



Identity Cards Act 2006 (repealed)

2006 CHAPTER 15

Supervision of operation of Act

22 Appointment of National Identity Scheme Commissioner

- (1) The Secretary of State must appoint a Commissioner to be known as the National Identity Scheme Commissioner.
- (2) It shall be the function of the Commissioner (subject to subsection (4)) to keep under review—
 - (a) the arrangements for the time being maintained by the Secretary of State for the purposes of his functions under this Act or the subordinate legislation made under it;
 - (b) the arrangements for the time being maintained by designated documents authorities for the purposes of their functions under this Act or that subordinate legislation;
 - (c) the arrangements made, by persons to whom information may be provided, for obtaining the information available to them under this Act or that subordinate legislation and for recording and using it; and
 - (d) the uses to which ID cards are being put.
- (3) Where the Commissioner reviews any arrangements in accordance with subsection (2), his review must include, in particular, a review of the extent to which the arrangements make appropriate provision—
 - (a) for securing the confidentiality and integrity of information recorded in the Register; and
 - (b) for dealing with complaints made to the Secretary of State or a designated documents authority about the carrying out of the functions mentioned in that subsection.
- (4) The matters to be kept under review by the Commissioner do not include—
 - (a) the exercise of powers which under this Act are exercisable by statutory instrument or by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12));

Status: Point in time view as at 01/10/2009. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Identity Cards Act 2006 (repealed), Section 22. (See end of Document for details)

- (b) appeals against civil penalties;
 - (c) the operation of so much of this Act or of any subordinate legislation as imposes or relates to criminal offences;
 - (d) the provision of information to the Director-General of the Security Service, the Chief of the Secret Intelligence Service or the Director of the Government Communications Headquarters;
 - (e) the provision to another member of the intelligence services, in accordance with regulations under section 21(5), of information that may be provided to that Director-General, Chief or Director;
 - (f) the exercise by the Secretary of State of his powers under section 38; or
 - (g) arrangements made for the purposes of anything mentioned in paragraphs (a) to (f).
- (5) It shall be the duty of every official of the Secretary of State's department to provide the Commissioner with all such information (including information recorded in the Register) as he may require for the purpose of carrying out his functions under this Act.
- (6) The Commissioner is to hold office in accordance with the terms of his appointment; and there shall be paid to him out of money provided by Parliament such allowances as the Treasury may determine.
- (7) The Secretary of State—
- (a) after consultation with the Commissioner, and
 - (b) subject to the approval of the Treasury as to numbers,
- must provide the Commissioner with such staff as the Secretary of State considers necessary for the carrying out of the Commissioner's functions.
- (8) In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (c. 36) (public authorities for the purposes of that Act), at the appropriate place, insert— “ The National Identity Scheme Commissioner. ”
- (9) In this section “intelligence service” has the same meaning as in the Regulation of Investigatory Powers Act 2000 (c. 23).

Status:

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