



Identity Cards Act 2006

2006 CHAPTER 15

Fees and charges

35 Fees in respect of functions carried out under Act

- (1) The Secretary of State may by regulations impose fees, of such amounts as he thinks fit, to be paid to him in respect of any one or more of the following—
 - (a) applications to him for entries to be made in the Register, for the modification of entries or for the issue of ID cards;
 - (b) the making or modification of entries in the Register;
 - (c) the issue of ID cards;
 - (d) applications for the provision of information contained in entries in the Register;
 - (e) the provision of such information;
 - (f) applications for confirmation that information supplied coincides with information recorded in the Register;
 - (g) the issue or refusal of such confirmations;
 - (h) applications for the approval of a person or of apparatus in accordance with any regulations under this Act;
 - (i) the grant of such approvals.
- (2) The provision that may be made by regulations under this section includes—
 - (a) provision for the payment of fees by instalments; and
 - (b) provision establishing arrangements under which instalments may be paid in anticipation of a fee becoming due.
- (3) In prescribing a fee under this section in respect of anything mentioned in a particular paragraph of subsection (1), the Secretary of State may take into account—
 - (a) expenses that will be or have been incurred by him in respect of that thing, both in the circumstances in relation to which the fee is prescribed and in other circumstances;
 - (b) expenses that will be or have been incurred by him in respect of such other things mentioned in that subsection as he thinks fit;

Status: This is the original version (as it was originally enacted).

- (c) other expenses that will be or have been incurred by him in connection with any provision made by or under this Act;
 - (d) expenses that will be or have been incurred by any person in connection with applications for, and the issue of, designated documents (whether or not together with ID cards);
 - (e) expenses that will be or have been incurred in the provision of consular services (within the meaning of section 1 of the Consular Fees Act 1980 (c. 23)); and
 - (f) such differences between different persons by or in relation to whom that thing may be done as he thinks fit.
- (4) The consent of the Treasury is required for the making of regulations under subsection (1).
- (5) Every power conferred by or under an enactment to fix or impose fees in respect of—
- (a) applications for a designated document, or
 - (b) the issue of designated documents,
- includes power to fix or impose fees in respect of things done by virtue of this Act in connection with such applications, or with the issue of such documents.
- (6) References in this section to expenses that will be incurred for any purpose include references to expenses that the Secretary of State considers are likely to be incurred for that purpose over such period as he thinks appropriate, including expenses that will be incurred only after the commencement of particular provisions of this Act.
- (7) The power of the Secretary of State to make regulations containing (with or without other provision) a provision that he is authorised to make by subsection (1) is exercisable—
- (a) on the first occasion on which regulations are made under this section, and
 - (b) on every subsequent occasion on which it appears to the Secretary of State that the power is being exercised for purposes that are not confined to the modification of existing fees to take account of changes in the value of money,
- only if a draft of the regulations has been laid before Parliament and approved by a resolution of each House.
- (8) Fees received by the Secretary of State by virtue of this section must be paid into the Consolidated Fund.

36 Amendment of Consular Fees Act 1980

In section 1 of the Consular Fees Act 1980 (power to impose fees in respect of the carrying out of consular functions), after subsection (4) insert—

- “(4A) In prescribing a fee under subsection (1) for the doing of a particular thing, Her Majesty in Council may take into account—
- (a) the expenses that will be or have been incurred in doing that thing, both in the circumstances in relation to which the fee is prescribed and in other circumstances;
 - (b) the expenses that will be or have been incurred in doing such other things in the exercise of functions mentioned in that subsection as She thinks fit;

- (c) expenses that will be or have been incurred by the Secretary of State in connection with arrangements made for purposes connected with both the exercise of such functions and provision made by or under the Identity Cards Act 2006; and
 - (d) such differences between different persons in relation to whom things may be or have been done as She thinks fit.
- (4B) The power of Her Majesty in Council under subsection (1) to prescribe fees and the power of the Secretary of State under subsection (3) to make regulations each includes power—
- (a) to make different provision for different cases;
 - (b) to make provision subject to such exemptions and exceptions as the person exercising the power thinks fit; and
 - (c) to make such incidental, supplemental, consequential and transitional provision as that person thinks fit.
- (4C) References in this section to expenses that will be incurred for any purpose include references to expenses that Her Majesty in Council considers are likely to be incurred for that purpose over such period as She thinks appropriate, including expenses that will only be incurred after the commencement of a particular enactment.”

37 Report to Parliament about likely costs of ID cards scheme

- (1) Before the end of the six months beginning with the day on which this Act is passed, the Secretary of State must prepare and lay before Parliament a report setting out his estimate of the public expenditure likely to be incurred on the ID cards scheme during the ten years beginning with the laying of the report.
- (2) Before the end of every six months beginning with the laying of a report under this section, the Secretary of State must prepare and lay before Parliament a further report setting out his estimate of the public expenditure likely to be incurred on the ID cards scheme during the ten years beginning with the end of those six months.
- (3) References in this section, in relation to any period of ten years, to the public expenditure likely to be incurred on the ID cards scheme are references to the expenditure likely to be incurred over that period by the Secretary of State and designated documents authorities on—
 - (a) the establishment and maintenance of the Register;
 - (b) the issue, modification, renewal, replacement, re-issue and surrender of ID cards;
 - (c) the provision to persons by the Secretary of State of information recorded in individuals' entries in the Register.
- (4) If it appears to the Secretary of State that it would be prejudicial to securing the best value from the use of public money to publish any matter by including it in his next report under this section, he may exclude that matter from that report.