



Identity Cards Act 2006

2006 CHAPTER 15

ID cards

6 Issue etc. of ID cards

- (1) For the purposes of this Act an ID card is a card which—
 - (a) is issued to an individual by the Secretary of State, or as part of or together with a designated document; and
 - (b) does, as respects that individual, both of the things specified in subsection (2).
- (2) Those things are—
 - (a) recording registrable facts about the individual that are already recorded as part of his entry in the Register;
 - (b) carrying data enabling the card to be used for facilitating the making of applications for information recorded in a prescribed part of the individual's entry in the Register, or for otherwise facilitating the provision of that information to a person entitled to be provided with it.
- (3) An ID card issued to an individual—
 - (a) must record only the prescribed information;
 - (b) must record prescribed parts of it in an encrypted form;
 - (c) is valid only for the prescribed period; and
 - (d) remains the property of the person issuing it.
- (4) Except in prescribed cases, an ID card must be issued to an individual if he—
 - (a) is entitled to be entered in the Register or is subject to compulsory registration; and
 - (b) is an individual about whom the prescribed registrable facts are recorded in the Register;but this subsection does not require an ID card to be issued as part of or together with a designated document issued on an application made in a case falling within subsection (7)(a) to (c).
- (5) In prescribed cases an ID card may be issued to an individual who—

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- (a) is not required to be issued with one; but
 - (b) is an individual about whom the prescribed registrable facts are recorded in the Register.
- (6) An ID card relating to an individual is not to be issued except on an application made by him which either—
- (a) accompanies an application made by him to be entered in the Register; or
 - (b) in the prescribed manner confirms (with or without changes) the contents of an entry already made in the Register for that individual.
- (7) Where an individual who is not already the holder of an ID card makes an application to be issued with a designated document, his application must, in the prescribed manner, include an application by him to be issued with such a card unless—
- (a) it is being made before 1st January 2010;
 - (b) the designated document applied for is a United Kingdom passport (within the meaning of the Immigration Act 1971 (c. 77)); and
 - (c) the application for that document contains a declaration by that individual that he does not wish to be issued with such a card.
- (8) Other applications for the issue of an ID card—
- (a) may be made only in the prescribed manner;
 - (b) may be made to the Secretary of State or, in prescribed cases, to a designated documents authority; and
 - (c) must be accompanied by the prescribed information;
- and regulations for the purposes of paragraph (b) may authorise an application to be made to a designated documents authority irrespective of whether an application is made to that authority for the issue of a designated document.
- (9) The Secretary of State must not make regulations containing (with or without other provision) any provision for prescribing—
- (a) the information to be recorded in or on an ID card,
 - (b) the form in which information is to be recorded in or on such a card, or
 - (c) the registrable facts which are to be relevant for the purposes of subsection (4) (b),
- unless a draft of the regulations has been laid before Parliament and approved by a resolution of each House.

7 ID cards for those compulsorily registered

- (1) This section applies where an individual—
- (a) is subject to compulsory registration; and
 - (b) is entered in the Register.
- (2) If the individual—
- (a) holds a valid ID card that is due to expire within the prescribed period, or
 - (b) does not hold a valid ID card,
- he must apply for one within the prescribed period.
- (3) Where an individual applies for an ID card in pursuance of this section, the Secretary of State may require him to do such one or more of the things specified in subsection (4) as the Secretary of State thinks fit for the purpose of—

- (a) verifying information provided for the purposes of the application; or
 - (b) otherwise ensuring that there is a complete, up-to-date and accurate entry about that individual in the Register.
- (4) The things that an individual may be required to do under subsection (3) are—
- (a) to attend at an agreed place and time or (in the absence of agreement) at a specified place and time;
 - (b) to allow his fingerprints, and other biometric information about himself, to be taken and recorded;
 - (c) to allow himself to be photographed;
 - (d) otherwise to provide such information as may be required by the Secretary of State.
- (5) An individual who contravenes—
- (a) a requirement imposed by subsection (2), or
 - (b) a requirement imposed under subsection (3),
- shall be liable to a civil penalty not exceeding £1,000.

8 Functions of persons issuing designated documents

- (1) A designated documents authority may issue a designated document to an individual only if—
- (a) it is satisfied that the requirements imposed by or under this Act in relation to the application for the issue of that document to that individual have been complied with;
 - (b) it is satisfied that the Secretary of State has considered and disposed of so much of that application as relates to the making of an entry in the Register or the confirmation (with or without changes) of the contents of such an entry; and
 - (c) it has ascertained whether the individual already holds a valid ID card.
- (2) A designated documents authority which issues a designated document to an individual in a case in which—
- (a) the individual does not already hold a valid ID card, and
 - (b) the designated document is being issued otherwise than on an application made in a case falling within section 6(7)(a) to (c),
- must ensure that the document is issued together with an ID card satisfying the prescribed requirements.
- (3) Regulations made by the Secretary of State may impose requirements regulating how designated documents authorities handle—
- (a) applications to be entered in the Register that are made to them;
 - (b) applications to be issued with ID cards that are made to them (whether or not as part of an application for a designated document); and
 - (c) applications made to them that confirm (with or without changes) the contents of an individual's entry in the Register.
- (4) Regulations made by the Secretary of State may also require designated documents authorities to notify the Secretary of State where a designated document that was issued together with an ID card—
- (a) is modified, suspended or revoked; or

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- (b) is required to be surrendered.
- (5) The Secretary of State must not make regulations containing (with or without other provision) any provision prescribing requirements for the purposes of subsection (2) unless a draft of the regulations has been laid before Parliament and approved by a resolution of each House.