of the Immigration (Collection, Use and Retention of Biometric Information and Related Amendments) Regulations 2021 (S.I. 2021/772) was amended by section 44 of the Border Security, Asylum and Immigration Act 2025 (c. 31), but those amendments are not relevant to these Regulations.

(c) in paragraph (15)(b), for "or (e)" substitute ", (e) or (f)".

Jo White
Parliamentary Under-Secretary of State
Home Office

7th September 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 2 of the Immigration (Collection, Use and Retention of Biometric Information and Related Amendments) Regulations 2021 (S.I. 2021/772) ("the 2021 Regulations"), so that persons employed by a contractor at a short-term holding facility are "authorised persons" for the purposes of taking photographs under the 2021 Regulations.

The amendment aligns with section 141 of the Immigration and Asylum Act 1999 (c. 33) ("the 1999 Act"), following amendments made by section 47 of the Border Security, Asylum and Immigration Act 2025 (c. 31), which sets out who is an "authorised person" to take fingerprints under the 1999 Act.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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