STATUTORY INSTRUMENTS

2026 No. 700

IMMIGRATION

The Immigration (Restrictions on Employment and Residential Accommodation) (Prescribed Requirements and Codes of Practice) (Amendment) Regulations 2026

Made - - - -	*24th June 2026*
Laid before Parliament	*30th June 2026*
Coming into force - -	*1st October 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by—

(a) sections 15(3), (7), (8) and (10), 19(2)(b), 20(1)(a) and 23(3) of the Immigration, Asylum and Nationality Act 2006 ("the 2006 Act")(**a**),

(b) sections 24(2) and (7), 26(2) and (7), 32(6)(b), 33(5)(b) and 34(1), (1A) and (1C) of the Immigration Act 2014 ("the 2014 Act")(**b**), and

(c) paragraphs 5(6)(b) and (c) and 5A(1) and (3) of Schedule 6 to the Immigration Act 2016(**c**).

In accordance with section 19(2)(a) of the 2006 Act (code of practice: civil penalties), a draft revised code of practice has been laid before Parliament.

In accordance with section 23(2) of the 2006 Act (code of practice: discrimination), the Secretary of State has—

(a) consulted the bodies specified in section 23(2)(a)(i) and (ii),

(b) consulted the bodies the Secretary of State thought appropriate, in accordance with section 23(2)(a)(iii) and (iv),

(c) published a draft revised code after the consultation under section 23(2)(a),

(d) considered representations made about the published draft revised draft code, and

(e) laid a draft revised code before Parliament with modifications to the code to reflect the representations.

(**a**) 2006 c. 13; section 15(8) and (10) was inserted by the Data (Use and Access) Act 2025 (c. 18), section 55(1) and section 23(1) was amended by the Equality Act 2010 (c. 15), Schedule 26, Part 1, paragraph 86. See section 25(d) for the definition of "prescribed".

(**b**) 2014 c. 22; section 34(1) was amended, and section 34(1A) and (1C) were inserted, by the Data (Use and Access) Act 2025, section 55(2). See section 37(1) for the definition of "prescribed".

(**c**) 2016 c. 19; paragraph 5A of Schedule 6 was inserted by the Data (Use and Access) Act 2025, section 55(3). The expression "DVS-registered person" is defined in paragraph 5A(2) of Schedule 6.

In accordance with section 32(6)(a) of the 2014 Act (code of practice: civil penalties), a draft revised code of practice has been laid before Parliament.

In accordance with section 33(3) to (5) of the 2014 Act (code of practice: discrimination), the Secretary of State has—

(a) consulted the bodies specified in section 33(3)(a) and (b),

(b) consulted such persons representing the interests of landlords and tenants as the Secretary of State considered appropriate, in accordance with section 33(3)(c),

(c) published a draft revised code after the consultation under section 33(3),

(d) considered representations made about the published draft revised draft code, and

(e) laid a draft revised code before Parliament with modifications to the code to reflect the representations.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Immigration (Restrictions on Employment and Residential Accommodation) (Prescribed Requirements and Codes of Practice) (Amendment) Regulations 2026 and come into force on 1st October 2026.

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

Amendment of the Immigration (Restrictions on Employment) Order 2007

2.—(1) The Immigration (Restrictions on Employment) Order 2007(**a**) is amended as follows.

(2) In article 2 (interpretation)—

(a) after the definition of "the 2006 Act"—

(i) omit "and", and

(ii) insert—

""the 2025 Act" means the Data (Use and Access) Act 2025(**b**);";

(b) for the definition of "document" substitute—

""document" means—

(a) an original document, or

(b) where the original document is an official document giving a person's permanent National Insurance Number and their name issued by a Government agency, a digital version of that document issued by the Government agency;";

(c) in the appropriate places, insert—

""digital verification services" has the same meaning as in Part 2 of the 2025 Act (see section 27(2) and (3) of that Act);"

""DVS identity check" means the response generated by an RtW DVSP using digital verification services when undertaking identity verification with respect to a person;"

""DVS register" means the register of persons established and maintained by the Secretary of State under section 32 of the 2025 Act;"

(**a**) S.I. 2007/3290, amended by S.I. 2014/1183, 2018/1340, 2022/242, 2024/78; there are other amending instruments but none is relevant.

(**b**) 2025 c. 18.

""relevant DVS document" means—

(a) the digital version (if any) of a document listed in the Schedule provided to an RtW DVSP by a Government department or Government agency,

(b) a passport (current or expired by not more than six months) showing that the holder is a British citizen, or

(c) a passport or passport card (in either case, whether current or expired by not more than six months) showing that the holder is an Irish citizen;"

""RtW DVSP" means a person registered in the DVS register under section 33(1) of the 2025 Act in relation to whom there is a note pursuant to section 36(2) of that Act that the person provides right to work digital verification services(**a**);";

(d) omit the definitions of "identity document validation technology", "IDVT identity check", "IDVT identity service provider" and "relevant IDVT document".

(3) In article 3(1) (excuse from paying civil penalty), in the opening words, for "article 5" substitute "articles 5 and 5B(3) and (4)".

(4) In article 3A—

(a) in paragraph (1)—

(i) in sub-paragraph (a)—

(aa) for "IDVT identity service provider an IDVT" substitute "RtW DVSP a DVS";

(bb) for "IDVT", in the last place it occurs, substitute "DVS";

(ii) in sub-paragraph (b)—

(aa) for "IDVT identity service provider" substitute "RtW DVSP";

(bb) for "IDVT", in the second place it occurs, substitute "DVS";

(iii) omit sub-paragraph (c) and the "and" after it;

(iv) after-sub-paragraph (d), insert—

"(e) obtains from the RtW DVSP—

(i) confirmation that it is registered in the DVS register and that there is a note in its entry on that register that it provides digital verification services in accordance with the RtW supplementary code, and

(ii) confirmation that the digital verification services it is providing in respect of the DVS identity check are being provided in accordance with the RtW supplementary code, and

(f) where a facial recognition check is conducted by the RtW DVSP for the purpose of confirming the employee's identity—

(i) obtains copies of the facial image of the employee within the relevant DVS document or other document and of the facial image of that person in a format that cannot subsequently be altered,

(ii) obtains confirmation from the RtW DVSP that the images are of the rightful holder of the relevant DVS document or other document, and

(**a**) This is a note in the entry relating to the person in the DVS register that the person provides, in accordance with a set of rules (known as a supplementary code) published under section 29(1) of the Data (Use and Access) Act 2025, the services in respect of which the person applied for the note under section 36(1)(b) of that Act.

(iii) securely retains clear copies of those images and that confirmation for a period of not less than two years after the employment has come to an end.";

(b) in paragraph (2), for "article 5A" substitute "articles 5A and 5B(3) and (4)".

(c) after paragraph (2), insert—

"(3) In this article, "RtW supplementary code" means any supplementary code, or revised version of any supplementary code, in force for right to work digital verification services published, or republished as revised, under section 29 of the 2025 Act(**a**).".

(5) In article 4(1), in the opening words, after "and (3)", insert "and subject to article 5B(3) and (4),".

(6) In article 4A(1), in the opening words, after "paragraph (2)", insert "and subject to article 5B(3) and (4),".

(7) in article 4B (excusal from paying civil penalty: Home Office online right to work online checking service)—

(a) in paragraph (1)—

(i) in the opening words, after "and (3)", insert "and subject to article 5B(3) and (4)";

(ii) after sub-paragraph (d), omit "and";

(iii) after sub-paragraph (e), insert "and

(f) where a facial recognition check is conducted by an RtW DVSP for the purpose of confirming the employee's identity—

(i) obtains copies of the facial image of the employee from the online right to work check and of the facial image of that person in a format that cannot subsequently be altered,

(ii) obtains confirmation from the RtW DVSP that the images are of the rightful holder of the document, and

(iii) securely retains clear copies of those images and that confirmation for a period of not less than two years after the employment has come to an end.";

(b) after paragraph (1), insert—

"(1A) Where an employer relies on digital facial recognition technology for the purpose of meeting the requirement in paragraph (1)(c), it must be provided by an RtW DVSP.".

(8) After article 5A, insert—

"Excusal from paying civil penalty: further requirements relating to extension of liability under section 15 of the 2006 Act

5B.—(1) Paragraph (2) applies where a person ("A")—

(a) is contracted to provide, or arrange for the provision of, work or services and enters into a contract with another person ("C") under which C is to provide or arrange for the provision of the work or services and C enters into a contract with an individual ("B") who is to provide the work or services, or

(**a**) Copies of the supplementary codes (1.0) and (0.4) currently in force for digital right to work checks can be obtained free of charge from the Office for Digital Identities and Attributes, Department for Science, Innovation and Technology, 22-26 Whitehall, London SW1A 2EG and online at https://www.gov.uk/government/collections/supplementary-codes-for-digital-verification-services.

(b) is an online matching service who provides the details of another person ("C") who is a service provider(**a**) to potential clients or customers and as a result of being matched by A, C enters into a contract with a client or customer for the provision of work or services and into a contract with an individual ("B") who is to provide the work or services.

(2) Where this paragraph applies, the requirements in relation to the employment of B for the purposes of section 15 of the 2006 Act (excusal of employer from paying a penalty: prescribed requirements) are that—

(a) before commencement of the work or services by B or, where B substitutes another individual to provide the work or services, that other individual, A has produced a written statement which requires the following terms to be included in the contract between A and C—

(i) a requirement for C to comply with the requirements for excusal from paying a penalty in relation to B or the other individual (as the case may be);

(ii) a prohibition of C from entering into a contract with another person for that other person to arrange for the provision of the work or services by an individual unless—

(aa) A has consented in writing, and

(bb) that other person who is to enter into a contract with the individual complies, in respect of the individual, with the requirements for excusal from paying a penalty;

(iii) permission for A, whenever A so requests, to conduct audits of C's compliance with—

(aa) the requirement referred to in paragraph (i), and

(bb) the prohibition referred to in paragraph (ii);

(iv) enforcement provisions against C where—

(aa) contrary to section 15 of the 2006 Act, C employs an adult subject to immigration control(**b**) in the circumstances set out in subsection (1) of that section, and

(bb) C is not excused from paying a penalty by virtue of subsection (3) of that section;

(v) the requirement for C to include in its contract with B enforcement provisions against B where C knows, or has reasonable cause to believe, that B is committing an offence under section 24B of the Immigration Act 1971 (illegal working)(**c**);

(vi) the requirement for C to cooperate with any investigation by the Secretary of State relating to the employment or suspected employment by C of an adult subject to immigration control contrary to section 15 of the 2006 Act by providing the following information to the Secretary of State—

(**a**) For the meaning of "online matching service" and "service provider", see section 14A(3) of the Immigration, Asylum and Nationality Act 2006. Section 14A of that Act was inserted by section 48 of the Border Security, Asylum and Immigration Act 2025 (c. 31).

(**b**) For the meanings of "adult", "subject to immigration control" and the reference to employment, see section 25 of the Immigration, Asylum and Nationality Act 2006, as amended by section 48(5) of the Border Security, Asylum and Immigration Act 2025.

(**c**) 1971 c. 77; section 24B was inserted by the Immigration Act 2016 (c. 19), section 34(3).

(aa) in respect of the chain of contracts ending with and including the contract between C and B, the make-up of the chain and the purpose of each contract in it,

(bb) in respect of each contracting party other than B in the chain of contracts, its official name, whether it is a sole trader, body corporate or unincorporate or partnership and, if it is a partnership, the type of partnership, its registered address or, where it does not have one, its principal place of business, and, if applicable, its company registration number, and

(cc) any other information which the Secretary of State considers is, or may be, relevant to the investigation; and

(b) for the duration of B's employment, A maintains systems and processes that ensure that the individual who is providing the work or services is the same individual.

(3) Nothing in the articles referred to in paragraph (5)(c) applies to A in the circumstances set out in paragraphs (1) and (2).

(4) Where a person ("D") employs an individual ("E") to provide work or services, the requirements in relation to the employment of E for the purposes of section 15(3) of the 2006 Act are that—

(a) where there is a clause in the contract of employment which permits E to substitute another individual ("F") to provide the work or services—

(i) D complies, in relation to F as well as E, with the requirements for excusal from paying a penalty,

(ii) D prohibits F from providing the work or services before D has complied with those requirements in relation to F, and

(iii) D has included in the contract enforcement provisions against E—

(aa) where D or E knows, or has reasonable cause to believe, that F is committing an offence under section 24B of the Immigration Act 1971, and

(bb) where D is unable to meet the condition in paragraph (i) due to F's failure to cooperate with D; and

(b) for the duration of E's employment, D maintains systems and processes that ensure that E, or, as the case may, be F is the same individual.

(5) In this article—

(a) a reference to "work or services" includes part of the work or services;

(b) "enforcement provisions" means provisions to prevent illegal working which may include but are not limited to provisions for the suspension or termination of the contract; and

(c) "the requirements for excusal from paying a penalty" means the requirements set out in—

(i) articles 3(1), 5 and 6,

(ii) articles 3A, 5A and 6A(2),

(iii) articles 4, 5 and 6,

(iv) articles 4A, 5 and 6, or

(v) articles 4B, 5 and 6(2).".

(9) In article 6—

(a) in paragraph (1)—

(i) after sub-paragraph (f), insert "and";

(ii) at the end, for "; and" substitute a full stop;

(b) after paragraph (1), insert—

"(1A) Where an employer relies on digital facial recognition technology for the purpose of meeting the requirement in paragraph (1)(c), it must be provided by an RtW DVSP.".

(10) In article 6A—

(a) omit paragraph (1);

(b) in paragraph (2)(b), for "IDVT" substitute "DVS".

(11) For article 11 (code of practice: civil penalties) substitute—

"Code of practice: civil penalties

11. The revised code of practice entitled "Code of practice on preventing illegal working: Right to Work Scheme for employers", issued by the Secretary of State on 24th June 2026 under section 19(1) and (3) of the 2006 Act and laid in draft before Parliament on 30th June 2026, comes into force on 1st October 2026(**a**).".

(12) For article 12 (code of practice: discrimination) substitute—

"Code of practice: discrimination

12. The revised code of practice entitled "Code of practice for employers: Avoiding unlawful discrimination while preventing illegal working", issued by the Secretary of State on 24th June 2026 under section 23(1) and (5) of the 2006 Act and laid in draft before Parliament on 30th June 2026, comes into force on 1st October 2026(**b**).".

(13) In the Schedule (lists of documents), in List A, in paragraph 1, omit the words from "or a" to the end.

Amendment of the Illegal Working Compliance Orders Regulations 2016

3.—(1) The Illegal Working Compliance Orders Regulations 2016(**c**) are amended as follows.

(2) In regulation 2 (interpretation)—

(a) before the definition of "administrative review", insert—

""the 2025 Act" means the Data (Use and Access) Act 2025;";

(b) for the definition of "document" substitute—

""document" means—

(a) an original document, or

(b) where the original document is an official document giving a person's permanent National Insurance Number and their name issued by a

(**a**) A copy of this Code as laid in draft and final forms can be obtained free of charge from the Home Office, Civil Penalty Compliance Team, PO Box 665, Salford, M5 0LY and online at https://www.gov.uk/government/publications/illegal-working-penalties-codes-of-practice-for-employers.

(**b**) A copy of this Code as laid in draft and final forms can be obtained free of charge from the Home Office, Civil Penalty Compliance Team, PO Box 665, Salford, M5 0LY and online at https://www.gov.uk/government/publications/right-to-work-checks-code-of-practice-on-avoiding-discrimination.

(**c**) S.I. 2016/1058, amended by S.I. 2022/242; there are other amending instruments but none is relevant.

Government agency, a digital version of that document issued by the Government agency.";

(c) in the appropriate places, insert—

""digital verification services" has the same meaning as in Part 2 of the 2025 Act (see section 27(2) and (3) of that Act);"

""DVS identity check" means the response generated by an RtW DVSP using digital verification services when undertaking identity verification with respect to a person;"

""DVS register" means the register of persons established and maintained by the Secretary of State under section 32 of the 2025 Act;"

""relevant DVS document" means—

(a) the digital version (if any) of a document listed in Schedule 1 or 2 provided to an RtW DVSP by a Government department or Government agency,

(b) a passport (current or expired by not more than six months) showing that the holder is a British citizen, or

(c) a passport or passport card (in either case, whether current or expired by not more than six months) showing that the holder is an Irish citizen;"

""RtW DVSP" means a person registered in the DVS register under section 33(1) of the 2025 Act in relation to whom there is a note pursuant to section 36(2) of that Act that the person provides right to work digital verification services.";

(d) omit the definitions of "biometric immigration document", "derivative right of residence", "identity document validation technology", "IDVT identity check", "IDVT identity service provider", "registration certificate", "relevant IDVT document" and "residence card".

(3) In regulation 4A (right to work checks: IDVT identity check)—

(a) in the heading, for "IDVT" substitute "DVS";

(b) the existing text becomes paragraph (1);

(c) in that paragraph—

(i) in sub-paragraph (a)—

(aa) for "IDVT identity service provider an IDVT" substitute "RtW DVSP a DVS";

(bb) for "IDVT", in the last place it occurs, substitute "DVS";

(ii) in sub-paragraph (b)—

(aa) for "IDVT identity service provider" substitute "RtW DVSP";

(bb) for "IDVT", in the second place it occurs, substitute "DVS";

(iii) omit sub-paragraph (c) and the "and" after it;

(iv) after sub-paragraph (d), insert ", and

(e) obtain from the RtW DVSP—

(i) confirmation that it is registered in the DVS register and that there is a note relating to it in that register that it provides services in accordance with the RtW supplementary code, and

(ii) confirmation that the digital verification services it is providing in respect of the DVS identity check are being provided in accordance with the RtW supplementary code, and

(f) where a facial recognition check is conducted by the RtW DVSP for the purpose of confirming the employee's identity—

(i) obtain copies of the facial image of the employee within the relevant DVS document or other document and of the facial image of that person in a format that cannot subsequently be altered,

(ii) obtain confirmation from the RtW DVSP that the images are of the rightful holder of the relevant DVS document or other document, and

(iii) securely retain clear copies of those images and that confirmation for a period of not less than two years after the employment has come to an end.";

(d) after paragraph (1), insert—

"(2) In this regulation, "RtW supplementary code" means any supplementary code, or revised version of any supplementary code, in force for right to work digital verification services published, or republished as revised, under section 29 of the 2025 Act(**a**).".

(4) In regulation 5A (right to work checks: Home Office online right to work checking service)—

(a) in paragraph (1)—

(i) after sub-paragraph (d), omit "and";

(ii) after sub-paragraph (e), insert "; and

(f) where a facial recognition check is conducted by an RtW DVSP for the purpose of confirming the employee's identity—

(i) obtain copies of the facial image of the employee from the online right to work check and of the facial image of that person in a format that cannot subsequently be altered,

(ii) obtain confirmation from the RtW DVSP that the images are of the rightful holder of the document, and

(iii) securely retain clear copies of those images and that confirmation for a period of not less than two years after the employment has come to an end.";

(b) after paragraph (1), insert—

"(1A) Where an employer relies on digital facial recognition technology for the purpose of meeting the requirement in paragraph (1)(c), it must be provided by an RtW DVSP.".

(5) In regulation 6 (right to work checks: general requirements), after paragraph (1), insert—

"(1A) Where an employer relies on digital facial recognition technology for the purpose of meeting the requirement in paragraph (1)(c), it must be provided by an RtW DVSP.".

(6) In regulation 6A (right to work checks: IDVT identity checks—requirements)—

(a) in the heading, for "IDVT" substitute "DVS";

(b) omit paragraph (1);

(c) in paragraph (2)—

(i) in the opening words, for "4A(d)" substitute "4A(1)(d)";

(**a**) Copies of the supplementary codes (1.0) and (0.4) currently in force for digital right to work checks can be obtained free of charge from the Office for Digital Identities and Attributes, Department for Science, Innovation and Technology, 22-26 Whitehall, London, SW1A 2EG and online at https://www.gov.uk/government/collections/supplementary-codes-for-digital-verification-services.

(ii) in sub-paragraph (a), for "4A(b)" substitute "4A(1)(b)";

(iii) in sub-paragraph (b), for "IDVT" substitute "DVS".

(7) In regulation 9B (documents to be produced to an immigration officer: IDVT identity check)—

(a) in the heading, for "IDVT" substitute "DVS";

(b) for "IDVT" substitute "DVS".

(8) In Schedule 1, in paragraph 1, omit the words from "or a" to the end.

Amendment of the Immigration (Residential Accommodation) (Prescribed Requirements and Codes of Practice) Order 2014

4.—(1) The Immigration (Residential Accommodation) (Prescribed Requirements and Codes of Practice) Order 2014(**a**) is amended as follows.

(2) In article 2 (interpretation)—

(a) before the definition of "the Act", insert—

""the 2025 Act" means the Data (Use and Access) Act 2025;";

(b) in the definition of "document", at the end, insert "including the digital version (if any)";

(c) in the appropriate places, insert—

""digital verification services" has the same meaning as in Part 2 of the 2025 Act (see section 27(2) and (3) of that Act);"

""DVS identity check" means the response generated by an RtR DVSP using digital verification services when undertaking identity verification with respect to a person;"

""DVS register" means the register of persons established and maintained by the Secretary of State under section 32 of the 2025 Act;"

""relevant DVS document" means—

(a) the digital version (if any) of a document listed in the Schedule provided to an RtR DVSP by or on behalf of the person who issued the document,

(b) a passport (current or expired by not more than six months) showing that the holder is a British citizen, or

(c) a passport or passport card (in either case, whether current or expired by not more than six months) showing that the holder is an Irish citizen;"

""RtR DVSP" means a person registered in the DVS register under section 33(1) of the 2025 Act in relation to whom there is a note pursuant to section 36(2) of that Act that the person provides right to rent digital verification services;";

(d) omit the definitions of "biometric immigration document", "derivative residence card", "identity document validation technology", "IDVT identity check", "IDVT identity service provider", "permanent residence card", "registration certificate", "relevant IDVT document" and "residence card".

(3) In article 3(aa), for "IDVT" substitute "DVS".

(4) In article 5—

(a) the existing text becomes paragraph (1);

(b) after paragraph (1), insert—

(**a**) S.I. 2014/2874, amended by S.I. 2020/1047, 2022/242, 2024/78; there are other amending instruments but none is relevant.

"(2) Where a landlord or agent relies on digital facial recognition technology for the purpose of meeting the requirement in paragraph (1)(b), it must be provided by an RtR DVSP.".

(5) In article 5ZA—

(a) the existing text becomes paragraph (1);

(b) in that paragraph—

(i) in sub-paragraph (a)—

(aa) for "IDVT identity service provider an IDVT" substitute "RtR DVSP a DVS";

(bb) for "IDVT" in the last place it occurs, substitute "DVS";

(ii) in sub-paragraph (b)—

(aa) for "IDVT identity service provider" substitute "RtR DVSP";

(bb) for "IDVT", in the second place it occurs, substitute "DVS";

(iii) omit sub-paragraph (c) and the "and" after it;

(iv) after sub-paragraph (d), insert ", and

(e) obtains from the RtR DVSP—

(i) confirmation that it is registered in the DVS register and that there is a note relating to it in that register that it provides services in accordance with the RtR supplementary code, and

(ii) confirmation that the digital verification services it is providing in respect of the DVS identity check are being provided in accordance with the RtR supplementary code, and

(f) where a facial recognition check is conducted by the RtR DVSP for the purpose of confirming the occupier's or prospective occupier's identity—

(i) obtains copies of the facial image of the occupier or prospective occupier within the relevant DVS document or other document and of the facial image of that person in a format that cannot subsequently be altered,

(ii) obtains confirmation from the RtR DVSP that the images are of the rightful holder of the relevant DVS document or other document, and

(iii) securely retains clear copies of those images and that confirmation for a period of not less than one year after the residential tenancy agreement has come to an end.";

(c) at the end, insert—

"(2) In this article, "RtR supplementary code" means any supplementary code, or revised version of any supplementary code, in force for right to rent digital verification services published, or republished as revised, under section 29 of the 2025 Act(**a**).".

(6) In article 5ZB—

(a) omit paragraph (1);

(b) in paragraph (2)(b), for "IDVT" substitute "DVS".

(7) In article 5B—

(**a**) Copies of the supplementary codes (1.0) and (0.4) currently in force for digital right to rent checks can be obtained free of charge from the Office for Digital Identities and Attributes, Department for Science, Innovation and Technology, 22-26 Whitehall, London, SW1A 2EG and online at https://www.gov.uk/government/collections/supplementary-codes-for-digital-verification-services.

(a) in paragraph (1)—

(i) after sub-paragraph (c), omit "and";

(ii) after sub-paragraph (d) insert "; and

(e) where a facial recognition check is conducted by an RtR DVSP for the purpose of confirming the occupier's or prospective occupier's identity—

(i) obtains copies of the facial image of the occupier or prospective occupier from the online right to rent check and of the facial image of that person in a format that cannot subsequently be altered,

(ii) obtains confirmation from the RtR DVSP that the images are of the rightful holder of the document, and

(iii) securely retains clear copies of those images and that confirmation for a period of not less than one year after the residential tenancy agreement has come to an end.";

(b) after paragraph (1), insert—

"(2) Where a landlord or agent relies on digital facial recognition technology for the purpose of meeting the requirement in paragraph (1)(c), it must be provided by an RtR DVSP.".

(8) For article 13 (code of practice: civil penalties) substitute—

"Code of practice: civil penalties

13. The revised code of practice entitled "Code of practice on right to rent: Right to Rent Scheme for landlords and their agents", issued by the Secretary of State on 24th June 2026 under section 32(1) and (5) of the Act and laid in draft before Parliament on 30th June 2026, comes into force on 1st October 2026(**a**).".

(9) For article 14 (code of practice: discrimination) substitute—

"Code of practice: discrimination

14. The revised code of practice entitled "Code of practice for landlords: Avoiding unlawful discrimination when conducting 'right to rent' checks in the private rented residential sector", issued by the Secretary of State on 24th June 2026 under section 33(2) of the Act and laid in draft before Parliament on 30th June 2026, comes into force on 1st October 2026(**b**).".

(10) In the Schedule, in List A(1), in paragraph 1, omit the words from "or a" to the end.

Alex Norris
Minister of State
Home Office

24th June 2026

(**a**) A copy of this Code as laid in draft and final forms can be obtained free of charge from the Home Office, Civil Penalty Compliance Team, PO BOX 665, Salford, M5 0LY and online at https://www.gov.uk/government/publications/right-to-rent-landlords-code-of-practice.

(**b**) A copy of this Code as laid in draft and final forms can be obtained free of charge from the Home Office, Civil Penalty Compliance Team, PO BOX 665, Salford, M5 0LY and online at https://www.gov.uk/government/publications/right-to-rent-landlords-code-of-practice.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments relating to the checks of immigration status that must be undertaken by employers, in relation to the employment of employees, and by landlords or agents for residential tenancies, in relation to occupiers or prospective occupiers, for those employers, landlords or agents to be excused from liability for a civil penalty for employing or renting to individuals without valid immigration status.

Regulation 2 amends the Immigration (Restrictions on Employment) Order 2007 (S.I. 2007/3290) ("the 2007 Order") and regulation 4 amends the Immigration (Residential Accommodation) (Prescribed Requirements and Codes of Practice) Order 2014 (S.I. 2014/2874) to extend the scope for the digital verification of documentation which may prove immigration status and to provide for new codes of practice on civil penalties and avoiding unlawful discrimination. Regulation 3 makes analogous amendments to the Illegal Working Compliance Orders Regulations 2016 (S.I. 2016/1058) to extend the scope for the digital verification of documents relating to an individual's right to work which a court may require a person specified in an illegal working compliance order to produce to an immigration officer.

Regulation 2 also inserts a new article 5B into the 2007 Order to set out the circumstances in which the excusal from liability to a civil penalty applies to—

(a) a person contracted to provide, or arrange for the provision of, work or services who has entered into a contract with another person to provide or arrange for the provision of the work or services where that other person enters into a contract with an individual who is to provide the work or services;

(b) an online matching service who provides the details of another person who is a service provider to a potential client or customer and who, as a result of being matched with that client or customer, enters into a contract with them and with an individual who is to provide the work or services; and

(c) a person who employs an individual to provide work or services where there is a clause in the contract of employment which permits that individual to substitute another person to provide the work or services.

An impact assessment in relation to the extension of the scope of employers required to carry out right to work checks to other working arrangements when this was introduced by amendments to the Immigration, Asylum and Nationality Act 2006 (c. 13) (by section 48 of the Border Security, Asylum and Immigration Act 2025 (c. 31)) is published alongside this instrument and available on legislation.gov.uk. An economic note in relation to the requirements for right to work and right to rent checks to be completed through registered digital verification services is also published alongside this instrument and available on legislation.gov.uk.

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