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STATUTORY INSTRUMENTS

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**2009 No. 2565 (C. 108)**

**IDENTITY CARDS**

The Identity Cards Act 2006  
(Commencement No. 4) Order 2009

Made - - - - 22nd September  
2009

The Secretary of State, in exercise of the powers conferred by section 44(3) and (4) of the Identity Cards Act 2006<sup>(1)</sup>, makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Identity Cards Act 2006 (Commencement No. 4) Order 2009.

(2) In this Order –

“airside pass” in relation to an airport means a pass allowing the person to whom it has been issued unaccompanied access to a restricted zone or part of a restricted zone at that airport;

“EEA national” means a national of an EEA State;

“EEA State” means –

(a) a Member State, other than the United Kingdom;

(b) Norway, Iceland, or Liechtenstein; or

(c) Switzerland;

“Identity and Passport Service” means the Secretary of State acting through the Identity and Passport Service;

“restricted zone” means an area designated by the Secretary of State under section 11A of the Aviation Security Act 1982<sup>(2)</sup>; and

“the 2006 Act” means the Identity Cards Act 2006.

**Commencement**

2.—(1) Section 2(1) and (2), and section 5(1)(b), of the 2006 Act shall come into force on 20<sup>th</sup> October 2009 in relation to persons to whom paragraph (4) applies.

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(1) 2006 c. 15.

(2) 1982 c. 36; section 11A was inserted by section 8(1) of, and paragraph 3 of Schedule 1 to, the Aviation and Maritime Security Act 1990 (c. 31).

(2) Section 2(1) and (2), and section 5(1)(b), of the 2006 Act shall come into force on 10<sup>th</sup> November 2009 in relation to persons to whom paragraph (5) applies.

(3) Section 2(1) and (2), and section 5(1)(b), of the 2006 Act shall come into force on 24<sup>th</sup> November 2009 in relation to persons to whom paragraph (6) applies.

(4) This paragraph applies to a British citizen or EEA national who –

- (a) is employed by the Identity and Passport Service and whose contract of employment provides that his place of work is permanently or temporarily at premises located in the counties of Greater Manchester, Merseyside or Durham within the meaning of section 1(2) of the Local Government 1972(3), or in a London borough;
- (b) is working under a contract for services for the Identity and Passport Service in connection with the implementation of the 2006 Act at premises located at the addresses listed in the Schedule to this Order, and holds a pass allowing him unaccompanied access to those premises;
- (c) is working under a contract for services for the Identity and Passport Service in connection with the implementation of the 2006 Act at premises occupied by the Identity and Passport Service located in a London borough, and holds a pass allowing him unaccompanied access to those premises; or
- (d) holds an office or employment the duties of which relate, in whole or in part, to the implementation of the 2006 Act, and holds a pass allowing him unaccompanied access to the premises occupied by the Secretary of State located at 2 Marsham Street, London SW1P 4DF.

(5) This paragraph applies to a British citizen or EEA national employed by Manchester Airport Group plc and who holds an airside pass in respect of Manchester Airport, holds employment for which such a pass is required, or has been offered employment for which such a pass is required.

(6) This paragraph applies to a British citizen or EEA national employed by London City Airport Limited and who holds an airside pass in respect of London City Airport, holds employment for which such a pass is required, or has been offered employment for which such a pass is required.

(7) The following provisions of the 2006 Act shall come into force on 20<sup>th</sup> October 2009 –

- (a) Section 1 (The National Identity Register) in so far as it is not already in force;
- (b) Section 2(3) to (7) (Individuals entered in Register);
- (c) Section 3 (Information recorded in Register);
- (d) Section 4 (Designation of documents for purposes of registration etc.);
- (e) Section 5(2) to (7) (Applications relating to entries in Register);
- (f) Section 6 (Issue etc. of ID cards);
- (g) Section 8 (Functions of persons issuing designated documents);
- (h) Section 9 (Power to require information for validating Register);
- (i) Section 10 (Notification of changes affecting accuracy of Register);
- (j) Section 11 (Invalidity and surrender of ID cards);
- (k) Section 12 (Provision of information for verification or otherwise with consent);
- (l) Section 13 (Power to make public services conditional on identity checks);
- (m) Section 14 (Procedure for regulations under s. 13);
- (n) Section 15 (Power to provide for checks on the Register);

- (o) Section 16 (Prohibition on requirements to produce identity cards);
- (p) Section 17 (Public authorities etc.);
- (q) Section 18 (Prevention and detection of crime);
- (r) Section 19 (Correcting inaccurate or incomplete information);
- (s) Section 20 (Power to authorise provision of information in other circumstances);
- (t) Section 21 (Rules for providing information without individual's consent);
- (u) Section 27 (Unauthorised disclosure of information);
- (v) Section 28 (Providing false information);
- (w) Section 29 (Tampering with the Register etc.);
- (x) Section 30 (Amendments relating to offences) in so far as it is not already in force;
- (y) Section 31 (Imposition of civil penalties);
- (z) Section 32 (Objection to penalty);
- (aa) Section 33 (Appeals against penalties);
- (bb) Section 34 (Code of practice on penalties);
- (cc) Section 35 (Fees in respect of functions carried out under Act);
- (dd) Section 39 (Amendments of legislation relating to passports);
- (ee) Section 41 (Expenses of Secretary of State);
- (ff) Section 42 (General interpretation) in so far as it is not already in force;
- (gg) Section 43 (Scotland); and
- (hh) Schedule 1 (Information that may be recorded in Register).

Home Office  
22nd September 2009

*Bill Brett*  
Parliamentary Under-Secretary of State

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## SCHEDULE

Article 2(4)(b)

Addresses of premises where a British citizen or EEA national is working under a contract for services for the Identity and Passport Service

1. Gorse Street, Chadderton, Oldham, Lancashire OL9 9QH.
2. Dolphin House, Ashurst Drive, Bird Hall Lane, Cheadle Heath, Stockport, Cheshire SK3 0XB.
3. Poseidon House, Ashurst Drive, Bird Hall Lane, Cheadle Heath, Stockport, Cheshire SK3 0XB.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force provisions of the Identity Cards Act 2006 (“the 2006 Act”) on the dates specified in Article 2.

Article 2(1) to (6) brings into force section 2(1) and (2), and section 5(1)(b), of the 2006 Act on various dates. These provisions of the 2006 Act relate to entries being made in the National Identity Register for persons who are entitled to be registered in that Register and who apply for an entry to be made, and how such an application may be made.

Article 2(1) and (4) brings into force section 2(1) and (2), and section 5(1)(b), of the 2006 Act on 20<sup>th</sup> October 2009 in relation to British citizens or EEA nationals within the four categories set out in paragraphs (a), (b), (c), and (d) of Article 2(4). Paragraph (a) refers to those persons employed by the Identity and Passport Service who work at premises located in the counties of Greater Manchester, Merseyside or Durham, or in a London borough. Paragraph (b) refers to those persons who work under a contract for services for the Identity and Passport Service in connection with the operation of the 2006 Act at premises located at the addresses which are listed in the Schedule to this Order, and hold a pass allowing unaccompanied access to those premises. Paragraph (c) refers to those persons who work under a contract for services for the Identity and Passport Service in connection with the operation of the 2006 Act at premises occupied by the Identity and Passport Service in a London borough, and hold a pass allowing unaccompanied access to those premises. Paragraph (d) refers to those persons who are employees or office-holders and work in connection with the operation of the 2006 Act, and hold a pass allowing unaccompanied access to the premises occupied by the Secretary of State located at 2 Marsham Street, London SW1P 4DF.

Article 2(2) and (5) brings into force section 2(1) and (2), and section 5(1)(b), of the 2006 Act on 10<sup>th</sup> November 2009 in relation to British citizens and EEA nationals employed by Manchester Airport Group plc and holding a pass allowing unaccompanied access to Manchester Airport, or who hold employment or have been offered employment for which such a pass is required.

Article 2(3) and (6) brings into force section 2(1) and (2), and section 5(1)(b), of the 2006 Act on 24<sup>th</sup> November 2009 in relation to British citizens and EEA nationals employed by London City Airport Limited and holding a pass allowing unaccompanied access to London City Airport, or who hold employment or have been offered employment for which such a pass is required.

Article 2(7) brings into force on 20<sup>th</sup> October 2009 the provisions of the 2006 Act which are listed in that Article.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

Provision	Date of Commencement	S.I. No.
Section 1(5) to (8) (partially)	7 <sup>th</sup> June 2006	2006/1439 (C. 49)
Section 22	1 <sup>st</sup> October 2009	2009/2303 (C.100)
Section 23	1 <sup>st</sup> October 2009	2009/2303 (C.100)
Section 24	1 <sup>st</sup> October 2009	2009/2303 (C.100)
Section 25	7 <sup>th</sup> June 2006	2006/1439 (C. 49)
Section 26	7 <sup>th</sup> June 2006	2006/1439 (C. 49)
Section 30 (partially)	7 <sup>th</sup> June 2006	2006/1439 (C. 49)
Section 37	30 <sup>th</sup> September 2006	2006/2602 (C. 87)
Section 40	7 <sup>th</sup> June 2006	2006/1439 (C. 49)
Section 42 (partially)	7 <sup>th</sup> June 2006	2006/1439 (C. 49)
Schedule 2	1 <sup>st</sup> October 2009	2009/2303 (C.100)
	7 <sup>th</sup> June 2006	2006/1439 (C. 49)